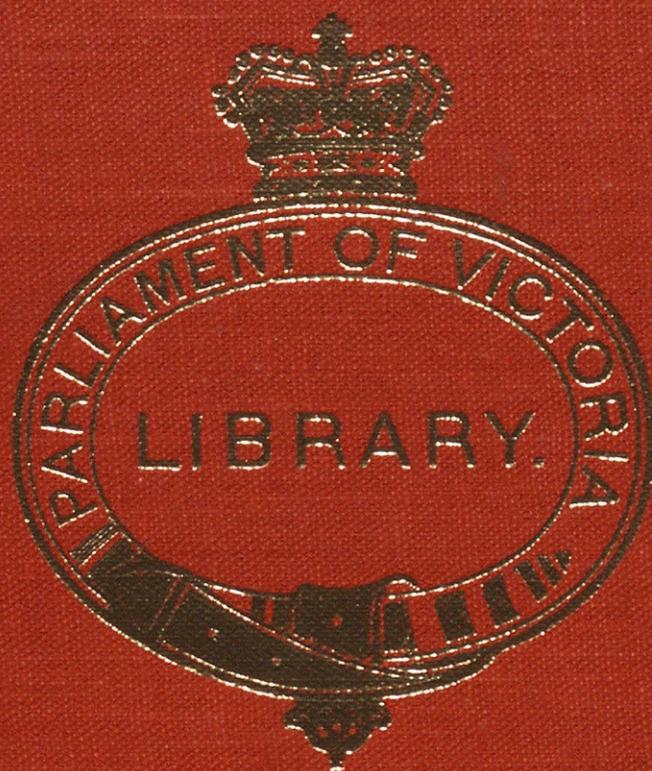


VICTORIA

MINUTES
OF THE
PROCEEDINGS
OF THE
LEG.
COUNCIL

—
VOL. I
SESSION
1981 - 82







MINUTES OF THE PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL OF VICTORIA

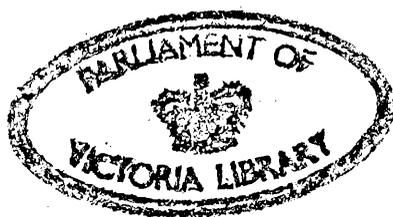
SESSION 1981-82

VOLUME 1

WITH COPIES OF THE DOCUMENTS ORDERED TO BE PRINTED

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VI



Mr President takes the Chair at a Quarter past Four o'clock

LEGISLATIVE COUNCIL OF VICTORIA

Order of the Day (to take precedence):

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—MOTION FOR—
Resumption of debate. (Hon. D. R. White).

GOVERNMENT BUSINESS

Notices of Motion

- 1 The Hon. HADDON STOREY—To move, That he have leave to bring in a Bill to amend the *Property Law Act 1958* in relation to Delivery of Deeds by an Agent and for other purposes.
- 2 The Hon. HADDON STOREY—To move, That he have leave to bring in a Bill to amend the *Sale of Land Act 1962* to make provision with respect to the Payment of Estate Agents' Commission and for other purposes.
- 3 The Hon. HADDON STOREY—To move, That he have leave to bring in a Bill to amend Section 53 of the *Summary Offences Act 1966*.
- 4 The Hon. HADDON STOREY—To move, That he have leave to bring in a Bill to amend Section 189 of the *Supreme Court Act 1958*.
- 5 The Hon. HADDON STOREY—To move, That he have leave to bring in a Bill to amend the *Magistrates' Courts Act 1971*.
- 6 The Hon. HADDON STOREY—To move, That he have leave to bring in a Bill to amend the *Magistrates (Summary Proceedings) Act 1975*.
- 7 The Hon. W. V. HOUGHTON—To move, That he have leave to bring in a Bill to make provision with respect to certain Crown Grants of Lands in the Parish of Lyndhurst and for other purposes.
- 8 The Hon. W. V. HOUGHTON—To move, That he have leave to bring in a Bill to amend the *Soil Conservation and Land Utilization Act 1958*.
- 9 The Hon. W. V. HOUGHTON—To move, That he have leave to bring in a Bill to revoke the Permanent Reservations and Crown Grants of certain Lands and for Purposes connected therewith.
- 10 The Hon. W. V. HOUGHTON—To move, That he have leave to bring in a Bill to further amend the *Land Act 1958*.
- 11 The Hon. W. V. HOUGHTON—To move, That he have leave to bring in a Bill to amend the *Fisheries Act 1968*.

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That this House is of the opinion that any extension of shop trading hours to allow Saturday afternoon or Sunday trading will—
 - (a) cause further price increases and add to inflation;
 - (b) impose increasing and undue hardship on the families of employees in the retail industry;

- (c) adversely affect the viability of thousands of small shopkeepers to the advantage of chain store supermarkets; and
- (d) aggravate the already alarming incidence of unemployment particularly in relation to young people.
- 2 The Hon. W. R. BAXTER—To move, That, in view of the importance of the export meat industry to Victoria, this House expresses alarm at the present crisis caused by the substitution of horse and kangaroo meat and calls on the Victorian Government to join with the Federal Government in setting up a judicial inquiry to investigate all aspects of the matter.
- 3 The Hon. D. M. EVANS—To move, That this House, alarmed by the housing crisis facing thousands of Victorian families, calls on the Government to increase its funding allocation to welfare housing in order to—
- (a) continue the Housing Commission building programme;
- (b) provide more funds for co-operative housing societies;
- (c) ensure that sufficient homes are provided in country towns to encourage decentralization; and
- (d) generally encourage the housing industry in Victoria.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State's road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 6 The Hon. G. A. SGRO—To move, That he have leave to bring in a Bill to amend the *Public Service Act* 1974 with respect to the Employment in the Public Service of Persons who are not Australian Citizens or British Subjects.
- 7 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act* 1958 to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 8 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 9 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 10 The Hon. EVAN WALKER—To move, That the State Electricity Commission be referred to the Public Bodies Review Committee for review.
- 11 The Hon. W. A. LANDERYOU—To move, That he have leave to bring in a Bill to limit the Powers of the Legislative Council with respect to Money Bills, to amend the *Constitution Act* 1975 and for other purposes.
- 12 The Hon. W. A. LANDERYOU—To move, That he have leave to bring in a Bill to make provision in the Victorian Constitution with respect to Acts and Enactments for the Dismissal of Municipal Councils and for other purposes.

- 13 The Hon. W. A. LANDERYOU—To move, That he have leave to bring in a Bill to abolish a certain Inhumane Punishment and for other purposes.
- 14 The Hon. W. A. LANDERYOU—To move, That he have leave to bring in a Bill to establish an Electoral Commission for dividing the State of Victoria from Time to Time into Electoral Provinces for the Legislative Council and Electoral Districts for the Legislative Assembly.
- 15 The Hon. W. A. LANDERYOU—To move, That he have leave to bring in a Bill to amend the *Hospitals Remuneration Tribunal Act 1978* with respect to the Rates of Remuneration of Medical Practitioners.
- 16 The Hon. W. A. LANDERYOU—To move, That he have leave to bring in a Bill to amend the *Local Government Act 1958* to ensure that the Subdivisions of Municipal Districts contain approximately equal Numbers of Voters, and for other purposes.
- 17 The Hon. W. A. LANDERYOU—To move, That he have leave to bring in a Bill to amend Part XLVII. of the *Local Government Act 1958*.
- 18 The Hon. W. A. LANDERYOU—To move, That he have leave to bring in a Bill to amend Section 925 of the *Local Government Act 1958* with respect to the Installation of Bullet-resistant Glass in Premises used for Banking or the Receipt of Money from the Public.
- 19 The Hon. W. A. LANDERYOU—To move, That he have leave to bring in a Bill to amend the *Vagrancy Act 1966*.
- 20 The Hon. EVAN WALKER—To move, That he have leave to bring in a Bill to amend the *Historic Buildings Act 1974*.
- 21 The Hon. R. A. MACKENZIE—To move, That he have leave to bring in a Bill to enable Persons to refuse Medical Treatment in certain Circumstances.
- 22 The Hon. R. A. MACKENZIE—To move, That he have leave to bring in a Bill to amend the *Wildlife Act 1975* to prohibit the Use of certain Steel Jaw Traps in Hunting or taking Wildlife.

GOVERNMENT BUSINESS

Orders of the Day

- 1 FOREIGN JUDGMENTS (AMENDMENT) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 2 PENALTY INTEREST RATES BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- †3 STANDING ORDER 325—MOTION FOR SUSPENSION IN RELATION TO PRIVATE BILL FEES (Hon. A. J. Hunt)—*Resumption of debate.* (Hon. W. A. Landeryou).

GENERAL BUSINESS

Orders of the Day

- 1 ARTS CENTRE TRUST REPORT, 1979–80—To be considered.
- 2 DRIED FRUITS BOARD ACCOUNTS, 1980—To be considered.
- 3 SECONDARY TEACHERS REGISTRATION BOARD REGULATIONS 1976 (AMENDMENT No. 1)—To be considered.
- 4 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S REPORT, 1978–79—To be considered.
- 5 GEELONG HARBOUR TRUST COMMISSIONERS' ACCOUNTS, 1980—To be considered.

† Proposal referred to Standing Orders Committee 8 September 1981.

- 6 GROUNDWATER INVESTIGATION PROGRAMME REPORTS, 1977, 1978 AND 1979—To be considered.
- 7 HOSPITALS SUPERANNUATION BOARD REPORT, 1979-80—To be considered.
- 8 LABOUR AND INDUSTRY DEPARTMENT REPORT, 1980—To be considered.
- 9 LIBRARY COUNCIL REPORT, 1979-80—To be considered.
- 10 LIBRARY COUNCIL, NATIONAL MUSEUM AND SCIENCE MUSEUM BUILDING TRUSTEES' REPORT, 1979-80—To be considered.
- 11 MELBOURNE UNIVERSITY FINANCIAL STATEMENTS, 1979—To be considered.
- 12 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1979-80—To be considered.
- 13 MOTOR CAR TRADERS COMMITTEE REPORT, 1980—To be considered.
- 14 NATIONAL MUSEUM COUNCIL REPORT, 1979-80—To be considered.
- 15 OPTOMETRISTS REGISTRATION BOARD REPORT, 1979-80—To be considered.
- 16 PARLIAMENTARY OFFICERS ACT 1975—RETURNS, 1980-81—To be considered.
- 17 POLICE SERVICE BOARD DETERMINATIONS NOS. 338 TO 344, AND 347—To be considered.
- 18 POULTRY FARMER LICENSING COMMITTEE REPORT, 1979-80—To be considered.
- 19 PUBLIC SERVICE BOARD REPORT, 1979-80—To be considered.
- 20 SCIENCE MUSEUM COUNCIL REPORT, 1979-80—To be considered.
- 21 STATE DEVELOPMENT COMMITTEE REPORT—OMEQ-MITTA MITTA ROAD LINK—To be considered.
- 22 SWAN HILL PIONEER SETTLEMENT AUTHORITY ACCOUNTS, 1979-80—To be considered.
- 23 TEACHING SERVICE ACT 1958—AMENDING REGULATIONS NOS. 547 TO 569—To be considered.
- 24 TEACHING SERVICE ACT 1958—TEACHING SERVICE—PROFESSIONAL (CLASSIFICATION, SALARIES, AND ALLOWANCES) REGULATION (26 MAY 1981)—To be considered.
- 25 TRADE UNIONS—GOVERNMENT STATIST'S REPORT, 1980—To be considered.
- 26 VICTORIA LAW FOUNDATION REPORT, 1979-80—To be considered.
- 27 VICTORIAN PSYCHOLOGICAL COUNCIL REPORT, 1980—To be considered.
- 28 WORKERS COMPENSATION BOARD FUND ACCOUNTS, 1978-79 AND 1979-80—To be considered.

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

* * *

MINUTES OF THE PROCEEDINGS

Nos. 1 and 2

No. 1—Tuesday, 8 September 1981

1 The Council met pursuant to the Proclamation of His Excellency the Governor bearing date 25 August 1981.

2 The above-mentioned Proclamation was read by the Clerk and is as follows:

PROROGUING PARLIAMENT AND FIXING THE TIME FOR HOLDING
THE THIRD SESSION OF THE FORTY-EIGHTH PARLIAMENT OF
VICTORIA

PROCLAMATION

By His Excellency the Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.,

Whereas the Parliament of Victoria stands adjourned until such day and hour as may be fixed by the President of the Legislative Council and the Speaker of the Legislative Assembly respectively.

Now, I, the Governor of the State of Victoria, in the Commonwealth of Australia, do by this my Proclamation prorogue the said Parliament of Victoria until Tuesday, 8 September 1981, and I do hereby fix Tuesday, 8 September 1981 aforesaid, at the hour of half-past two o'clock in the afternoon, as the time for the commencement and holding of the next Session of the said Parliament of Victoria, for the despatch of business, in the Parliament Houses, situate in Spring Street, in the City of Melbourne.

And the Honourable the Members of the Legislative Council and the Members of the Legislative Assembly are hereby required to give their attendance at the said time and place accordingly.

Given under my Hand and the Seal of the State of Victoria aforesaid, at Melbourne, this twenty-fifth day of August in the year of Our Lord One thousand nine hundred and eighty-one and in the thirtieth year of the reign of Her Majesty Elizabeth the Second, Queen of Australia.

(L.S.)

HENRY WINNEKE

By His Excellency's Command

L. H. S. THOMPSON
Premier

GOD SAVE THE QUEEN!

3 APPROACH OF HIS EXCELLENCY THE GOVERNOR—The approach of His Excellency the Governor was announced by the Usher of the Black Rod.

A fanfare was sounded.

His Excellency came into the Council Chamber, and the Usher of the Black Rod was commanded to desire the immediate attendance of the Legislative Assembly, who being come with their Speaker, His Excellency was pleased to speak as follows:

MR PRESIDENT AND HONOURABLE MEMBERS OF THE LEGISLATIVE COUNCIL:

MR SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY:

I have called you together for the 1981 Third Session of the Forty-eighth Parliament of Victoria to consider matters of importance to the people of this State.

Before going on to specific aspects of the Government's plans and legislative programs for the forthcoming Session, I must regretfully inform you of the recent deaths of the following former Members of this Parliament.

We mourn the death of a former Minister of the Crown, the Honourable R. T. Pollard.

We also mourn the passing of the Honourable A. Todd, a former member of the Legislative Assembly and the Legislative Council, and Mr R. F. Pettiona, a former Member of the Legislative Assembly.

At the opening of the Second Session of the Parliament, I referred to the Government's commitment to the economic development of this State, to the provision of increased employment opportunities and to improvement in the management and performance of government.

The Government remains committed to these objectives and considerable progress has been made towards achieving them.

New Ministries of Economic Development, Employment and Training and Tourism have been created. The Ministry of Housing has begun the implementation of wide ranging new initiatives. The structure of the Education Department will be reorganised and simplified in the light of the White Paper on Education. The objectives will be to increase efficiency and effectiveness, to provide clear lines of communication and responsibility and to decentralise the decision making process. Other Ministries and departments are also reviewing and revising their objectives and organisation structures for greater efficiency.

There are now 24 200 more people employed in Victoria than at this time last year and Victoria's unemployment rate remains one of the lowest in Australia.

Many new development projects have been commenced in recent months, and more will follow in the near future, reflecting a continuing awareness by the private sector of Victoria's abundant resources of energy, skilled labour and industrial infrastructure.

The Government is aware of and deeply concerned about the serious effects of industrial disputes on the economy of this State and indeed the whole country. It has already taken steps to deal with this situation, such as its recent use of the Essential Services Act. The Government reiterates, however, that the co-operation and assistance of all sections of the community must be forthcoming if our full potential for economic growth and development is to be realised.

I turn now to more specific features of the Government's achievements and future initiatives.

Late last year, the Government announced its strategy of "New Directions for the Eighties", with sustained economic growth and increased employment opportunities as the principal objectives.

A Policy Paper presenting details of the strategy was released in March. It provides the framework for Victoria's development for the next decade.

As a vital element in this strategy, the new Ministry for Economic Development has been created to oversee the industrial development of the State in close collaboration with private enterprise. The Victorian Economic Development Corporation has also been established to assist the Ministry in the development and implementation of government policies.

The new Ministry will assist the private sector in its dealings with the whole Government sector, and it will take action to eliminate all outmoded and unnecessary restraints which could hamper industrial development.

Another important element in the strategy is the new Ministry for Employment and Training. Its principal objectives are to increase employment opportunities; to provide adequate training and retraining facilities to meet the changing needs of society; to facilitate the introduction of technological innovation and to assist in the alleviation of long-term unemployment.

Improvements in government administration and accountability have continued to receive attention. The work of the Budget Committee of Cabinet was assisted by the establishment of an Economics Committee of Ministers, supported by a Working Party drawn from the public and private sectors. This Committee has examined each major Government agency in depth to determine where economies and improvements in performance may be made, with special attention to areas of duplication, possible transfer of functions to the private sector and appropriate charges for services provided by government. The report of the Committee is being taken into account in the preparation of the 1981-82 Budget.

The Government's Manpower Advisory Committee has maintained strict control of departmental strengths, to such good effect that there was a slight reduction in overall manpower last year despite the introduction of some new agencies and functions.

The Public Bodies Review Committee has continued its examination of the government water industry in Victoria and has produced interim reports on the administration and accountability of the 375 waterworks trusts, sewerage authorities, river improvement trusts and drainage authorities throughout the State.

Turning now to legislation for the forthcoming Session, one of the most important measures will be the introduction of a group of bills directed at the drug problem. This will include new poisons legislation, amendments to the Medical Practitioners Act, the Bail Act and changes to the Alcoholics and Drug Dependent Persons Act.

There will also be several bills concerned with the welfare of the community at large. They include three Credit Bills, a Bill dealing with unincorporated associations and changes in Lotteries legislation.

Legislation will be introduced to implement the Government's decisions with respect to the recommendations of the Board of Review of the Role, Structure and Administration of Local Government in Victoria. The Building Control Bill will be introduced, following receipt of many comments on the original draft. There will also be legislation relating to the pecuniary interests of municipal councillors.

A new Historic Buildings Bill will be introduced, as well as legislation to wind up the Western Port Regional Planning Authority.

The democratic rights of individual members of trade unions will be further strengthened by the introduction of legislation enabling members to call for secret ballots relating to strikes and other industrial action.

Other new legislation will be concerned with—

- The Protection of Historic Shipwrecks, to complement similar Federal legislation.
- Amendment of the Industrial Training Act, to improve the effectiveness and enlarge the scope of the Industrial Training Commission.
- Changes to the Marine Act, to ensure conformity between the Commonwealth and the State in marine matters.
- Improvements to the Government Buildings Advisory Council Act.

- Amendment to the Constitution Act to provide for the delegation of ministerial duties to other Ministers.
- Widening the scope of the Equal Opportunity Act to cover acts of discrimination against the disabled.
- Completing the implementation of the National Companies and Securities Industry Scheme.

Referring now to some individual departmental programs, Education will again be the largest single field of Government expenditure and legislation will be presented to facilitate the departmental reorganisation already mentioned.

The second stage of the Special Assistance Program will be introduced as will the first stage of the Physical Education Policy.

Victoria will continue its major role in the establishment of the Australian Children's Television Foundation.

In Health, the emphasis on the provision of services for the mentally retarded will be directed to enabling retarded persons to live with their families where possible or otherwise in residences in the Community.

In Housing, implementation of the New Directions policy of the Ministry, which has already commenced, will be vigorously continued.

Low income families will be given an increased range of housing options. They will be assisted to achieve home purchase by way of new low interest financing schemes and additional rental accommodation will be provided.

The Housing Commission will no longer build housing estates. Instead, it is purchasing new and existing houses in a wide range of locations for use as rental accommodation.

In Immigration and Ethnic Affairs, the Government will continue to support family reunions and migration of skilled people to Victoria. The Victoria Welcome Group will expand its assistance to new migrants. Additional cultural awareness courses are planned and new community education programs are about to be launched.

The Lands Department is proceeding towards the establishment of a Computer Based Land Information System, which will benefit the business and legal communities, the general public and virtually all government agencies.

This system will provide a register of all land ownership in Victoria on a common basis, which will be accessible eventually to all bodies associated with land use and land tenure in Victoria. The advantages to the whole community will be very significant.

A proposed major amendment to the Melbourne and Metropolitan Planning Scheme has been released for public comment. It is intended to implement the metropolitan strategy of incremental growth endorsed in principle by the Government last year.

The strategy aims to keep Melbourne in step with changing economic conditions and in particular, to encourage the development of a vigorous Central Melbourne and the optimum use of its assets.

The Ministries of Economic Development, Planning and Conservation have established a joint working party of senior officers with the task of facilitating and expediting the consideration by all government agencies of major developmental proposals in the State.

The Government is continuing with its program of upgrading public transport services. Three hundred new suburban rail carriages and fifty-four new country rail carriages are being built at a cost of \$185 million. There will shortly be one hundred and eighty new trams in service in Melbourne.

The next stage of the Melbourne Underground Rail Loop is expected to open in 1982 and the whole project will be completed in 1983.

Major sporting projects scheduled for completion during 1982 include the State Indoor Sports Centre at Olympic Park, Stage 1 of the State Equestrian Centre at Werribee Park, the State Hockey Centre at Royal Park and a new grandstand at Olympic Park.

In rural development, the Government has reaffirmed the emphasis on increased agricultural production set out in the New Directions Strategy.

The overall aim is to increase production by 25 per cent with particular attention to grain, sheep and dairying.

Extension services will be further developed and farmers' access to professional advice and training courses will be improved. The Department of Agriculture's existing programs for the control or eradication of diseases and pests will be expedited. The processing and manufacturing of agricultural products in Victoria will be encouraged in order to generate employment and wealth.

Increased attention will be given to the marketing of agricultural products, both in Australia and overseas. And further extensive work will be carried out on the improved use of soil and water resources and the control of salinity.

The Forests Commission is continuing its program of new plantings in order to ensure future raw materials for expanding wood product industries in Victoria and other States.

Preparatory work will soon commence for the planting of 4500 hectares of softwoods in 1982, a thirty per cent increase on the normal annual program.

The extensively hot and dry conditions of the 1980-81 irrigation season caused a record demand for irrigation water in most parts of the State and corresponding heavy depletion of storages. However, these have been replenished by heavy winter rains and prospects for high water deliveries in 1981-82 are excellent.

Steady progress has been made on construction of the Tanjil Dam, which will provide cooling water for the Loy Yang and Driffield power stations, as well as additional water supplies for other purposes in the Latrobe Valley.

In the field of energy, new installations recently completed or under construction, in Bass Strait, will ensure that crude oil production will be maintained at or close to existing levels through the 1980's. A third gas processing plant at Longford is expected to be completed by mid 1982 and will similarly ensure adequate gas supplies for some years.

Three new consortia are committed to major oil and gas explorations on new permits in Bass Strait, commencing late this year.

Esso/BHP, together with several other explorers, are also committed to substantial off-shore exploration in Bass Strait. In addition, on-shore explorers have discovered quantities of gas near Port Campbell and this will encourage further on-shore exploration.

The momentum of studies on conversion of Victorian brown coals to liquid fuels is increasing rapidly. Several joint studies with groups from Japan, the Federal Republic of Germany and the United States of America are in progress.

The Victorian Solar Energy Council was established early this year and has expanded research and development work already in progress on the efficient use of this important alternative source of renewable energy.

The State Electricity Commission is continuing to plan for the orderly development of power stations to meet the future needs of the State. Evidence has been provided to the Parliamentary Public Works Committee for the proposed new 4000 megawatt power station at Driffield and an Environmental Effects Statement for the Driffield project has been released for public comment.

Economic growth will continue to be a major concern of the Government, so that Victoria can take its rightful place in the development of the nation's resources. Several major development projects, in progress or foreshadowed, indicate that the Government's policies in this area are fruitful.

These projects include—

- The Bass Strait programs already mentioned.
- Major extensions to existing pulp and paper manufacturing facilities in Gippsland.
- Construction of a pilot plant for conversion of coal to oil in the Latrobe Valley, funded by the Japanese Government.
- An aluminium foundry in Melbourne, constructed by a Japanese motor vehicle manufacturer.
- A mini steel mill in Melbourne.
- The Alcoa aluminium smelter at Portland.
- A new gold mining venture at Stawell.

The total capital cost of these projects is estimated to be in the order of \$2500 million.

Many other private sector projects of considerable magnitude are planned, including major hotels, substantial residential developments in and near the central city, large shopping centres and other commercial projects in several parts of Victoria.

In addition, the Port of Melbourne Authority proposes to spend some \$32 million in 1981-82 on new and improved facilities for the berthing of ships and cargo handling, which are of vital importance to the private sector. A further \$28 million will be spent on the World Trade Centre and letting of space in the Centre to Federal and State Government agencies and private organizations is well advanced.

MR SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY:

Detailed Estimates of Revenue and Expenditure for the 1981-82 financial year will shortly be submitted for your consideration, together with the Appropriation Bills authorizing expenditure from the Consolidated Fund and the Works and Services Account.

The Government continues to be concerned about the Commonwealth-State arrangements for tax sharing.

The Commonwealth Grants Commission Report on the existing formula for sharing the funds between the States recognized the invidious position in which Victoria had been placed for many years by recommending an increased share to Victoria. Consideration of the Report by the Commonwealth

Government has not yet been concluded but the special allocations made to Victoria on an interim basis at the June Premiers' Conference represented a welcome change of approach to Victoria's persistent requests for a more equitable share of money from the tax re-imbusement pool.

However, the Government will continue to argue Victoria's case strongly until it is satisfied that the battle for tax justice for Victorians has been won.

MR PRESIDENT AND HONOURABLE MEMBERS OF THE LEGISLATIVE COUNCIL:

MR SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY:

The world economic situation continues to present difficulties to all nations, whether developed or developing. However, Australia continues to have many advantages compared with most countries. Victoria's position within Australia is no less favourable.

The Government's objectives of substantial economic growth and increased employment opportunities, without adverse effects on the quality of life, can be achieved if all sections of the community work productively and work together, if industrial disputation is kept to a minimum and, above all, if there is widespread and continuing confidence in the future of this well endowed and fortunate region—Victoria.

I now formally open this Parliament and pray that the guidance of Almighty God may attend your deliberations.

HENRY WINNEKE

8 September 1981

Governor of Victoria

Thereupon a copy of His Excellency the Governor's Speech was delivered to the President, and a copy to the Speaker, and His Excellency withdrew from the Council Chamber.

The Legislative Assembly then withdrew.

[Sitting suspended from 3.00 p.m. until 4.49 p.m.]

- 4 The President took the Chair and read the Prayer.
- 5 PRIVILEGE BILL—FOREIGN JUDGMENTS (AMENDMENT) BILL—On the motion of the Honourable A. J. Hunt, leave was given to bring in a Bill to make Provision for the Enforcement of certain Income Tax Judgments of Papua New Guinea, to amend the *Foreign Judgments Act 1962* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 6 LEAVE OF ABSENCE—The Honourable W. A. Landeryou moved, by leave, That leave of absence be granted to the Honourable G. A. S. Butler until the end of December next on account of illness.
Question—put and resolved in the affirmative.
- 7 COMPANY TAKE-OVERS COMMITTEE—The Honourable A. J. Hunt moved, by leave, That the Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford be members of the Company Take-overs Committee.
Question—put and resolved in the affirmative.
- 8 CONSERVATION OF ENERGY RESOURCES COMMITTEE—The Honourable A. J. Hunt moved, by leave, That the Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling be members of the Conservation of Energy Resources Committee.
Question—put and resolved in the affirmative.
- 9 HOUSE COMMITTEE—The Honourable A. J. Hunt moved, by leave, That the Honourables B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling be members of the House Committee.
Question—put and resolved in the affirmative.

- 10 LIBRARY COMMITTEE—The Honourable A. J. Hunt moved, by leave, That the Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey be members of the Joint Committee to manage the Library.

Question—put and resolved in the affirmative.

- 11 PRINTING COMMITTEE—The Honourable A. J. Hunt moved, by leave, That the Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright be members of the Printing Committee; three to be the quorum.

Question—put and resolved in the affirmative.

- 12 PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE—The Honourable A. J. Hunt moved, by leave, That the Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey be members of the Public Accounts and Expenditure Review Committee, and that the said Committee have power to send for persons, papers and records.

Question—put and resolved in the affirmative.

- 13 PUBLIC BODIES REVIEW COMMITTEE—The Honourable A. J. Hunt moved, by leave, That the Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White be members of the Public Bodies Review Committee, and that the said Committee have power to send for persons, papers and records.

Question—put and resolved in the affirmative.

- 14 STANDING ORDERS COMMITTEE—The Honourable A. J. Hunt moved, by leave, That the Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker be members of the Select Committee on the Standing Orders of the House; three to be the quorum.

Question—put and resolved in the affirmative.

- 15 STATUTE LAW REVISION COMMITTEE—The Honourable A. J. Hunt moved, by leave, That the Honourables Joan Coxsedg, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton be members of the Statute Law Revision Committee, and that the said Committee have power to send for persons, papers and records.

Question—put and resolved in the affirmative.

- 16 SUBORDINATE LEGISLATION COMMITTEE—The Honourable A. J. Hunt moved, by leave, That the Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh be members of the Subordinate Legislation Committee, and that the said Committee have power to send for persons, papers and records.

Question—put and resolved in the affirmative.

- 17 PRIVATE BILL FEES—SUSPENSION OF STANDING ORDER No. 325—The Honourable A. J. Hunt moved, by leave, That until the end of the Session—

(a) so much of Standing Order 325 as requires private Bill fees to be paid before any such Bill is read a first time be suspended; and

(b) a private Bill, other than a private Bill ordered to be dealt with as a public Bill, shall not be read a second time until a receipt for the payment of fees is produced by the Member having charge of the Bill.

The Honourable W. A. Landeryou moved, That the debate be adjourned until later this day.

Question—put and resolved in the affirmative.

The Honourable W. A. Landeryou moved, That the proposal be referred to the Standing Orders Committee for examination and report.

Question—put and resolved in the affirmative.

- 18 TEMPORARY RELIEF IN THE CHAIR—The Honourable A. J. Hunt moved, by leave, That during any absence of the Deputy President, the President be authorized to call upon any of the Temporary Chairmen of Committees to temporarily relieve him in the Chair, and that during any absence of the President, the Deputy President be similarly authorized to call upon any of the Temporary Chairmen.

Question—put and resolved in the affirmative.

- 19 SUSPENSION OF STANDING ORDER 207—

CONSERVATION OF ENERGY RESOURCES COMMITTEE—The Honourable A. J. Hunt moved, by leave, That Standing Order 207 be suspended insofar as is necessary to allow the release of evidence and documents by the Conservation of Energy Resources Committee at its discretion during the course of its investigations into vehicle and engine design.

Question—put and resolved in the affirmative.

* * *

PUBLIC BODIES REVIEW COMMITTEE—The Honourable A. J. Hunt moved, by leave, That Standing Order 207 be suspended in respect of the Public Bodies Review Committee insofar as is necessary to allow—

- (a) publication of fair and accurate reports of evidence given by witnesses examined at public hearings; and
- (b) the release of evidence, discussion notes and other documents and the publication thereof at the Committee's discretion.

Question—put and resolved in the affirmative.

- 20 PRINTING COMMITTEE—The Honourable A. J. Hunt moved, by leave, That the Printing Committee have power—

- (a) to confer with the Printing Committee of the Legislative Assembly and to jointly report thereon to the House; and
- (b) to send for persons, papers and records.

Question—put and resolved in the affirmative.

- 21 PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE—The Honourable A. J. Hunt moved, by leave, That the Public Accounts and Expenditure Review Committee have power to commission any person or persons to investigate and report to the Committee on any aspect of the subject-matter under investigation by the Committee.

Question—put and resolved in the affirmative.

- 22 PENALTY INTEREST RATES BILL—On the motion (by leave without notice) of the Honourable Haddon Storey, leave was given to bring in a Bill to amend the *Supreme Court Act 1958*, the *County Court Act 1958*, the *Property Law Act 1958*, the *Transfer of Land Act 1958* and the *Magistrates' Courts Act 1971* with respect to the Payment of Interest on certain Unpaid Moneys, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 23 TEMPORARY CHAIRMEN OF COMMITTEES—The President laid upon the Table the following Warrant nominating the Temporary Chairmen of Committees:

LEGISLATIVE COUNCIL

VICTORIA

Pursuant to the provisions of the Standing Order of the Legislative Council numbered 160, I do hereby nominate—

The Honourable Peter David Block,
 The Honourable Bruce Anthony Chamberlain,
 The Honourable David Mylor Evans,
 The Honourable Vernon Thomas Hauser,
 The Honourable Richard John Long,
 The Honourable Ivan Barry Trayling, and
 The Honourable John Malcolm Walton—

to act as Temporary Chairmen of Committees whenever requested to do so by the Chairman of Committees or whenever the Chairman of Committees is absent.

Given under my hand this eighth day of September, One thousand nine hundred and eighty-one.

FRED S. GRIMWADE
 President of the Legislative Council

- 24 PAPERS—

SUPREME COURT—The Honourable Haddon Storey presented, by command of His Excellency the Governor—

Supreme Court—Report of the Judges for the year 1980.

Ordered to lie on the Table.

* * * *

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Arts Centre—Report of the Victorian Arts Centre Trust for the year 1979–80.

Dentists Act 1978—

Report and statement of accounts of the Dental Board for the year ended 30 September 1980.

Report of the Specialist Practitioners Qualifications Committee for the year ended 30 September 1980.

Dried Fruits Board—Statement of accounts for the year 1980.

Education—Statement of guarantees executed by the Treasurer in respect of educational institutions for the year 1980–81.

Education Act 1958—

Resumption of Land at Frankston—Certificates of the Minister of Education (two papers).

Secondary Teachers Registration Board Regulations 1976 (Amendment No. 1).

Friendly Societies and Benefit Associations—Report of the Government Statist for the year 1978–79.

Geelong Harbor Trust Commissioners—Statement of accounts for the year 1980.

Groundwater—Reports on the investigation programme for the years 1977, 1978 and 1979 (three papers).

- Hospitals Superannuation Board—Report for the year 1979–80.
- Labour and Industry Department—Report for the year 1980.
- Library Council—Report for the year 1979–80.
- Library Council, National Museum and Science Museum of Victoria—
Report of the Building Trustees, together with statements of receipts and
expenditure, for the year 1979–80.
- Marketing of Primary Products Act 1958—Proclamation of 4 August 1981
declaring that eggs shall become the property of the Victorian Egg
Marketing Board for a further period of two years.
- Melbourne University—Financial statements for the year 1979.
- Metropolitan Fire Brigades Board—Report for the year 1979–80.
- Motor Car Traders Committee—Report for the year 1980.
- National Museum—Statements of income and expenditure for the year
1979–80.
- Optometrists Registration Board—Report for the period ended 30 June 1980.
- Parliamentary Officers Act 1975—Statements of appointments, alterations of
classification, and of persons temporarily employed in the Parliamentary
departments for the year 1980–81 (ten papers).
- Police Service Board—Determinations Nos. 338 to 344, and 347.
- Poultry Farmer Licensing Committee—Report for the year ended 29
February 1980.
- Public Service Board—Report for the year 1979–80.
- Science Museum—Statements of income and expenditure for the year 1979–80.
- State Development Committee—Report on the Omeo–Mitta-Mitta Road Link.
- Statutory Rules under the following Acts of Parliament:
- Abattoir and Meat Inspection Act 1973—Nos. 187 and 188.
 - Adoption of Children Act 1964—Supreme Court Act 1958—No. 253.
 - Aerial Spraying Control Act 1966—No. 263.
 - Agricultural Colleges Act 1958—No. 194.
 - Boilers and Pressure Vessels Act 1970—Nos. 322 to 324.
 - Cancer Act 1958—No. 340.
 - Chiropractors and Osteopaths Act 1978—Nos. 172 and 239.
 - Closer Settlement Act 1938—No. 195.
 - Community Welfare Services Act 1970—Nos. 266 and 335.
 - Companies Act 1961—No. 332.
 - Coroners Act 1958—No. 201.
 - Country Fire Authority Act 1958—Nos. 196 to 199.
 - County Court Act 1958—No. 342.
 - Dental Technicians Act 1972—Nos. 237 and 238.
 - Dentists Act 1972—No. 153.
 - Dog Act 1970—No. 205.
 - Education Act 1958—No. 244.
 - Estate Agents Act 1980—Nos. 245 to 250, 274 and 308.
 - Evidence Act 1958—Nos. 203, 204 and 343.
 - Explosives Act 1960—No. 295.
 - Extractive Industries Act 1966—Nos. 288 and 289.
 - Farm Produce Merchants and Commission Agents Act 1965—No. 257.
 - Films Act 1971—No. 367.
 - Fisheries Act 1968—No. 312.
 - Forests Act 1958—No. 371.
 - Friendly Societies Act 1958—No. 344.
 - Gas and Fuel Corporation Act 1958—No. 339.
 - Groundwater Act 1969—Nos. 240 and 301.

Statutory Rules under the following Acts of Parliament (*continued*):

- Hairdressers Registration Act 1958—No. 389.
 Health Act 1958—No. 178.
 Industrial and Provident Societies Act 1958—No. 352.
 Industrial Training Act 1975—Nos. 165, 316 to 318, 320, 321 and 380.
 Inflammable Liquids Act 1966—No. 296.
 Instruments Act 1958—No. 345.
 Labour and Industry Act 1958—Nos. 177, 365 and 391.
 Land Act 1958—No. 212.
 Land Tax Act 1958—No. 220.
 Law Reform Act 1973—No. 180.
 Legal Aid Commission Act 1978—No. 383.
 Legal Profession Practice Act 1958—No. 279.
 Lifts and Cranes Act 1967—Nos. 325 and 326.
 Liquefied Gases Act 1968—No. 297.
 Liquor Control Act 1968—No. 397.
 Local Government Act 1958—Nos. 276, 285, 300, 360, 361, 363, 375, 376 and 392.
 Lotteries Gaming and Betting Act 1966—No. 351.
 Magistrates' Courts Act 1971—No. 350.
 Marine Act 1958—Nos. 176, 213, 214, 216, 222 to 228, 271 and 378.
 Marketable Securities Act 1970—No. 200.
 Marketing of Primary Products Act 1958—Nos. 219 and 334.
 Melbourne and Metropolitan Board of Works Act 1958—Nos. 229 to 234, 270, 272 and 368.
 Melbourne Wholesale Fruit and Vegetable Market Trust Act 1977—Nos. 369 and 387.
 Metropolitan Fire Brigades Superannuation Act 1976—Nos. 218 and 255.
 Milk and Dairy Supervision Act 1958—Nos. 262 and 310.
 Mines Act 1958—Nos. 186, 290 to 293, and 298.
 Mining Development Act 1958—No. 294.
 Motor Boating Act 1961—Nos. 341, 373 and 374.
 Motor Car Act 1958—Nos. 241, 278, 303, 314 and 354.
 Motor Car Act 1958—Recreation Vehicles Act 1973—No. 313.
 Mt. Hotham Alpine Resort Act 1972—No. 193.
 National Companies and Securities Commission (State Provisions) Act 1981—No. 273.
 National Parks Act 1975—Nos. 304 and 305.
 Nurses Act 1958—No. 254.
 Optometrists Registration Act 1958—No. 215.
 Parliamentary Committees Act 1968—No. 280.
 Parliamentary Salaries and Superannuation Act 1968—No. 283.
 Pay-roll Tax Act 1971—No. 179.
 Petroleum Act 1958—No. 299.
 Pipelines Act 1967—Nos. 286 and 287.
 Police Regulation Act 1958—Nos. 174, 217, 243, 267, 353 and 429.
 Portland Harbour Trust Act 1958—No. 309.
 Port of Melbourne Authority Act 1958—Nos. 185, 307, 331, 355 and 364.
 Post-Secondary Education Act 1978—Nos. 190 and 209.
 Post-Secondary Education Remuneration Tribunal Act 1980—No. 277.
 Printers and Newspapers Act 1958—No. 346.
 Private Agents Act 1966—No. 242.
 Property Law Act 1958—No. 337.
 Protection of Animals Act 1966—No. 258.

Statutory Rules under the following Acts of Parliament (*continued*):

- Public Records Act 1973—Nos. 269 and 306.
 - Public Service Act 1974—Nos. 175, 181 to 184, 235, 236 and 379; PSD Nos. 69 to 80, 83, 84, 86 to 91, 93 to 112, and 114 to 119.
 - Public Trustee Act 1958—No. 390.
 - Public Works Committee Act 1958—No. 282.
 - Racing Act 1958—No. 275.
 - Railways Act 1958—Nos. 211, 315 and 377.
 - Registration of Births Deaths and Marriages Act 1959—No. 268.
 - Religious Successory and Charitable Trusts Act 1958—No. 384.
 - River Murray Waters Act 1915—No. 382.
 - Road Traffic Act 1958—Nos. 256 and 359.
 - Rural Finance and Settlement Commission Act 1961—No. 366.
 - Sale of Land Act 1962—No. 347.
 - Scaffolding Act 1971—Nos. 327 to 329.
 - Second-hand Dealers Act 1958—Nos. 189, 202, 206 and 208.
 - Seeds Act 1971—No. 264.
 - Stamps Act 1958—Nos. 338 and 356.
 - State Development Committee Act 1958—No. 281.
 - State Electricity Commission Act 1958—No. 173.
 - Status of Children Act 1974—No. 388.
 - Stock (Artificial Breeding) Act 1962—Nos. 260 and 261.
 - Stock Medicines Act 1958—Nos. 259 and 357.
 - Strata Titles Act 1967—No. 386.
 - Sunday Entertainment Act 1967—No. 330.
 - Superannuation Benefits Act 1977—No. 311.
 - Supreme Court Act 1958—Nos. 251, 252, 348 and 349.
 - Surveyors Act 1978—No. 333.
 - The Constitution Act Amendment Act 1958—No. 207.
 - Town and Country Planning Act 1961—No. 284.
 - Transfer of Land Act 1958—No. 385.
 - Transport Regulation Act 1958—Nos. 221 and 362.
 - Valuation of Land Act 1960—Nos. 191 and 336.
 - Vegetation and Vine Diseases Act 1958—No. 265.
 - Water Act 1958—No. 381.
 - Weights and Measures Act 1958—Nos. 210 and 370.
 - West Moorabool Water Board Act 1968—No. 358.
 - Workers Compensation Act 1958—Nos. 302 and 319.
 - Zoological Parks and Gardens Act 1967—No. 192.
- Swan Hill Pioneer Settlement Authority—Accounts and financial statement for the year 1979–80.
- Teaching Service Act 1958—
- Teaching Service (Classification, Salaries and Allowances) Regulations—Amendments Nos. 547, 550 to 553, and 556 to 564.
 - Teaching Service—Professional (Classification, Salaries and Allowances) Regulation (26 May 1981).
 - Teaching Service (Teachers Tribunal) Regulations—Amendments Nos. 548, 549, 554, 555, and 565 to 569.
- Town and Country Planning Act 1961—
- Alexandra—Shire of Alexandra Planning Scheme—Amendment No. 15, 1980.
 - Avoca—Shire of Avoca (Avoca Central Area) Planning Scheme.
 - Bacchus Marsh—Shire of Bacchus Marsh Planning Scheme—Amendment No. 18.
 - Ballaarat—City of Ballaarat Planning Scheme—Amendment No. 54.

Town and Country Planning Act 1961 (*continued*):

Ballarat—Shire of Ballarat Planning Scheme—Amendment No. 8.

Benalla—

City of Benalla Planning Scheme—Amendments Nos. 28, 29 and 30.

Shire of Benalla Planning Scheme—Amendment No. 14.

Bungaree—Shire of Bungaree Planning Scheme—Amendment No. 10.

Camberwell—City of Camberwell Planning Scheme 1954—Amendment No. 53, 1980.

Cranbourne—

Cranbourne Planning Scheme 1960—Amendments Nos. 36 and 37, 1980.

Shire of Cranbourne (Westernport) Planning Scheme—Amendment No. 14, 1980.

Croydon—City of Croydon Planning Scheme 1961—Amendment No. 106.

Echuca—City of Echuca Planning Scheme—Amendment No. 48.

Flinders—Shire of Flinders Planning Scheme 1962—Amendments Nos. 133 and 134, 1980; and No. 135, 1981.

Gisborne Shire Planning Scheme—Amendment No. 1.

Horsham—City of Horsham Planning Scheme 1973—Amendments No. 55, 1979; No. 59, Part 1; No. 60, 1980; and No. 64.

Kilmore—Shire of Kilmore Planning Scheme 1973—Amendments No. 31, 1978 (with ten maps); and No. 46, 1980.

Knox—City of Knox Planning Scheme 1965—Amendments No. 190, 1977; No. 199, 1978; and No. 229, 1980.

Korumburra—Shire of Korumburra Planning Scheme—Amendments Nos. 15 and 16, 1980.

Lake Glenmaggie Planning Scheme—Amendment No. 3, 1980.

Lillydale—Shire of Lillydale Planning Scheme 1958—Amendments No. 108A; No. 127, 1980; and No. 140.

Maldon Planning Scheme—Amendment No. 3.

Melbourne Metropolitan Planning Scheme—Amendments No. 83, Part 3c (with two maps); No. 88, Part 3 (with map); No. 89 (with map); No. 90, Part 1b (with map); No. 104, Part 5 (with three maps); No. 113, Part 2b (with map); No. 114, Part 1c (with two maps); No. 114, Part 2 (with three maps); No. 120, Part 4 (with map); No. 131, Part 1 (with six maps); No. 131, Part 2 (with two maps); No. 137, Part 1b (with three maps); No. 138, Part 1 (with thirty maps); No. 141, Part 1a (with fourteen maps); No. 152 (with twelve maps); No. 162 (with map); and No. 174 (with map).

Mildura—City of Mildura Planning Scheme—Amendment No. 11, 1979.

Moe—City of Moe Planning Scheme—Amendment No. 58.

Mornington—Shire of Mornington Planning Scheme 1959—Amendment No. 132, 1980.

Morwell—

Shire of Morwell Planning Scheme 1977 (with thirteen maps).

Shire of Morwell Planning Scheme 1977—Amendments Nos. 4 and 5, 1980.

Newham and Woodend—Shire of Newham and Woodend Planning Scheme 1975—Amendment No. 4.

Ocean Road Planning Scheme (Shire of Otway)—Amendment No. 20.

Phillip Island Planning Scheme—Amendments No. 6, Part 2; and No. 6, Part 2A.

Town and Country Planning Act 1961 (*continued*):

Portland—

Shire of Portland (Heywood Township) Planning Scheme 1969—
Amendments No. 3, 1980; and No. 4.

Town of Portland Planning Scheme—Amendment No. 31.

Rochester—Shire of Rochester (Rochester Township) Planning Scheme—
Amendment No. 13.

Rosedale—Shire of Rosedale Planning Scheme—Part 2—Amendment No.
2, 1979.

Seymour Planning Scheme—Amendments Nos. 38 and 53.

Sherbrooke—Shire of Sherbrooke Planning Scheme 1965—Amendments
Nos. 134 and 135, 1981; and No. 136.

South Gippsland—Shire of South Gippsland Planning Scheme—
Amendments Nos. 49 and 50, 1980.

Stawell—Town of Stawell Planning Scheme 1963—Amendments No. 19,
1980; and No. 21.

Tambo—Shire of Tambo (Lakes Entrance) Planning Scheme—
Amendments Nos. 28, 31 and 32.

Traralgon—City of Traralgon Planning Scheme 1957—Amendments Nos.
21, 24, 26 and 27, 1980.

Wangaratta Sub-Regional Planning Scheme—Amendment No. 5, 1980.

Werribee—Shire of Werribee Planning Scheme 1963—Amendments Nos.
70 and 71, 1979.

Wimmera—Shire of Wimmera (Horsham Boundary) Planning Scheme—
Amendments Nos. 4 and 5.

Woorayl—Shire of Woorayl Planning Scheme—Amendment No. 48.

Yallourn North Planning Scheme—Amendment No. 6.

Trade Unions—Report of the Government Statist for the year 1980.

Victoria Law Foundation—Report for the year ended 30 September 1980.

Victorian Psychological Council—Report and financial statements for the
year 1980.

Workers Compensation Board Fund—Balance-sheets and statements of receipts
and expenditure for the years 1978–79 and 1979–80 (two papers).

The Honourable W. A. Landeryou moved, That the reports, accounts, financial
statements, Secondary Teachers Registration Board regulations, returns under
the *Parliamentary Officers Act* 1975, determinations of the Police Service
Board and regulations under the *Teaching Service Act* 1958 be taken into
consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 25 APPRECIATION OF SERVICES—THE HONOURABLE RUPERT JAMES HAMER, E.D.—The
Honourable A. J. Hunt moved, That this House place on record its
appreciation of the distinguished services rendered to the Parliament and the
people of Victoria by the Honourable Rupert James Hamer, E.D., as Member
of the Legislative Council for the East Yarra Province from 21 June 1958
to 17 March 1971, as Member of the Legislative Assembly for the Electoral
District of Kew from 17 April 1971 to 17 July 1981, and as Premier from
23 August 1972 to 5 June 1981, in addition to his other important offices as
Minister of the Crown during the period 1962 to 1981.

Debate ensued.

Question—put and resolved in the affirmative.

- 26 SPEECH OF HIS EXCELLENCY THE GOVERNOR—The President reported the Speech of His Excellency the Governor on the Opening of Parliament.

The Honourable D. N. Saltmarsh moved, That the Council agree to the following Address to His Excellency the Governor in reply to His Excellency's Opening Speech:

MAY IT PLEASE YOUR EXCELLENCY—

We, the Legislative Council of Victoria, in Parliament assembled, beg to express our loyalty to our Most Gracious Sovereign and to thank Your Excellency for the gracious Speech which you have been pleased to address to Parliament.

—which motion was seconded by the Honourable D. K. Hayward.

The Honourable D. R. White moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 27 FOREIGN JUDGMENTS (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honourable Haddon Storey moved, That this Bill be now read a second time.

The Honourable D. R. White (for the Honourable W. A. Landeryou) moved That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 28 PENALTY INTEREST RATES BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.

The Honourable D. R. White (for the Honourable W. A. Landeryou) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 29 ADJOURNMENT—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at Four o'clock.

Question—put and resolved in the affirmative.

The Honourable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at fifteen minutes past Nine o'clock, adjourned until tomorrow at Four o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

No. 2—Wednesday, 9 September 1981

- 1 The President took the Chair and read the Prayer.

- 2 PETITION—VICTORIAN GOVERNMENT TRAVEL AUTHORITY, GEELONG—The Honourable R. A. Mackenzie presented a Petition from certain citizens of Geelong praying that the Government rescind its decision to close the Geelong Branch of the Victorian Government Travel Authority.

Ordered to lie on the Table.

3 WILDLIFE (FEES) BILL—On the motion (by leave without notice) of the Honourable W. V. Houghton, leave was given to bring in a Bill to amend the *Wildlife Act 1975*, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Fairfield Hospital—Report for the year 1980–81.

Statutory Rules under the following Acts of Parliament:

Money Lenders Act 1958—No. 393.

Police Offences Act 1958—No. 398.

Police Regulation Act 1958—No. 399.

Racing Act 1958—Nos. 394 to 396.

Teaching Service Act 1958—Teaching Service (Teachers Tribunal) Regulations—Amendment No. 570.

The Honourable Evan Walker moved, That the report tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

5 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor be postponed until later this day.

6 PROPERTY LAW (DELIVERY BY AGENT) BILL—On the motion of the Honourable Haddon Storey, leave was given to bring in a Bill to amend the *Property Law Act 1958* in relation to Delivery of Deeds by an Agent and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

7 SALE OF LAND (DEPOSITS) BILL—On the motion of the Honourable Haddon Storey, leave was given to bring in a Bill to amend the *Sale of Land Act 1962* to make provision with respect to the Payment of Estate Agents' Commission and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

8 SUMMARY OFFENCES (FALSE REPORTS TO POLICE) BILL—On the motion of the Honourable Haddon Storey, leave was given to bring in a Bill to amend Section 53 of the *Summary Offences Act 1966*, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

9 SUPREME COURT (FUNDS IN COURT) BILL—On the motion of the Honourable Haddon Storey, leave was given to bring in a Bill to amend Section 189 of the *Supreme Court Act 1958*, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

10 MAGISTRATES' COURTS (AMENDMENT) BILL—On the motion of the Honourable Haddon Storey, leave was given to bring in a Bill to amend the *Magistrates' Courts Act 1971*, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

11 MAGISTRATES (SUMMARY PROCEEDINGS) (TRAFFIC COURTS) BILL—On the motion of the Honourable Haddon Storey, leave was given to bring in a Bill to amend the *Magistrates (Summary Proceedings) Act 1975*, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 12 CHELSEA LANDS BILL—On the motion of the Honourable W. V. Houghton, leave was given to bring in a Bill to make provision with respect to certain Crown Grants of Lands in the Parish of Lyndhurst and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 13 SOIL CONSERVATION AND LAND UTILIZATION (AMENDMENT) BILL—On the motion of the Honourable W. V. Houghton, leave was given to bring in a Bill to amend the *Soil Conservation and Land Utilization Act* 1958, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 14 CROWN RESERVATIONS (REVOCATION AND EXCISION) BILL—On the motion of the Honourable W. V. Houghton, leave was given to bring in a Bill to revoke the Permanent Reservations and Crown Grants of certain Lands and for Purposes connected therewith, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 15 LAND (FURTHER AMENDMENT) BILL—On the motion of the Honourable W. V. Houghton, leave was given to bring in a Bill to further amend the *Land Act* 1958, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 16 FISHERIES (AMENDMENT) BILL—On the motion of the Honourable W. V. Houghton, leave was given to bring in a Bill to amend the *Fisheries Act* 1968, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 17 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of the Notices of Motion, General Business, be postponed until later this day.
- 18 PROPERTY LAW (DELIVERY BY AGENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.
The Honourable R. J. Eddy (for the Honourable W. A. Landeryou) moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 19 SALE OF LAND (DEPOSITS) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.
The Honourable D. E. Kent moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.
- 20 SUMMARY OFFENCES (FALSE REPORTS TO POLICE) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.
The Honourable R. J. Eddy (for the Honourable Joan Coxsedg) moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 21 SUPREME COURT (FUNDS IN COURT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.
The Honourable Evan Walker (for the Honourable W. A. Landeryou) moved, That the debate be now adjourned.

- Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 22 MAGISTRATES' COURTS (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.
The Honourable R. J. Eddy moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 23 MAGISTRATES (SUMMARY PROCEEDINGS) (TRAFFIC COURTS) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.
The Honourable R. J. Eddy moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 24 SOIL CONSERVATION AND LAND UTILIZATION (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable W. V. Houghton moved, That this Bill be now read a second time.
The Honourable Evan Walker moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 25 CROWN RESERVATIONS (REVOCATION AND EXCISION) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable W. V. Houghton moved, That this Bill be now read a second time.
The Honourable D. E. Kent moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 26 LAND (FURTHER AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable W. V. Houghton moved, That this Bill be now read a second time.
The Honourable D. E. Kent moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Wednesday, 23 September.
- 27 WILDLIFE (FEES) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable W. V. Houghton moved, That this Bill be now read a second time.
The Honourable R. A. Mackenzie moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 28 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—On the motion of the Honourable G. A. Sgro, leave was given to bring in a Bill to amend the *Public Service Act* 1974 with respect to the Employment in the Public Service of Persons who are not Australian Citizens or British Subjects, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 29 CONSTITUTION (COUNCIL POWERS) BILL—On the motion of the Honourable W. A. Landeryou, leave was given to bring in a Bill to limit the Powers of

- the Legislative Council with respect to Money Bills, to amend the *Constitution Act 1975* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 30 CONSTITUTION (LOCAL GOVERNMENT) BILL—On the motion of the Honourable W. A. Landeryou, leave was given to bring in a Bill to make provision in the Victorian Constitution with respect to Acts and Enactments for the Dismissal of Municipal Councils and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 31 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—On the motion of the Honourable W. A. Landeryou, leave was given to bring in a Bill to abolish a certain Inhumane Punishment and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 32 ELECTORAL COMMISSION BILL—On the motion of the Honourable W. A. Landeryou, leave was given to bring in a Bill to establish an Electoral Commission for dividing the State of Victoria from Time to Time into Electoral Provinces for the Legislative Council and Electoral Districts for the Legislative Assembly, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 33 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—On the motion of the Honourable W. A. Landeryou, leave was given to bring in a Bill to amend the *Hospitals Remuneration Tribunal Act 1978* with respect to the Rates of Remuneration of Medical Practitioners, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 34 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—On the motion of the Honourable W. A. Landeryou, leave was given to bring in a Bill to amend the *Local Government Act 1958* to ensure that the Subdivisions of Municipal Districts contain approximately equal Numbers of Voters, and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 35 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—On the motion of the Honourable W. A. Landeryou, leave was given to bring in a Bill to amend Part XLVII. of the *Local Government Act 1958*, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 36 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—On the motion of the Honourable W. A. Landeryou, leave was given to bring in a Bill to amend Section 925 of the *Local Government Act 1958* with respect to the Installation of Bullet-resistant Glass in Premises used for Banking or the Receipt of Money from the Public, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 37 VAGRANCY (AMENDMENT) BILL—On the motion of the Honourable W. A. Landeryou, leave was given to bring in a Bill to amend the *Vagrancy Act 1966*, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 38 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—On the motion of the Honourable Evan Walker, leave was given to bring in a Bill to amend the *Historic Buildings Act 1974*, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 39 REFUSAL OF MEDICAL TREATMENT BILL—On the motion of the Honourable R. A. Mackenzie, leave was given to bring in a Bill to enable Persons to refuse Medical Treatment in certain Circumstances, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 40 WILDLIFE (SPRING TRAPS) BILL—On the motion of the Honourable R. A. Mackenzie, leave was given to bring in a Bill to amend the *Wildlife Act 1975* to prohibit the Use of certain Steel Jaw Traps in Hunting or taking Wildlife, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 41 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.
- 42 PENALTY INTEREST RATES BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 43 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—The Order of the Day having been read for the resumption of the debate on the question, That the Council agree to the Address to His Excellency the Governor in reply to His Excellency's Opening Speech (for Address see page 16 *ante*)—
Debate resumed.
The Honourable H. R. Ward moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.
- 44 FOREIGN JUDGMENTS (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 45 ADJOURNMENT—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until Tuesday next at half-past Four o'clock.
Question—put and resolved in the affirmative.
The Honourable A. J. Hunt moved, That the House do now adjourn.
Debate ensued.
Question—put and resolved in the affirmative.

And then the Council, at forty-four minutes past Nine o'clock, adjourned until Tuesday next at half-past Four o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

Mr President takes the Chair at a Quarter to Five o'clock

LEGISLATIVE COUNCIL OF VICTORIA

Order of the Day (to take precedence)

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—MOTION FOR—
Resumption of debate. (Hon. H. R. Ward).

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That this House is of the opinion that any extension of shop trading hours to allow Saturday afternoon or Sunday trading will—
- (a) cause further price increases and add to inflation;
 - (b) impose increasing and undue hardship on the families of employees in the retail industry;
 - (c) adversely affect the viability of thousands of small shopkeepers to the advantage of chain store supermarkets; and
 - (d) aggravate the already alarming incidence of unemployment particularly in relation to young people.
- 2 The Hon. W. R. BAXTER—To move, That, in view of the importance of the export meat industry to Victoria, this House expresses alarm at the present crisis caused by the substitution of horse and kangaroo meat and calls on the Victorian Government to join with the Federal Government in setting up a judicial inquiry to investigate all aspects of the matter.
- 3 The Hon. D. M. EVANS—To move, That this House, alarmed by the housing crisis facing thousands of Victorian families, calls on the Government to increase its funding allocation to welfare housing in order to—
- (a) continue the Housing Commission building programme;
 - (b) provide more funds for co-operative housing societies;
 - (c) ensure that sufficient homes are provided in country towns to encourage decentralization; and
 - (d) generally encourage the housing industry in Victoria.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State's road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 6 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act 1958* to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.

- 7 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 8 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 9 The Hon. EVAN WALKER—To move, That the State Electricity Commission be referred to the Public Bodies Review Committee for review.

GOVERNMENT BUSINESS

Orders of the Day

- *1 CHELSEA LANDS BILL—(*Hon. W. V. Houghton*)—Second reading.
- *2 PROPERTY LAW (DELIVERY BY AGENT) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- *3 SALE OF LAND (DEPOSITS) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. D. E. Kent*).
- *4 SUMMARY OFFENCES (FALSE REPORTS TO POLICE) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. Joan Coxsedge*).
- *5 SUPREME COURT (FUNDS IN COURT) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- *6 MAGISTRATES' COURTS (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- *7 MAGISTRATES (SUMMARY PROCEEDINGS) (TRAFFIC COURTS) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- *8 WILDLIFE (FEES) BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. R. A. Mackenzie*).
- *9 SOIL CONSERVATION AND LAND UTILIZATION (AMENDMENT) BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. Evan Walker*).
- *10 CROWN RESERVATIONS (REVOCATION AND EXCISION) BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. D. E. Kent*).
- *11 FISHERIES (AMENDMENT) BILL—(*Hon. W. V. Houghton*)—Second reading.
- †12 STANDING ORDER 325—MOTION FOR SUSPENSION IN RELATION TO PRIVATE BILL FEES (*Hon. A. J. Hunt*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).

GENERAL BUSINESS

Orders of the Day

- 1 ARTS CENTRE TRUST REPORT, 1979-80—To be considered.
- 2 DRIED FRUITS BOARD ACCOUNTS, 1980—To be considered.
- 3 SECONDARY TEACHERS REGISTRATION BOARD REGULATIONS 1976 (AMENDMENT No. 1)—To be considered.
- 4 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S REPORT, 1978-79—To be considered.

* Notifications to which an asterisk (*) is prefixed appear for the first time.

† Proposal referred to Standing Orders Committee 8 September 1981.

- 5 GEELONG HARBOUR TRUST COMMISSIONERS' ACCOUNTS, 1980—To be considered.
- 6 GROUNDWATER INVESTIGATION PROGRAMME REPORTS, 1977, 1978 AND 1979—To be considered.
- 7 HOSPITALS SUPERANNUATION BOARD REPORT, 1979-80—To be considered.
- 8 LABOUR AND INDUSTRY DEPARTMENT REPORT, 1980—To be considered.
- 9 LIBRARY COUNCIL REPORT, 1979-80—To be considered.
- 10 LIBRARY COUNCIL, NATIONAL MUSEUM AND SCIENCE MUSEUM BUILDING TRUSTEES' REPORT, 1979-80—To be considered.
- 11 MELBOURNE UNIVERSITY FINANCIAL STATEMENTS, 1979—To be considered.
- 12 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1979-80—To be considered.
- 13 MOTOR CAR TRADERS COMMITTEE REPORT, 1980—To be considered.
- 14 NATIONAL MUSEUM COUNCIL REPORT, 1979-80—To be considered.
- 15 OPTOMETRISTS REGISTRATION BOARD REPORT, 1979-80—To be considered.
- 16 PARLIAMENTARY OFFICERS ACT 1975—RETURNS, 1980-81—To be considered.
- 17 POLICE SERVICE BOARD DETERMINATIONS NOS. 338 TO 344, AND 347—To be considered.
- 18 POULTRY FARMER LICENSING COMMITTEE REPORT, 1979-80—To be considered.
- 19 PUBLIC SERVICE BOARD REPORT, 1979-80—To be considered.
- 20 SCIENCE MUSEUM COUNCIL REPORT, 1979-80—To be considered.
- 21 STATE DEVELOPMENT COMMITTEE REPORT—OMEQ-MITTA MITTA ROAD LINK—To be considered.
- 22 SWAN HILL PIONEER SETTLEMENT AUTHORITY ACCOUNTS, 1979-80—To be considered.
- 23 TEACHING SERVICE ACT 1958—AMENDING REGULATIONS NOS. 547 TO 569—To be considered.
- 24 TEACHING SERVICE ACT 1958—TEACHING SERVICE—PROFESSIONAL (CLASSIFICATION, SALARIES, AND ALLOWANCES) REGULATION (26 MAY 1981)—To be considered.
- 25 TRADE UNIONS—GOVERNMENT STATIST'S REPORT, 1980—To be considered.
- 26 VICTORIA LAW FOUNDATION REPORT, 1979-80—To be considered.
- 27 VICTORIAN PSYCHOLOGICAL COUNCIL REPORT, 1980—To be considered.
- 28 WORKERS COMPENSATION BOARD FUND ACCOUNTS, 1978-79 AND 1979-80—To be considered.
- *29 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(*Hon. G. A. Sgro*)—Second reading.
- *30 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- *31 CONSTITUTION (LOCAL GOVERNMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- *32 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- *33 ELECTORAL COMMISSION BILL—(*Hon. W. A. Landeryou*)—Second reading.
- *34 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- *35 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- *36 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.

- *37 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—
Second reading.
- *38 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- *39 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. Evan Walker*)—Second
reading.
- *40 REFUSAL OF MEDICAL TREATMENT BILL—(*Hon. R. A. Mackenzie*)—Second
reading.
- *41 WILDLIFE (SPRING TRAPS) BILL—(*Hon. R. A. Mackenzie*)—Second reading.
- *42 FAIRFIELD HOSPITAL REPORT, 1980-81—To be considered.

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WEDNESDAY, 23 SEPTEMBER
GOVERNMENT BUSINESS

Order of the Day

- *1 LAND (FURTHER AMENDMENT) BILL—(*Hon. W. V. Houghton*)—Second
reading—*Resumption of debate.* (*Hon. D. E. Kent*).

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

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Mr President takes the Chair at a Quarter past Four o'clock

LEGISLATIVE COUNCIL OF VICTORIA

Order of the Day (to take precedence)

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—*Resumption of debate on motion for Address—and on the amendment of the Hon. D. R. White* to add the following words to the proposed Address: “but deplore that the lack of control of the Minister of Water Supply over the Melbourne and Metropolitan Board of Works in connection with the construction of its Head Office building has resulted in an inexcusable frittering of ratepayers’ funds” (*Hon. R. A. Mackenzie*).

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That this House is of the opinion that any extension of shop trading hours to allow Saturday afternoon or Sunday trading will—
 - (a) cause further price increases and add to inflation;
 - (b) impose increasing and undue hardship on the families of employees in the retail industry;
 - (c) adversely affect the viability of thousands of small shopkeepers to the advantage of chain store supermarkets; and
 - (d) aggravate the already alarming incidence of unemployment particularly in relation to young people.
- 2 The Hon. W. R. BAXTER—To move, That, in view of the importance of the export meat industry to Victoria, this House expresses alarm at the present crisis caused by the substitution of horse and kangaroo meat and calls on the Victorian Government to join with the Federal Government in setting up a judicial inquiry to investigate all aspects of the matter.
- 3 The Hon. D. M. EVANS—To move, That this House, alarmed by the housing crisis facing thousands of Victorian families, calls on the Government to increase its funding allocation to welfare housing in order to—
 - (a) continue the Housing Commission building programme;
 - (b) provide more funds for co-operative housing societies;
 - (c) ensure that sufficient homes are provided in country towns to encourage decentralization; and
 - (d) generally encourage the housing industry in Victoria.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State’s road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.

- 6 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act* 1958 to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 7 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 8 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 9 The Hon. EVAN WALKER—To move, That the State Electricity Commission be referred to the Public Bodies Review Committee for review.

GOVERNMENT BUSINESS

Orders of the Day

- *1 PRINTERS AND NEWSPAPERS (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading.
- 2 PROPERTY LAW (DELIVERY BY AGENT) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 3 SALE OF LAND (DEPOSITS) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. D. E. Kent*).
- 4 MAGISTRATES' COURTS (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 5 MAGISTRATES (SUMMARY PROCEEDINGS) (TRAFFIC COURTS) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 6 CROWN RESERVATIONS (REVOCATION AND EXCISION) BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. D. E. Kent*).

GENERAL BUSINESS

Orders of the Day

- 1 ARTS CENTRE TRUST REPORT, 1979-80—To be considered.
- 2 DRIED FRUITS BOARD ACCOUNTS, 1980—To be considered.
- 3 SECONDARY TEACHERS REGISTRATION BOARD REGULATIONS 1976 (AMENDMENT No. 1)—To be considered.
- 4 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S REPORT, 1978-79—To be considered.
- 5 GEELONG HARBOUR TRUST COMMISSIONERS' ACCOUNTS, 1980—To be considered.
- 6 GROUNDWATER INVESTIGATION PROGRAMME REPORTS, 1977, 1978 AND 1979—To be considered.
- 7 HOSPITALS SUPERANNUATION BOARD REPORT, 1979-80—To be considered.
- 8 LABOUR AND INDUSTRY DEPARTMENT REPORT, 1980—To be considered.

* Notifications to which an asterisk (*) is prefixed appear for the first time.

- 9 LIBRARY COUNCIL REPORT, 1979-80—To be considered.
- 10 LIBRARY COUNCIL, NATIONAL MUSEUM AND SCIENCE MUSEUM BUILDING TRUSTEES' REPORT, 1979-80—To be considered.
- 11 MELBOURNE UNIVERSITY FINANCIAL STATEMENTS, 1979—To be considered.
- 12 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1979-80—To be considered.
- 13 MOTOR CAR TRADERS COMMITTEE REPORT, 1980—To be considered.
- 14 NATIONAL MUSEUM ACCOUNTS, 1979-80—To be considered.
- 15 OPTOMETRISTS REGISTRATION BOARD REPORT, 1979-80—To be considered.
- 16 PARLIAMENTARY OFFICERS ACT 1975—RETURNS, 1980-81—To be considered.
- 17 POLICE SERVICE BOARD DETERMINATIONS NOS. 338 TO 344, AND 347—To be considered.
- 18 POULTRY FARMER LICENSING COMMITTEE REPORT, 1979-80—To be considered.
- 19 PUBLIC SERVICE BOARD REPORT, 1979-80—To be considered.
- 20 SCIENCE MUSEUM ACCOUNTS, 1979-80—To be considered.
- 21 STATE DEVELOPMENT COMMITTEE REPORT—OMEQ-MITTA MITTA ROAD LINK—To be considered.
- 22 SWAN HILL PIONEER SETTLEMENT AUTHORITY ACCOUNTS, 1979-80—To be considered.
- 23 TEACHING SERVICE ACT 1958—AMENDING REGULATIONS NOS. 547 TO 569—To be considered.
- 24 TEACHING SERVICE ACT 1958—TEACHING SERVICE—PROFESSIONAL (CLASSIFICATION, SALARIES, AND ALLOWANCES) REGULATION (26 MAY 1981)—To be considered.
- 25 TRADE UNIONS—GOVERNMENT STATIST'S REPORT, 1980—To be considered.
- 26 VICTORIA LAW FOUNDATION REPORT, 1979-80—To be considered.
- 27 VICTORIAN PSYCHOLOGICAL COUNCIL REPORT, 1980—To be considered.
- 28 WORKERS COMPENSATION BOARD FUND ACCOUNTS, 1978-79 AND 1979-80—To be considered.
- 29 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(*Hon. G. A. Sgro*)—Second reading.
- 30 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 31 CONSTITUTION (LOCAL GOVERNMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 32 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 33 ELECTORAL COMMISSION BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 34 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 35 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 36 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 37 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 38 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 39 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. Evan Walker*)—Second reading.

- 40 REFUSAL OF MEDICAL TREATMENT BILL—(*Hon. R. A. Mackenzie*)—Second reading.
- 41 WILDLIFE (SPRING TRAPS) BILL—(*Hon. R. A. Mackenzie*)—Second reading.
- 42 FAIRFIELD HOSPITAL REPORT, 1980–81—To be considered.
- *43 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY OF RETURNS, JUNE 1981—To be considered.
- *44 RAILWAYS BOARD QUARTERLY REPORT, 31 MARCH 1981—To be considered.
- *45 TAXATION—ANALYSIS OF LAND TAX, 1979, AND PROBATE AND GIFT DUTY, 1979–80—To be considered.
- *46 UPPER YARRA VALLEY AND DANDENONG RANGES AUTHORITY REPORTS, 1976–77 AND 1977–78—To be considered.
- *47 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- *48 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR–SECONDARY SCHOOL—To be considered.

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TUESDAY, 22 SEPTEMBER GOVERNMENT BUSINESS

Orders of the Day

- 1 CHELSEA LANDS BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. D. E. Kent*).
- 2 FISHERIES (AMENDMENT) BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. Evan Walker*).

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At 6 o'clock—

- *JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER—Appointments to Deakin University and Monash University Councils.

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WEDNESDAY, 23 SEPTEMBER GOVERNMENT BUSINESS

Order of the Day

- 1 LAND (FURTHER AMENDMENT) BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. D. E. Kent*).

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

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MINUTES OF THE PROCEEDINGS

Nos. 3 and 4

No. 3—Tuesday, 15 September 1981

- 1 The President took the Chair and read the Prayer.
- 2 PETITION—VICTORIAN GOVERNMENT TRAVEL AUTHORITY, GEELONG—The Honourable R. A. Mackenzie presented a Petition from certain citizens of Geelong praying that the Government rescind its decision to close the Geelong Branch of the Victorian Government Travel Authority.

Ordered to lie on the Table.

- 3 PRINTERS AND NEWSPAPERS (AMENDMENT) BILL—On the motion (by leave without notice) of the Honourable Haddon Storey, leave was given to bring in a Bill to amend the *Printers and Newspapers Act* 1958 and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

4 PAPERS—

STANDING ORDERS COMMITTEE—STANDING ORDER 325—The Honourable W. M. Campbell, on behalf of the Honourable the President (Chairman), presented a Report from the Standing Orders Committee upon a proposed resolution to suspend Standing Order 325.

Ordered to lie on the Table and to be printed.

* * * * *

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Members of Parliament (Register of Interests) Act 1978—Summary of returns—June 1981.

Railways Board—Report for the quarter ended 31 March 1981.

Taxation—Analysis of operations of Land Tax for the assessment year 1979, and Probate Duty and Gift Duty for the year 1979–80.

Town and Country Planning Act 1961—

Bendigo—City of Bendigo Planning Scheme 1962—Amendment No. 34.

Bulla—Shire of Bulla Planning Scheme 1959—Amendments Nos. 83 and 84, 1980.

Cranbourne Planning Scheme 1960—Amendment No. 39.

Melbourne Metropolitan Planning Scheme—Amendment No. 137, Part 2 (with map).

Shepparton—City of Shepparton Planning Scheme 1953—Amendments No. 49, 1979; and Nos. 51, 52 and 54, 1980.

Woorayl—Shire of Woorayl Planning Scheme—Amendment No. 49, 1980.

Yallourn—Shire of Narracan, Yallourn North Planning Scheme 1951—Amendments Nos. 4 and 5.

Upper Yarra Valley and Dandenong Ranges Authority—Reports for the period ended 30 September 1977, and for the year ended 30 September 1978 (two papers).

The Honourable Evan Walker moved, That the reports, taxation analyses and summary of returns tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * * *

CANAAN COLLEGE, THOONA—The Honourable A. J. Hunt moved, by leave, That there be laid before this House, in relation to Canaan College, Thoona—

- (a) the decision of 7 September 1981 in an application under section 42 (3) of the *Education Act* 1958 for a direction by the Minister to register the school as a primary school; and
- (b) the decision of 7 September 1981 in an appeal under section 43 (2) of the *Education Act* 1958 to the Minister against cancellation of the registration of the school as a junior-secondary school.

Question—put and resolved in the affirmative.

The said papers were thereupon presented by the Honourable A. J. Hunt and ordered to lie on the Table.

The Honourable Evan Walker moved, That the papers be taken into consideration later this day.

Question—put and resolved in the affirmative.

- 5 POSTPONEMENT OF NOTICES OF MOTION AND ORDER OF THE DAY—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor and the Notices of Motion, General Business, be postponed until later this day.

- 6 CHELSEA LANDS BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable W. V. Houghton moved, That this Bill be now read a second time.

The Honourable D. E. Kent moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 7 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 to 10 inclusive, be postponed until later this day.

- 8 FISHERIES (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable W. V. Houghton moved, That this Bill be now read a second time.

The Honourable Evan Walker moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 9 PRIVATE BILL FEES—SUSPENSION OF STANDING ORDER 325—The Order of the Day having been read for the resumption of the debate on the question, That until the end of the Session:

- (a) so much of Standing Order 325 as requires private Bill fees to be paid before any such Bill is read a first time be suspended; and
- (b) a private Bill, other than a private Bill ordered to be dealt with as a public Bill, shall not be read a second time until a receipt for the payment of fees is produced by the Member having charge of the Bill—

Debate resumed.

Question—put and resolved in the affirmative.

10 SUMMARY OFFENCES (FALSE REPORTS TO POLICE) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

11 SUPREME COURT (FUNDS IN COURT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

12 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—The Order of the Day having been read for the resumption of the debate on the question, That the Council agree to the Address to His Excellency the Governor in reply to His Excellency's Opening Speech (for Address see page 16 *ante*)—

Debate resumed.

The Honourable D. R. White moved, as an amendment, That the following words be added to the proposed Address:

“but deplore that the lack of control of the Minister of Water Supply over the Melbourne and Metropolitan Board of Works in connection with the construction of its Head Office building has resulted in an inexcusable frittering of ratepayers' funds”.

Debate ensued.

The Honourable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

13 DEAKIN UNIVERSITY AND MONASH UNIVERSITY COUNCILS—The President announced the receipt of the following communication from the Minister of Education:

26 August 1981

Dear Mr President,

The statutes relating to the universities listed below provide for the appointment by the Governor in Council of three Members of the Parliament to each of their governing councils—the Members to be recommended for appointment by a joint sitting of the Legislative Council and the Legislative Assembly conducted in accordance with rules adopted for the purpose by the members present at the sitting. I should be grateful if you could arrange for such a joint sitting to recommend Members for appointment to the following vacancies:

Deakin University Council—(*Deakin University Act 1974, Section 7 (1) (a)*)

Members *vice* the Hon. David Mylor Evans, MLC, Aurel Vernon Smith, Esquire, MP, and Neil Benjamin Trezise, Esquire, MP, for the term ending on 31 December 1985.

Monash University Council—(*Monash University Act 1958, Section 7 (a) (1)*)

Member *vice* Neil Malcolm McInnes, Esquire MP (who has resigned from the Council) for the term ending on 11 December 1983.

I have addressed a similar request to the Speaker, Legislative Assembly.

Yours sincerely,

A. J. HUNT
Minister of Education

- 14 **JOINT SITTING**—The President announced the receipt of a Message from the Assembly acquainting the Council that they had agreed to meet the Council 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 Deakin University and one Member of the Parliament of Victoria to be recommended for appointment to the Council of Monash University, and proposing that the place and time of such meeting be the Legislative Assembly Chamber on Tuesday next at Six o'clock, and desiring the concurrence of the Council.

The Honourable Haddon Storey moved, by leave, That this House meet the Legislative Assembly 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 Deakin University and one Member of the Parliament of Victoria to be recommended for appointment to the Council of Monash University and, as proposed by the Legislative Assembly, the place and time of such meeting be the Legislative Assembly Chamber on Tuesday next at Six o'clock.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them with the foregoing resolution.

- 15 **WILDLIFE (FEES) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 16 **SOIL CONSERVATION AND LAND UTILIZATION (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 17 **ADJOURNMENT**—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at Four o'clock.

Question—put and resolved in the affirmative.

The Honourable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at forty-six minutes past Eleven o'clock, adjourned until tomorrow at Four o'clock.

No. 4—Wednesday, 16 September 1981

- 1 The President took the Chair and read the Prayer.
- 2 PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE—SUSPENSION OF STANDING ORDER 207—The Honourable N. F. Stacey moved, by leave, That Standing Order No. 207 be suspended in respect of the Public Accounts and Expenditure Review Committee insofar as is necessary to allow—
 - (a) publication of fair and accurate reports of evidence given by witnesses examined at public hearings; and
 - (b) the release of evidence, discussion notes and other documents and the publication thereof at the discretion of the Committee.

Question—put and resolved in the affirmative.

3 PAPERS—

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE—The Honourable N. F. Stacey presented the Treasury Minute on the Report from the Public Accounts and Expenditure Review Committee upon the Auditor-General's Reports for 1976–77.

Ordered to lie on the Table and to be printed.

* * * * *

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Anti-Cancer Council—Report and statement of accounts for the year 1980–81.

Police Service Board—Determinations Nos. 349 and 350.

The Honourable Evan Walker moved, That the report tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 4 POSTPONEMENT OF NOTICE OF MOTION AND ORDER OF THE DAY—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor and on the amendment to the proposed Address, Notice of Motion, General Business, No. 1, be postponed until later this day.

- 5 MEAT INDUSTRY—The Honourable W. R. Baxter moved, That, in view of the importance of the export meat industry to Victoria, this House expresses alarm at the present crisis caused by the substitution of horse and kangaroo meat and urges maximum co-operation by the Victorian Government and all sections of the meat trade with a view to assisting the Royal Commissioner to conclude his deliberations at an early date in order that Australia's reputation as a reliable trading nation is restored and enhanced.

The Honourable D. E. Kent moved, as an amendment, That the following words be added to the motion: “and condemns the Victorian Government for its failure to adequately control the meat industry within the State with disastrous effects on Australia's international reputation and trade and Victoria's public health and economy and calls on the Government to act immediately to—

- (a) prevent corrupt practices which may compromise the control of meat;
- (b) apply effective controls over meat inspection brands and documents;

- (c) require all meat other than for human consumption imported into or processed in Victoria to be subject to thorough control through methods of ready identification, such as injected edible dyes, and notifications of intention to import, imports and movements;
- (d) establish adequate resources to rapidly investigate, identify and remedy threats to public health from contaminated or other impure meat; and
- (e) introduce rigorous penalties against meat substitution and other practices which may threaten public health and the meat industry”.

Debate ensued.

The Honourable W. V. Houghton moved, as an amendment to the motion moved by the Honourable W. R. Baxter, That the words “the Victorian Government” be omitted with the view of inserting in place thereof the words “all Governments in Australia”.

Debate ensued.

Question—That the words proposed to be omitted (by the Honourable W. V. Houghton) stand part of the question—put and negatived.

Question—That the words proposed to be inserted (by the Honourable W. V. Houghton) be so inserted—put and resolved in the affirmative.

Question—That the words proposed to be added (by the Honourable D. E. Kent) be so added—put.

The Council divided.

AYES, 8

The Hon. Joan Coxsedge
 C. J. Kennedy
 D. E. Kent (*Teller*)
 W. A. Landeryou
 R. A. Mackenzie
 G. A. Sgro (*Teller*)
 Evan Walker
 D. R. White

NOES, 26

The Hon. W. R. Baxter
 H. G. Baylor
 C. Bubb
 W. M. Campbell
 B. A. Chamberlain
 D. G. Crozier
 B. P. Dunn
 D. M. Evans
 Dr K. J. Foley
 F. J. Granter
 J. V. C. Guest
 H. M. Hamilton
 V. T. Hauser
 D. K. Hayward
 W. V. Houghton
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles (*Teller*)
 R. Lawson
 R. J. Long
 J. W. S. Radford
 (*Teller*)
 D. N. Saltmarsh
 N. F. Stacey
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative.

Question—That in view of the importance of the export meat industry to Victoria, this House expresses alarm at the present crisis caused by the substitution of horse and kangaroo meat and urges maximum co-operation by all Governments in Australia and all sections of the meat trade with a view to assisting the

Royal Commissioner to conclude his deliberations at an early date in order that Australia's reputation as a reliable trading nation is restored and enhanced—put and resolved in the affirmative.

- 6 WILDLIFE (LICENCES) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Wildlife Act 1975' in relation to Licence Fees for keeping Endangered or Notable Wildlife, and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 7 PORT FAIRY LAND BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to authorize the Granting of Leases of certain Crown Land in the Township of Port Fairy*" and desiring the concurrence of the Council therein.

On the motion of the Honourable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 8 CONSTITUTION BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Constitution Act 1975' with respect to Pensions payable in respect of former Governors of the State and the exercise of Ministerial powers*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Glyn Jenkins, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 9 THE CONSTITUTION ACT AMENDMENT (CONJOINT ELECTIONS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend 'The Constitution Act Amendment Act 1958' with respect to the Holding and Conduct of Conjoint Elections*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 10 GOVERNMENT BUILDINGS ADVISORY COUNCIL (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Government Buildings Advisory Council Act 1972' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 11 POSTPONEMENT OF NOTICES OF MOTION AND ORDERS OF THE DAY—Ordered—That the consideration of Notices of Motion, General Business, Nos. 3 to 9 inclusive, and Orders of the Day, Government Business, Nos. 2 to 5 inclusive, be postponed until later this day.

- 12 PRINTERS AND NEWSPAPERS (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.

The Honourable Joan Coxside moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 13 THE CONSTITUTION ACT AMENDMENT (CONJOINT ELECTIONS) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.
The Honourable R. A. Mackenzie (for the Honourable W. A. Landeryou) moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 14 CONSTITUTION BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.
The Honourable R. A. Mackenzie (for the Honourable W. A. Landeryou) moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 15 GOVERNMENT BUILDINGS ADVISORY COUNCIL (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.
The Honourable R. A. Mackenzie moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 16 WILDLIFE (LICENCES) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins (for the Honourable W. V. Houghton) moved, That this Bill be now read a second time.
The Honourable R. A. Mackenzie moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 17 PORT FAIRY LAND BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins (for the Honourable W. V. Houghton) moved, That this Bill be now read a second time.
The Honourable R. A. Mackenzie moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 18 CROWN RESERVATIONS (REVOCATION AND EXCISION) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 19 ADJOURNMENT—The Honourable W. V. Houghton moved, That the Council, at its rising, adjourn until Tuesday next of half-past Four o'clock.
Question—put and resolved in the affirmative.
- And then the Council, at eighteen minutes past Ten o'clock, adjourned until Tuesday next at half-past Four o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

Mr President takes the Chair at a Quarter to Five o'clock

LEGISLATIVE COUNCIL OF VICTORIA

Order of the Day (to take precedence)

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—*Resumption of debate on motion for Address—and on the amendment of the Hon. D. R. White to add the following words to the proposed Address: "but deplore that the lack of control of the Minister of Water Supply over the Melbourne and Metropolitan Board of Works in connection with the construction of its Head Office building has resulted in an inexcusable frittering of ratepayers' funds"* (Hon. R. A. Mackenzie).

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That this House is of the opinion that any extension of shop trading hours to allow Saturday afternoon or Sunday trading will—
 - (a) cause further price increases and add to inflation;
 - (b) impose increasing and undue hardship on the families of employees in the retail industry;
 - (c) adversely affect the viability of thousands of small shopkeepers to the advantage of chain store supermarkets; and
 - (d) aggravate the already alarming incidence of unemployment particularly in relation to young people.
- 2 The Hon. D. M. EVANS—To move, That this House, alarmed by the housing crisis facing thousands of Victorian families, calls on the Government to increase its funding allocation to welfare housing in order to—
 - (a) continue the Housing Commission building programme;
 - (b) provide more funds for co-operative housing societies;
 - (c) ensure that sufficient homes are provided in country towns to encourage decentralization; and
 - (d) generally encourage the housing industry in Victoria.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State's road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 5 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act 1958* to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.

- 6 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 7 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 8 The Hon. EVAN WALKER—To move, That the State Electricity Commission be referred to the Public Bodies Review Committee for review.
- *9 The Hon. R. LAWSON—To move, That this House take note of the need for Australian society to conserve non-renewable energy sources and for that reason it urges local government and other building control authorities to authorize and encourage techniques of building that will lead to the conservation of energy; further, that this House urges the introduction of incentives for the use of natural energy sources to service new and existing buildings.

GOVERNMENT BUSINESS

Orders of the Day

- *1 CONSTITUTION BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 2 CHELSEA LANDS BILL—(Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. D. E. Kent).
- 3 FISHERIES (AMENDMENT) BILL—(Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. Evan Walker).
- 4 PRINTERS AND NEWSPAPERS (AMENDMENT) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. Joan Coxsedge).
- 5 PROPERTY LAW (DELIVERY BY AGENT) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 6 SALE OF LAND (DEPOSITS) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. D. E. Kent).
- 7 MAGISTRATES' COURTS (AMENDMENT) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- 8 MAGISTRATES (SUMMARY PROCEEDINGS) (TRAFFIC COURTS) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- *9 WILDLIFE (LICENCES) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. R. A. Mackenzie).
- *10 PORT FAIRY LAND BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. R. A. Mackenzie).
- *11 THE CONSTITUTION ACT AMENDMENT (CONJOINT ELECTIONS) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- *12 GOVERNMENT BUILDINGS ADVISORY COUNCIL (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. R. A. Mackenzie).

GENERAL BUSINESS

Orders of the Day

- 1 ARTS CENTRE TRUST REPORT, 1979-80—To be considered.
- 2 DRIED FRUITS BOARD ACCOUNTS, 1980—To be considered.
- 3 SECONDARY TEACHERS REGISTRATION BOARD REGULATIONS 1976 (AMENDMENT No. 1)—To be considered.
- 4 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S REPORT, 1978-79—To be considered.
- 5 GEELONG HARBOUR TRUST COMMISSIONERS' ACCOUNTS, 1980—To be considered.
- 6 GROUNDWATER INVESTIGATION PROGRAMME REPORTS, 1977, 1978 AND 1979—To be considered.
- 7 HOSPITALS SUPERANNUATION BOARD REPORT, 1979-80—To be considered.
- 8 LABOUR AND INDUSTRY DEPARTMENT REPORT, 1980—To be considered.
- 9 LIBRARY COUNCIL REPORT, 1979-80—To be considered.
- 10 LIBRARY COUNCIL, NATIONAL MUSEUM AND SCIENCE MUSEUM BUILDING TRUSTEES' REPORT, 1979-80—To be considered.
- 11 MELBOURNE UNIVERSITY FINANCIAL STATEMENTS, 1979—To be considered.
- 12 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1979-80—To be considered.
- 13 MOTOR CAR TRADERS COMMITTEE REPORT, 1980—To be considered.
- 14 NATIONAL MUSEUM ACCOUNTS, 1979-80—To be considered.
- 15 OPTOMETRISTS REGISTRATION BOARD REPORT, 1979-80—To be considered.
- 16 PARLIAMENTARY OFFICERS ACT 1975—RETURNS, 1980-81—To be considered.
- 17 POLICE SERVICE BOARD DETERMINATIONS NOS. 338 TO 344, AND 347—To be considered.
- 18 POULTRY FARMER LICENSING COMMITTEE REPORT, 1979-80—To be considered.
- 19 PUBLIC SERVICE BOARD REPORT, 1979-80—To be considered.
- 20 SCIENCE MUSEUM ACCOUNTS, 1979-80—To be considered.
- 21 STATE DEVELOPMENT COMMITTEE REPORT—OMEQ-MITTA MITTA ROAD LINK—To be considered.
- 22 SWAN HILL PIONEER SETTLEMENT AUTHORITY ACCOUNTS, 1979-80—To be considered.
- 23 TEACHING SERVICE ACT 1958—AMENDING REGULATIONS NOS. 547 TO 569—To be considered.
- 24 TEACHING SERVICE ACT 1958—TEACHING SERVICE—PROFESSIONAL (CLASSIFICATION, SALARIES, AND ALLOWANCES) REGULATION (26 MAY 1981)—To be considered.
- 25 TRADE UNIONS—GOVERNMENT STATIST'S REPORT, 1980—To be considered.
- 26 VICTORIA LAW FOUNDATION REPORT, 1979-80—To be considered.
- 27 VICTORIAN PSYCHOLOGICAL COUNCIL REPORT, 1980—To be considered.
- 28 WORKERS COMPENSATION BOARD FUND ACCOUNTS, 1978-79 AND 1979-80—To be considered.
- 29 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(*Hon. G. A. Sgro*)—Second reading.
- 30 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 31 CONSTITUTION (LOCAL GOVERNMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.

- 32 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)
—Second reading.
- 33 ELECTORAL COMMISSION BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 34 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 35 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 36 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 37 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—
Second reading.
- 38 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 39 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. Evan Walker*)—Second
reading.
- 40 REFUSAL OF MEDICAL TREATMENT BILL—(*Hon. R. A. Mackenzie*)—Second
reading.
- 41 WILDLIFE (SPRING TRAPS) BILL—(*Hon. R. A. Mackenzie*)—Second reading.
- 42 FAIRFIELD HOSPITAL REPORT, 1980–81—To be considered.
- 43 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY OF
RETURNS, JUNE 1981—To be considered.
- 44 RAILWAYS BOARD QUARTERLY REPORT, 31 MARCH 1981—To be considered.
- 45 TAXATION—ANALYSIS OF LAND TAX, 1979, AND PROBATE AND GIFT DUTY,
1979–80—To be considered.
- 46 UPPER YARRA VALLEY AND DANDENONG RANGES AUTHORITY REPORTS, 1976–77
AND 1977–78—To be considered.
- 47 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR
REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 48 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST
CANCELLATION OF REGISTRATION AS JUNIOR–SECONDARY SCHOOL—To be
considered.
- *49 ANTI-CANCER COUNCIL REPORT, 1980–81—To be considered.

* * *

At 6 o'clock—

JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER—Appointments to
Deakin University and Monash University Councils.

* * *

WEDNESDAY, 23 SEPTEMBER GOVERNMENT BUSINESS

Order of the Day

- 1 LAND (FURTHER AMENDMENT) BILL—(*Hon. W. V. Houghton*)—Second
reading—*Resumption of debate.* (*Hon. D. E. Kent*).

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

* * *

LEGISLATIVE COUNCIL OF VICTORIA

Order of the Day (to take precedence)

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—*Resumption of debate on motion for Address—and on the amendment of the Hon. D. R. White to add the following words to the proposed Address: “but deplore that the lack of control of the Minister of Water Supply over the Melbourne and Metropolitan Board of Works in connection with the construction of its Head Office building has resulted in an inexcusable frittering of ratepayers’ funds” (Hon. R. A. Mackenzie).*

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That this House is of the opinion that any extension of shop trading hours to allow Saturday afternoon or Sunday trading will—
- (a) cause further price increases and add to inflation;
 - (b) impose increasing and undue hardship on the families of employees in the retail industry;
 - (c) adversely affect the viability of thousands of small shopkeepers to the advantage of chain store supermarkets; and
 - (d) aggravate the already alarming incidence of unemployment particularly in relation to young people.
- 2 The Hon. D. M. EVANS—To move, That this House, alarmed by the housing crisis facing thousands of Victorian families, calls on the Government to increase its funding allocation to welfare housing in order to—
- (a) continue the Housing Commission building programme;
 - (b) provide more funds for co-operative housing societies;
 - (c) ensure that sufficient homes are provided in country towns to encourage decentralization; and
 - (d) generally encourage the housing industry in Victoria.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State’s road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 5 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act 1958* to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.

- 6 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 7 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 8 The Hon. EVAN WALKER—To move, That the State Electricity Commission be referred to the Public Bodies Review Committee for review.
- 9 The Hon. R. LAWSON—To move, That this House take note of the need for Australian society to conserve non-renewable energy sources and for that reason it urges local government and other building control authorities to authorize and encourage techniques of building that will lead to the conservation of energy; further, that this House urges the introduction of incentives for the use of natural energy sources to service new and existing buildings.

GOVERNMENT BUSINESS

Orders of the Day

- *1 BAIL (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading.
- 2 FISHERIES (AMENDMENT) BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. Evan Walker*).
- 3 PRINTERS AND NEWSPAPERS (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. Joan Coxsedg*).
- 4 MAGISTRATES' COURTS (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 5 MAGISTRATES (SUMMARY PROCEEDINGS) (TRAFFIC COURTS) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 6 LAND (FURTHER AMENDMENT) BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. D. E. Kent*).
- 7 THE CONSTITUTION ACT AMENDMENT (CONJOINT ELECTIONS) BILL—(*from Assembly—Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 8 GOVERNMENT BUILDINGS ADVISORY COUNCIL (AMENDMENT) BILL—(*from Assembly—Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. R. A. Mackenzie*).

GENERAL BUSINESS

Orders of the Day

- 1 ARTS CENTRE TRUST REPORT, 1979–80—To be considered.
- 2 DRIED FRUITS BOARD ACCOUNTS, 1980—To be considered.
- 3 SECONDARY TEACHERS REGISTRATION BOARD REGULATIONS 1976 (AMENDMENT No. 1)—To be considered.
- 4 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S REPORT, 1978–79—To be considered.

* Notifications to which an asterisk (*) is prefixed appear for the first time.

- 5 GEELONG HARBOUR TRUST COMMISSIONERS' ACCOUNTS, 1980—To be considered.
- 6 GROUNDWATER INVESTIGATION PROGRAMME REPORTS, 1977, 1978 AND 1979—To be considered.
- 7 HOSPITALS SUPERANNUATION BOARD REPORT, 1979-80—To be considered.
- 8 LABOUR AND INDUSTRY DEPARTMENT REPORT, 1980—To be considered.
- 9 LIBRARY COUNCIL REPORT, 1979-80—To be considered.
- 10 LIBRARY COUNCIL, NATIONAL MUSEUM AND SCIENCE MUSEUM BUILDING TRUSTEES' REPORT, 1979-80—To be considered.
- 11 MELBOURNE UNIVERSITY FINANCIAL STATEMENTS, 1979—To be considered.
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- 48 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.
- 49 ANTI-CANCER COUNCIL REPORT, 1980-81—To be considered.
- *50 OMBUDSMAN'S QUARTERLY REPORT, MARCH 1981—To be considered.
- *51 NATIONAL MAPPING SCHEME AND PLACE NAMES COMMITTEE—SURVEYOR-GENERAL'S REPORT, 1980-81—To be considered.
- *52 YOUTH PAROLE BOARD REPORT, 1979-80—To be considered.
- *53 MINISTERIAL STATEMENT AND ASSOCIATED REPORTS—ADMINISTRATION OF EDUCATION—To be considered.

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
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HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

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* * *

MINUTES OF THE PROCEEDINGS

Nos. 5 and 6

No. 5—Tuesday, 22 September 1981

- 1 The President took the Chair and read the Prayer.
 - 2 BAIL (AMENDMENT) BILL—On the motion (by leave without notice) of the Honourable Haddon Storey, leave was given to bring in a Bill to amend the *Bail Act 1977*, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
 - 3 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Ombudsman—Report for the quarter ended 31 March 1981.
 - Statutory Rules under the following Acts of Parliament:
 - Chiropractors and Osteopaths Act 1978—No. 410.
 - Community Welfare Services Act 1970—No. 403.
 - Country Fire Authority Act 1958—No. 404.
 - Fisheries Act 1968—Nos. 407 and 408.
 - Forests Act 1958—No. 372.
 - Health Act 1958—No. 400.
 - Motor Boating Act 1961—No. 409.
 - Nurses Act 1958—No. 405.
 - Pharmacists Act 1974—No. 412.
 - Physiotherapists Act 1978—No. 413.
 - Railways Act 1958—No. 401.
 - Surveyor-General—Report upon the progress and co-ordination of surveys under the National Mapping Scheme, and the activities of the Place Names Committee, for the year 1980–81.
 - Town and Country Planning Act 1961—Melbourne Metropolitan Planning Scheme—Amendments No. 140, Part 1 (with twenty-nine maps); and No. 140, Part 2A (with map).
 - Youth Parole Board—Report for the year 1979–80.
- The Honourable Evan Walker moved, That the reports tabled by the Clerk be taken into consideration on the next day of meeting.
- Question—put and resolved in the affirmative.
- 4 POSTPONEMENT OF NOTICES OF MOTION AND ORDER OF THE DAY—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor and on the amendment to the proposed Address, and the Notices of Motion, General Business, be postponed until later this day.
 - 5 CONSTITUTION BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and, by leave, read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.
- Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

6 CHELSEA LANDS BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative. Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

7 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 and 4, be postponed until later this day.

8 PROPERTY LAW (DELIVERY BY AGENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

9 SALE OF LAND (DEPOSITS) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 27

The Hon. W. R. Baxter
 H. G. Baylor (*Teller*)
 P. D. Block (*Teller*)
 C. Bubb
 W. M. Campbell
 B. A. Chamberlain
 D. G. Crozier
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 V. T. Hauser
 D. K. Hayward
 Dr R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles
 R. Lawson
 R. J. Long
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 N. F. Stacey
 Haddon Storey
 J. A. Taylor
 H. R. Ward
 K. I. M. Wright

NOES, 11

The Hon. Joan Coxsedg (*Teller*)
 R. J. Eddy (*Teller*)
 C. J. Kennedy
 D. E. Kent
 W. A. Landeryou
 R. A. Mackenzie
 G. A. Sgro
 H. A. Thomas
 Evan Walker
 J. M. Walton
 D. R. White

And so it was resolved in the affirmative—Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 10 JOINT SITTING—The President announced that the time had arrived for this House to meet the Assembly 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 Deakin University and one Member of the Parliament of Victoria to be recommended for appointment to the Council of Monash University.

Accordingly, the Council then proceeded to the Assembly Chamber, and having returned—

The President reported that this House met the Legislative Assembly this day in the Assembly Chamber for the purpose of sitting and voting together to choose Members of the Parliament of Victoria to be recommended for appointment to the Council of Deakin University and the Council of Monash University and that—

The Honourable David Mylor Evans, M.L.C.;
Aurel Vernon Smith, Esquire, M.P.; and
Neil Benjamin Trezise, Esquire, M.P.,

have been duly chosen to be recommended for appointment to the Council of Deakin University; and

Thomas Campion Trewin, Esquire, M.P.,
has been duly chosen to be recommended for appointment to the Council of Monash University.

- 11 ADMINISTRATION OF EDUCATION—

MINISTERIAL STATEMENT—The Honourable A. J. Hunt made a Ministerial Statement on new directions in the administration of education.

The Honourable Evan Walker moved, That the statement and the associated documents be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * *

CONSULTANT'S REPORT—The Honourable A. J. Hunt moved, by leave, That there be laid before this House a copy of the Report in relation to the Department of Education, in two parts, entitled "The Rationale and Definition of the Proposed Organization Structure".

Question—put and resolved in the affirmative.

The said report was thereupon presented by the Honourable A. J. Hunt and ordered to lie on the Table and to be printed.

- 12 ROYAL VISIT RACE-MEETING BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to authorize the Holding of a Race-meeting, in honour of the Visit to Melbourne of Her Majesty the Queen, at the Caulfield Race-course on 29 September 1981, and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

The Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 13 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 7 and 8, be postponed until later this day.

- 14 WILDLIFE (LICENCES) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative. Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 15 PORT FAIRY LAND BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable P. D. Block having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 16 ALLEGED BRIBE TO LABOR PARTY—MOTION FOR SELECT COMMITTEE—By leave, the Honourable D. R. White moved, by leave, That a Select Committee of five members be appointed to inquire into and report upon the alleged bribe offered to the Labor Party by Graham J. Clare at Parliament House on 25 June 1981; the Committee to have power to send for persons, papers and records; three to be the quorum.

Debate ensued.

The Honourable Haddon Storey moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof the words “this House calls upon the Honourable D. R. White to forthwith convey to the Chief Commissioner of Police any evidence in his possession in support of an alleged bribe offered to the Labor Party by Graham J. Clare at Parliament House on 25 June 1981, and expresses regret that Mr White has not done so earlier”.

Debate ensued.

Member named and suspended—The Honourable W. A. Landeryou having been named by the President for wilfully disregarding the authority of the Chair—

The Honourable A. J. Hunt moved, That the Honourable W. A. Landeryou be suspended from the service of the Council during the remainder of the sitting.

Question—put.

The Council divided.

AYES, 23

The Hon. H. G. Baylor
 P. D. Block
 C. Bubb (*Teller*)
 W. M. Campbell
 B. A. Chamberlain
 D. G. Crozier
 F. J. Granter
 J. V. C. Guest (*Teller*)
 H. M. Hamilton
 V. T. Hauser
 D. K. Hayward
 Dr R. W. Howard
 A. J. Hunt

NOES, 9

The Hon. Joan Coxside
 C. J. Kennedy
 D. E. Kent (*Teller*)
 R. A. Mackenzie
 G. A. Sgro
 I. B. Trayling
 Evan Walker
 J. M. Walton (*Teller*)
 D. R. White

17 ADJOURNMENT—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at a quarter to Two o'clock.

Question—put and resolved in the affirmative.

The Honourable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at twenty-eight minutes past Eleven o'clock, adjourned until tomorrow at a quarter to Two o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

No. 6—Wednesday, 23 September 1981

1 The President took the Chair and read the Prayer.

2 INDUSTRIAL RELATIONS (SECRET BALLOTS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Industrial Relations Act 1979' to make Provision for the Conduct of Secret Ballots with respect to Industrial Disputes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

3 RULING BY PRESIDENT—The Honourable W. A. Landeryou moved, by leave, That this House disagrees with the ruling of Mr President on 22 September during debate on a motion for the appointment of a Select Committee to investigate an alleged bribe offered to the Labor Party, in which he upheld a point of order raised by the Honourable P. D. Block.

Debate ensued.

The Honourable W. A. Landeryou moved, by leave, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday six months.

4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Chiropodists Registration Board—Report and financial statement for the year 1980 (two papers).

Statutory Rules under the following Acts of Parliament:

Cluster Titles Act 1974—No. 402.

Dentists Act 1972—No. 411.

Nurses Act 1958—No. 406.

The Honourable Evan Walker moved, That the report tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

5 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—The Order of the Day having been read for the resumption of the debate on the question, That the Council agree to the Address to His Excellency the Governor in

reply to His Excellency's Opening Speech (for Address see page 16 *ante*), and on the amendment of the Honourable D. R. White to add certain words thereto (for amendment see page 25 *ante*)—

Debate resumed.

The Honourable H. G. Baylor moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 6 MINISTERIAL STATEMENT—TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—The Honourable A. J. Hunt made a Ministerial Statement on staffing and superannuation issues in relation to tertiary colleges.

The Honourable Evan Walker moved, That the statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 7 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of the Notices of Motion, General Business, be postponed until the next day of meeting.

- 8 BAIL (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.

The Honourable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 9 INDUSTRIAL RELATIONS (SECRET BALLOTS) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.

The Honourable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 10 ADJOURNMENT—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until Tuesday, 6 October at half-past Four o'clock.

Question—put and resolved in the affirmative.

The Honourable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirty-five minutes past Six o'clock, adjourned until Tuesday, 6 October at half-past Four o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

Mr President takes the Chair at a Quarter to Five o'clock

LEGISLATIVE COUNCIL OF VICTORIA

Order of the Day (to take precedence)

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—*Resumption of debate on motion for Address—and on the amendment of the Hon. D. R. White* to add the following words to the proposed Address: “but deplore that the lack of control of the Minister of Water Supply over the Melbourne and Metropolitan Board of Works in connection with the construction of its Head Office building has resulted in an inexcusable frittering of ratepayers’ funds” (*Hon. H. G. Baylor*).

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That this House is of the opinion that any extension of shop trading hours to allow Saturday afternoon or Sunday trading will—
 - (a) cause further price increases and add to inflation;
 - (b) impose increasing and undue hardship on the families of employees in the retail industry;
 - (c) adversely affect the viability of thousands of small shopkeepers to the advantage of chain store supermarkets; and
 - (d) aggravate the already alarming incidence of unemployment particularly in relation to young people.
- 2 The Hon. D. M. EVANS—To move, That this House, alarmed by the housing crisis facing thousands of Victorian families, calls on the Government to increase its funding allocation to welfare housing in order to—
 - (a) continue the Housing Commission building programme;
 - (b) provide more funds for co-operative housing societies;
 - (c) ensure that sufficient homes are provided in country towns to encourage decentralization; and
 - (d) generally encourage the housing industry in Victoria.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State’s road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 5 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act 1958* to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.

- 6 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 7 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 8 The Hon. EVAN WALKER—To move, That the State Electricity Commission be referred to the Public Bodies Review Committee for review.
- 9 The Hon. R. LAWSON—To move, That this House take note of the need for Australian society to conserve non-renewable energy sources and for that reason it urges local government and other building control authorities to authorize and encourage techniques of building that will lead to the conservation of energy; further, that this House urges the introduction of incentives for the use of natural energy sources to service new and existing buildings.

GOVERNMENT BUSINESS

Orders of the Day

- 1 FISHERIES (AMENDMENT) BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. Evan Walker*).
- 2 PRINTERS AND NEWSPAPERS (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. Joan Coxsedg*).
- 3 MAGISTRATES' COURTS (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 4 MAGISTRATES (SUMMARY PROCEEDINGS) (TRAFFIC COURTS) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 5 LAND (FURTHER AMENDMENT) BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. D. E. Kent*).
- 6 BAIL (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- *7 INDUSTRIAL RELATIONS (SECRET BALLOTS) BILL—(*from Assembly—Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 8 THE CONSTITUTION ACT AMENDMENT (CONJOINT ELECTIONS) BILL—(*from Assembly—Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 9 GOVERNMENT BUILDINGS ADVISORY COUNCIL (AMENDMENT) BILL—(*from Assembly—Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. R. A. Mackenzie*).

GENERAL BUSINESS

Orders of the Day

- 1 ARTS CENTRE TRUST REPORT, 1979-80—To be considered.
- 2 DRIED FRUITS BOARD ACCOUNTS, 1980—To be considered.
- 3 SECONDARY TEACHERS REGISTRATION BOARD REGULATIONS 1976 (AMENDMENT No. 1)—To be considered.

- 4 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S REPORT, 1978-79—To be considered.
- 5 GEELONG HARBOUR TRUST COMMISSIONERS' ACCOUNTS, 1980—To be considered.
- 6 GROUNDWATER INVESTIGATION PROGRAMME REPORTS, 1977, 1978 AND 1979—To be considered.
- 7 HOSPITALS SUPERANNUATION BOARD REPORT, 1979-80—To be considered.
- 8 LABOUR AND INDUSTRY DEPARTMENT REPORT, 1980—To be considered.
- 9 LIBRARY COUNCIL REPORT, 1979-80—To be considered.
- 10 LIBRARY COUNCIL, NATIONAL MUSEUM AND SCIENCE MUSEUM BUILDING TRUSTEES' REPORT, 1979-80—To be considered.
- 11 MELBOURNE UNIVERSITY FINANCIAL STATEMENTS, 1979—To be considered.
- 12 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1979-80—To be considered.
- 13 MOTOR CAR TRADERS COMMITTEE REPORT, 1980—To be considered.
- 14 NATIONAL MUSEUM ACCOUNTS, 1979-80—To be considered.
- 15 OPTOMETRISTS REGISTRATION BOARD REPORT, 1979-80—To be considered.
- 16 PARLIAMENTARY OFFICERS ACT 1975—RETURNS, 1980-81—To be considered.
- 17 POLICE SERVICE BOARD DETERMINATIONS NOS. 338 TO 344, AND 347—To be considered.
- 18 POULTRY FARMER LICENSING COMMITTEE REPORT, 1979-80—To be considered.
- 19 PUBLIC SERVICE BOARD REPORT, 1979-80—To be considered.
- 20 SCIENCE MUSEUM ACCOUNTS, 1979-80—To be considered.
- 21 STATE DEVELOPMENT COMMITTEE REPORT—OMEQ-MITTA MITTA ROAD LINK—To be considered.
- 22 SWAN HILL PIONEER SETTLEMENT AUTHORITY ACCOUNTS, 1979-80—To be considered.
- 23 TEACHING SERVICE ACT 1958—AMENDING REGULATIONS NOS. 547 TO 569—To be considered.
- 24 TEACHING SERVICE ACT 1958—TEACHING SERVICE—PROFESSIONAL (CLASSIFICATION, SALARIES, AND ALLOWANCES) REGULATION (26 MAY 1981)—To be considered.
- 25 TRADE UNIONS—GOVERNMENT STATIST'S REPORT, 1980—To be considered.
- 26 VICTORIA LAW FOUNDATION REPORT, 1979-80—To be considered.
- 27 VICTORIAN PSYCHOLOGICAL COUNCIL REPORT, 1980—To be considered.
- 28 WORKERS COMPENSATION BOARD FUND ACCOUNTS, 1978-79 AND 1979-80—To be considered.
- 29 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(*Hon. G. A. Sgro*)—Second reading.
- 30 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 31 CONSTITUTION (LOCAL GOVERNMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 32 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 33 ELECTORAL COMMISSION BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 34 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 35 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(*Hon. W. A. Landeryou*)—Second reading.

- 36 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 37 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 38 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 39 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. Evan Walker*)—Second reading.
- 40 REFUSAL OF MEDICAL TREATMENT BILL—(*Hon. R. A. Mackenzie*)—Second reading.
- 41 WILDLIFE (SPRING TRAPS) BILL—(*Hon. R. A. Mackenzie*)—Second reading.
- 42 FAIRFIELD HOSPITAL REPORT, 1980–81—To be considered.
- 43 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY OF RETURNS, JUNE 1981—To be considered.
- 44 RAILWAYS BOARD QUARTERLY REPORT, 31 MARCH 1981—To be considered.
- 45 TAXATION—ANALYSIS OF LAND TAX, 1979, AND PROBATE AND GIFT DUTY, 1979–80—To be considered.
- 46 UPPER YARRA VALLEY AND DANDENONG RANGES AUTHORITY REPORTS, 1976–77 AND 1977–78—To be considered.
- 47 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 48 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR–SECONDARY SCHOOL—To be considered.
- 49 ANTI-CANCER COUNCIL REPORT, 1980–81—To be considered.
- 50 OMBUDSMAN'S QUARTERLY REPORT, MARCH 1981—To be considered.
- 51 NATIONAL MAPPING SCHEME AND PLACE NAMES COMMITTEE—SURVEYOR-GENERAL'S REPORT, 1980–81—To be considered.
- 52 YOUTH PAROLE BOARD REPORT, 1979–80—To be considered.
- 53 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
- *54 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- *55 CHIROPODISTS REGISTRATION BOARD REPORT, 1980—To be considered.

A. R. B. McDONNELL

Clerk of the Legislative Council

FRED S. GRIMWADE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

* * *

Mr President takes the Chair at a Quarter past Four o'clock

LEGISLATIVE COUNCIL OF VICTORIA

Order of the Day (to take precedence)

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—*Resumption of debate on motion for Address—and on the amendment of the Hon. D. R. White to add the following words to the proposed Address: “but deplore that the lack of control of the Minister of Water Supply over the Melbourne and Metropolitan Board of Works in connection with the construction of its Head Office building has resulted in an inexcusable frittering of ratepayers’ funds” (Hon. H. G. Baylor).*

GOVERNMENT BUSINESS

Notice of Motion

- *1 The Hon. HADDON STOREY—To move, That he have leave to bring in a Bill to amend the *County Court Act 1958*, the *Supreme Court Act 1958* and the *Magistrates’ Court Act 1971* to restrict the Publication of Information with respect to Debtors.

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That this House is of the opinion that any extension of shop trading hours to allow Saturday afternoon or Sunday trading will—
 - (a) cause further price increases and add to inflation;
 - (b) impose increasing and undue hardship on the families of employees in the retail industry;
 - (c) adversely affect the viability of thousands of small shopkeepers to the advantage of chain store supermarkets; and
 - (d) aggravate the already alarming incidence of unemployment particularly in relation to young people.
- 2 The Hon. D. M. EVANS—To move, That this House, alarmed by the housing crisis facing thousands of Victorian families, calls on the Government to increase its funding allocation to welfare housing in order to—
 - (a) continue the Housing Commission building programme;
 - (b) provide more funds for co-operative housing societies;
 - (c) ensure that sufficient homes are provided in country towns to encourage decentralization; and
 - (d) generally encourage the housing industry in Victoria.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State’s road system, particularly in rural areas,

* Notifications to which an asterisk (*) is prefixed appear for the first time.

and calls on the Government to allocate a greater share of available funds to rural roads.

- 5 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act* 1958 to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 7 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 8 The Hon. R. LAWSON—To move, That this House take note of the need for Australian society to conserve non-renewable energy sources and for that reason it urges local government and other building control authorities to authorize and encourage techniques of building that will lead to the conservation of energy; further, that this House urges the introduction of incentives for the use of natural energy sources to service new and existing buildings.

GOVERNMENT BUSINESS

Orders of the Day

- 1 GOVERNMENT BUILDINGS ADVISORY COUNCIL (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. R. A. Mackenzie).
- 2 MAGISTRATES' COURTS (AMENDMENT) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- 3 MAGISTRATES (SUMMARY PROCEEDINGS) (TRAFFIC COURTS) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- 4 BAIL (AMENDMENT) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 5 INDUSTRIAL RELATIONS (SECRET BALLOTS) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 6 THE CONSTITUTION ACT AMENDMENT (CONJOINT ELECTIONS) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(Hon. G. A. Sgro)—Second reading.
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(Hon. W. A. Landeryou)—Second reading.
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(Hon. W. A. Landeryou)—Second reading.

- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. Evan Walker*)—Second reading.
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(*Hon. R. A. Mackenzie*)—Second reading.
- 13 WILDLIFE (SPRING TRAPS) BILL—(*Hon. R. A. Mackenzie*)—Second reading.
- 14 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY OF RETURNS, JUNE 1981—To be considered.
- 15 RAILWAYS BOARD QUARTERLY REPORT, 31 MARCH 1981—To be considered.
- 16 TAXATION—ANALYSIS OF LAND TAX, 1979, AND PROBATE AND GIFT DUTY, 1979–80—To be considered.
- 17 UPPER YARRA VALLEY AND DANDENONG RANGES AUTHORITY REPORTS, 1976–77 AND 1977–78—To be considered.
- 18 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 19 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.
- 20 ANTI-CANCER COUNCIL REPORT, 1980–81—To be considered.
- 21 OMBUDSMAN'S QUARTERLY REPORT, MARCH 1981—To be considered.
- 22 NATIONAL MAPPING SCHEME AND PLACE NAMES COMMITTEE—SURVEYOR-GENERAL'S REPORT, 1980–81—To be considered.
- 23 YOUTH PAROLE BOARD REPORT, 1979–80—To be considered.
- 24 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
- 25 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 26 CHIROPODISTS REGISTRATION BOARD REPORT, 1980—To be considered.
- *27 EXHIBITION TRUSTEES REPORT, 1980–81—To be considered.
- *28 NATIONAL PARKS ACT—MINISTER'S NOTICE OF CONSENT TO OPERATIONS IN GIPPSLAND LAKES PARK DATED 6 OCTOBER 1981—To be considered.
- *29 PHARMACY BOARD REPORT, 1980—To be considered.
- *30 POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1980–81—To be considered.
- *31 RAILWAYS BOARD REPORT, 1980–81—To be considered.
- *32 STATE BANK REPORTS, STATEMENTS, RETURNS, &c., 1980–81—To be considered.
- *33 MELBOURNE METROPOLITAN PLANNING SCHEME—AMENDMENT No. 151—To be considered.

TUESDAY, 13 OCTOBER
GOVERNMENT BUSINESS

Orders of the Day

- 1 PRINTERS AND NEWSPAPERS (AMENDMENT) BILL—(*Hon. Haddon Storey*)—
Second reading—*Resumption of debate. (Hon. Joan Coxsedg)*.
- *2 ENVIRONMENT PROTECTION (LICENCE FEES) BILL—(*Hon. W. V. Houghton*)—
Second reading—*Resumption of debate. (Hon. Evan Walker)*.

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedg, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

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LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 7 and 8

No. 7—Tuesday, 6 October 1981

- 1 The President took the Chair and read the Prayer.
- 2 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR—The Honourable A. J. Hunt presented Messages from His Excellency the Governor informing the Council—
That he had, on 29 September 1981, given the Royal Assent to the undermentioned Acts presented to him by the Clerk-Assistant of the Legislative Council, for and in the absence of the Clerk of the Parliaments, viz.:
Royal Visit Race-meeting Act.
Wildlife (Licences) Act.
Port Fairy Land Act.
That he had, on 29 September 1981, reserved for the signification of Her Majesty's pleasure thereon the undermentioned Bill presented to him by the Clerk-Assistant of the Legislative Council, for and in the absence of the Clerk of Parliaments, viz.:
Constitution Bill.
- 3 PERIODIC DISCHARGE OF ORDERS OF THE DAY, GENERAL BUSINESS—The Honourable Evan Walker moved, by leave, That until the end of the Session, an Order of the Day, General Business, for the consideration of a paper tabled either by command of His Excellency the Governor or pursuant to Statute shall be discharged from the Notice Paper without further proceeding after having been listed for five consecutive sitting days, unless a motion to take note of the paper has intervened and is pending resolution.
Question—put and resolved in the affirmative.
- 4 PETITION—VICTORIAN GOVERNMENT TRAVEL AUTHORITY, GEELONG—The Honourable R. A. Mackenzie presented a Petition from certain citizens of Geelong praying that the Government rescind its decision to close the Geelong Branch of the Victorian Government Travel Authority.
Ordered to lie on the Table.
- 5 ENVIRONMENT PROTECTION (LICENCE FEES) BILL—On the motion (by leave without notice) of the Honourable W. V. Houghton, leave was given to bring in a Bill to amend the *Environment Protection Act 1970* to increase Licence Fees and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 6 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
Education Act 1958—Resumption of land at Rye—Certificate of the Minister of Education.
Exhibition Trustees—Report for the year 1980–81.
National Parks Act 1975—Notice of consent to operations in Gippsland Lakes Park by Beach Petroleum NL pursuant to a petroleum exploration permit.

Pharmacy Board—Report for the year 1980.

Poultry Farmer Licensing Review Committee—Report for the year ended 28 February 1981.

Railways Board—Report for the year 1980–81.

State Bank—Reports, statements, returns, &c., for the year 1980–81.

Statutory Rules under the following Acts of Parliament:

Cemeteries Act 1958—No. 425.

Companies (Acquisition of Shares) (Application of Laws) Act 1981—No. 417.

Health Act 1958—Nos. 422 to 424, and 426 to 431.

Industrial Training Act 1975—No. 418.

Melbourne and Metropolitan Board of Works Act 1958—Nos. 414 and 415.

Public Service Act 1974—PSD Nos. 82, 85, 92, 113, 120 to 128, and 130.

Racing Act 1958—No. 419.

Road Traffic Act 1958—No. 433.

Second-hand Dealers Act 1958—No. 420.

Securities Industry (Application of Laws) Act 1981—No. 416.

Supreme Court Act 1958—No. 432.

Town and Country Planning Act 1961—No. 421.

Town and Country Planning Act 1961—Melbourne Metropolitan Planning Scheme—Amendment No. 151 (with seven maps).

The Honourable Evan Walker moved, That the Reports, Notice of consent under the *National Parks Act 1975*, and the Planning Scheme amendment under the *Town and Country Planning Act 1961* tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

7 POSTPONEMENT OF NOTICES OF MOTION AND ORDER OF THE DAY—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor and the proposed amendment thereto, and Notices of Motion, General Business, Nos. 1 to 7 inclusive, be postponed until later this day.

8 STATE ELECTRICITY COMMISSION REVIEW—The Honourable D. R. White moved, That the State Electricity Commission be referred to the Public Bodies Review Committee for review.

Debate ensued.

The Honourable R. J. Long moved, That the debate be now adjourned.

Question—put and resolved in the affirmative.

9 POSTPONEMENT OF NOTICE OF MOTION—Ordered—That the consideration of Notice of Motion, General Business, No. 9, be postponed until later this day.

10 ENVIRONMENT PROTECTION (LICENCE FEES) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable W. V. Houghton moved, That this Bill be now read a second time.

The Honourable Evan Walker moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

11 FISHERIES (AMENDMENT) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 24

The Hon. W. R. Baxter
 H. G. Baylor
 P. D. Block
 C. Bubb
 B. A. Chamberlain
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 H. M. Hamilton
 V. T. Hauser
 D. K. Hayward
 W. V. Houghton
 Glyn Jenkins
 R. I. Knowles
 R. Lawson (*Teller*)
 R. J. Long (*Teller*)
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 N. F. Stacey
 Haddon Storey
 J. A. Taylor
 K. I. M. Wright

NOES, 9

The Hon. C. J. Kennedy (*Teller*)
 D. E. Kent
 W. A. Landeryou
 R. A. Mackenzie
 G. A. Sgro
 H. A. Thomas
 Evan Walker
 J. M. Walton
 D. R. White (*Teller*)

And so it was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy President resumed the Chair; and the Honourable V. T. Hauser having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 12 PRINTERS AND NEWSPAPERS (AMENDMENT) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable D. E. Kent (for the Honourable Joan Coxsedg) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 13 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 and 4, be postponed until later this day.

- 14 LAND (FURTHER AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy President resumed the Chair; and the Honourable P. D. Block having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 15 ADJOURNMENT—The Honourable Haddon Storey moved, That the Council, at its rising, adjourn until tomorrow at Four o'clock.

Question—put and resolved in the affirmative.

The Honourable Haddon Storey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at four minutes past Eleven o'clock, adjourned until tomorrow at Four o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

No. 8—Wednesday, 7 October 1981

- 1 The President took the Chair and read the Prayer.
- 2 ADJOURNMENT—MOTION UNDER STANDING ORDER No. 53—The Honourable Evan Walker moved, That the Council do now adjourn, and said he proposed to speak to the subject of “The failure of the Government to protect the interests of the people of Victoria in the administration of the Mount Hotham Ski Resort”; and six other Honourable Members having risen in their places and required the motion to be proposed—
Debate ensued.
Question—put and negatived.
- 3 PUBLIC BODIES REVIEW COMMITTEE—DRAFT WATER MANAGEMENT PROPOSALS—The Honourable Dr K. J. Foley presented a Report from the Public Bodies Review Committee containing draft proposals as to Future Structures for Water Management—Recommendations on Regional and Local Structures for Urban Services, together with Appendices.
Ordered to lie on the Table and to be printed.
The Honourable Glyn Jenkins moved, That the Council take note of the Report.
Debate ensued.
The Honourable D. R. White moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until later this day.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
Grain Elevators Board—Report for the year ended 31 October 1980.
Immigration and Ethnic Affairs—Report of the Ministry for the year 1980–81.
Members of Parliament (Register of Interests) Act 1978—Summary of returns—September 1981.

- 5 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor and the proposed amendment thereto be postponed until later this day.
- 6 LISTING OF DEBTORS BILL—On the motion of the Honourable Haddon Storey, leave was given to bring in a Bill to amend the *County Court Act 1958*, the *Supreme Court Act 1958* and the *Magistrates' Court Act 1971* to restrict the Publication of Information with respect to Debtors, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 7 POSTPONEMENT OF NOTICE OF MOTION—Ordered—That the consideration of Notice of Motion, General Business, No. 1, be postponed until later this day.
- 8 WELFARE HOUSING FUNDS—The Honourable D. M. Evans moved, That this House, alarmed by the housing crisis facing thousands of Victorian families, calls on the Government to increase its funding allocation to welfare housing in order to—
- (a) continue the Housing Commission building programme;
 - (b) provide more funds for co-operative housing societies;
 - (c) ensure that sufficient homes are provided in country towns to encourage decentralization; and
 - (d) generally encourage the housing industry in Victoria.
- Debate ensued.
- The Honourable F. J. Granter moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 9 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—The Order of the Day having been read for the resumption of the debate on the question, That the Council agree to the Address to His Excellency the Governor in reply to His Excellency's Opening Speech (for Address see page 16 *ante*), and on the amendment of the Honourable D. R. White to add certain words thereto (for amendment see page 25 *ante*)—
- Debate resumed.
- The Honourable J. A. Taylor moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 10 FRENCH ISLAND (LAND EXCHANGE) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for the Exchange of certain Crown Land in the Parish of French Island and certain other Land in that Parish and for other purposes*" and desiring the concurrence of the Council therein.
- On the motion of the Honourable F. J. Granter (for the Honourable W. V. Houghton) the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 11 ADJOURNMENT—The Honourable W. V. Houghton moved, That the Council, at its rising, adjourn until Tuesday next at half-past Four o'clock.
- Question—put and resolved in the affirmative.
- The Honourable W. V. Houghton moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at forty-eight minutes past Ten o'clock, adjourned until Tuesday next at half-past Four o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

Mr President takes the Chair at a Quarter to Five o'clock

LEGISLATIVE COUNCIL OF VICTORIA

Order of the Day (to take precedence)

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—*Resumption of debate on motion for Address—and on the amendment of the Hon. D. R. White* to add the following words to the proposed Address: “but deplore that the lack of control of the Minister of Water Supply over the Melbourne and Metropolitan Board of Works in connection with the construction of its Head Office building has resulted in an inexcusable frittering of ratepayers’ funds” (*Hon. J. A. Taylor*).

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That this House is of the opinion that any extension of shop trading hours to allow Saturday afternoon or Sunday trading will—
 - (a) cause further price increases and add to inflation;
 - (b) impose increasing and undue hardship on the families of employees in the retail industry;
 - (c) adversely affect the viability of thousands of small shopkeepers to the advantage of chain store supermarkets; and
 - (d) aggravate the already alarming incidence of unemployment particularly in relation to young people.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State’s road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 4 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act 1958* to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the

* Notifications to which an asterisk (*) is prefixed appear for the first time.

franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.

- 7 The Hon. R. LAWSON—To move, That this House take note of the need for Australian society to conserve non-renewable energy sources and for that reason it urges local government and other building control authorities to authorize and encourage techniques of building that will lead to the conservation of energy; further, that this House urges the introduction of incentives for the use of natural energy sources to service new and existing buildings.

GOVERNMENT BUSINESS

Orders of the Day

- *1 LISTING OF DEBTORS BILL—(*Hon. Haddon Storey*)—Second reading.
- *2 FRENCH ISLAND (LAND EXCHANGE) BILL—(*from Assembly—Hon. W. V. Houghton*)—Second reading.
- 3 GOVERNMENT BUILDINGS ADVISORY COUNCIL (AMENDMENT) BILL—(*from Assembly—Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. R. A. Mackenzie).*
- 4 MAGISTRATES' COURTS (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. R. J. Eddy).*
- 5 MAGISTRATES (SUMMARY PROCEEDINGS) (TRAFFIC COURTS) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. R. J. Eddy).*
- 6 BAIL (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. W. A. Landeryou).*
- 7 PRINTERS AND NEWSPAPERS (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. Joan Coxsedg).*
- 8 ENVIRONMENT PROTECTION (LICENCE FEES) BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate. (Hon. Evan Walker).*
- 9 INDUSTRIAL RELATIONS (SECRET BALLOTS) BILL—(*from Assembly—Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. W. A. Landeryou).*
- 10 THE CONSTITUTION ACT AMENDMENT (CONJOINT ELECTIONS) BILL—(*from Assembly—Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. W. A. Landeryou).*
- *11 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(*Hon. Glyn Jenkins*)—*Resumption of debate. (Hon. D. R. White).*

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(*Hon. G. A. Sgro*)—Second reading.
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.

- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. Evan Walker*)—Second reading.
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(*Hon. R. A. Mackenzie*)—Second reading.
- 13 WILDLIFE (SPRING TRAPS) BILL—(*Hon. R. A. Mackenzie*)—Second reading.
- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 15 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.
- 16 ANTI-CANCER COUNCIL REPORT, 1980-81—To be considered.
- 17 OMBUDSMAN'S QUARTERLY REPORT, MARCH 1981—To be considered.
- 18 NATIONAL MAPPING SCHEME AND PLACE NAMES COMMITTEE—SURVEYOR-GENERAL'S REPORT, 1980-81—To be considered.
- 19 YOUTH PAROLE BOARD REPORT, 1979-80—To be considered.
- 20 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
- 21 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 22 CHIROPODISTS REGISTRATION BOARD REPORT, 1980—To be considered.
- 23 EXHIBITION TRUSTEES REPORT, 1980-81—To be considered.
- 24 NATIONAL PARKS ACT—MINISTER'S NOTICE OF CONSENT TO OPERATIONS IN GIPPSLAND LAKES PARK DATED 6 OCTOBER 1981—To be considered.
- 25 PHARMACY BOARD REPORT, 1980—To be considered.
- 26 POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1980-81—To be considered.
- 27 RAILWAYS BOARD REPORT, 1980-81—To be considered.
- 28 STATE BANK REPORTS, STATEMENTS, RETURNS, &C., 1980-81—To be considered.
- 29 MELBOURNE METROPOLITAN PLANNING SCHEME—AMENDMENT No. 151—To be considered.
- *30 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. F. J. Granter*).

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

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CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

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PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedg, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

* * *

Mr President takes the Chair at a Quarter past Four o'clock

LEGISLATIVE COUNCIL OF VICTORIA

Order of the Day (to take precedence)

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—*Resumption of debate on motion for Address—and on the amendment of the Hon. D. R. White* to add the following words to the proposed Address: “but deplore that the lack of control of the Minister of Water Supply over the Melbourne and Metropolitan Board of Works in connection with the construction of its Head Office building has resulted in an inexcusable frittering of ratepayers’ funds” (*Hon. J. A. Taylor*).

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That this House is of the opinion that any extension of shop trading hours to allow Saturday afternoon or Sunday trading will—
 - (a) cause further price increases and add to inflation;
 - (b) impose increasing and undue hardship on the families of employees in the retail industry;
 - (c) adversely affect the viability of thousands of small shopkeepers to the advantage of chain store supermarkets; and
 - (d) aggravate the already alarming incidence of unemployment particularly in relation to young people.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State’s road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 4 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act* 1958 to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the

* Notifications to which an asterisk (*) is prefixed appear for the first time.

franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.

- 7 The Hon. R. LAWSON—To move, That this House take note of the need for Australian society to conserve non-renewable energy sources and for that reason it urges local government and other building control authorities to authorize and encourage techniques of building that will lead to the conservation of energy; further, that this House urges the introduction of incentives for the use of natural energy sources to service new and existing buildings.

GOVERNMENT BUSINESS

Orders of the Day

- 1 INDUSTRIAL RELATIONS (SECRET BALLOTS) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 2 MAGISTRATES' COURTS (AMENDMENT) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- 3 MAGISTRATES (SUMMARY PROCEEDINGS) (TRAFFIC COURTS) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- 4 BAIL (AMENDMENT) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 5 ENVIRONMENT PROTECTION (LICENCE FEES) BILL—(Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. Evan Walker).
- 6 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—Resumption of debate. (Hon. D. R. White).

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(Hon. G. A. Sgro)—Second reading.
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(Hon. W. A. Landeryou)—Second reading.
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(Hon. W. A. Landeryou)—Second reading.
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(Hon. W. A. Landeryou)—Second reading.
- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(Hon. W. A. Landeryou)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(Hon. W. A. Landeryou)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(Hon. Evan Walker)—Second reading.
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(Hon. R. A. Mackenzie)—Second reading.

- 13 WILDLIFE (SPRING TRAPS) BILL—(*Hon. R. A. Mackenzie*)—Second reading.
- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 15 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.
- 16 OMBUDSMAN'S QUARTERLY REPORT, MARCH 1981—To be considered.
- 17 NATIONAL MAPPING SCHEME AND PLACE NAMES COMMITTEE—SURVEYOR-GENERAL'S REPORT, 1980-81—To be considered.
- 18 YOUTH PAROLE BOARD REPORT, 1979-80—To be considered.
- 19 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
- 20 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 21 CHIROPODISTS REGISTRATION BOARD REPORT, 1980—To be considered.
- 22 EXHIBITION TRUSTEES REPORT, 1980-81—To be considered.
- 23 NATIONAL PARKS ACT—MINISTER'S NOTICE OF CONSENT TO OPERATION IN GIPPSLAND LAKES PARK DATED 6 OCTOBER 1981—To be considered.
- 24 PHARMACY BOARD REPORT, 1980—To be considered.
- 25 POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1980-81—To be considered.
- 26 RAILWAYS BOARD REPORT, 1980-81—To be considered.
- 27 STATE BANK REPORTS, STATEMENTS, RETURNS, &c., 1980-81—To be considered.
- 28 MELBOURNE METROPOLITAN PLANNING SCHEME—AMENDMENT No. 151—To be considered.
- 29 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- *30 DIETITIANS REGISTRATION BOARD REPORT, 1980-81—To be considered.
- *31 PORT UTILIZATION AND DEVELOPMENT—PROGRESS REPORT OF STATE DEVELOPMENT COMMITTEE—To be considered.
- *32 VICTORIAN NURSING COUNCIL REPORT, 1980-81—To be considered.

* * *

TUESDAY, 20 OCTOBER
GOVERNMENT BUSINESS

Orders of the Day

- *1 FILMS (AMENDMENT) BILL—(*from Assembly—Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. R. A. Mackenzie*).
- *2 LISTING OF DEBTORS BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. J. M. Walton*).
- *3 FRENCH ISLAND (LAND EXCHANGE) BILL—(*from Assembly—Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. Evan Walker*).

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

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Mr President takes the Chair at Ten o'clock

LEGISLATIVE COUNCIL OF VICTORIA

Order of the Day (to take precedence)

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—*Resumption of debate on motion for Address—and on the amendment of the Hon. D. R. White* to add the following words to the proposed Address: “but deplore that the lack of control of the Minister of Water Supply over the Melbourne and Metropolitan Board of Works in connection with the construction of its Head Office building has resulted in an inexcusable frittering of ratepayers’ funds” (*Hon. J. A. Taylor*).

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State’s road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act* 1958 to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. R. LAWSON—To move, That this House take note of the need for Australian society to conserve non-renewable energy sources and for that reason it urges local government and other building control authorities to authorize and encourage techniques of building that will lead to the conservation of energy; further, that this House urges the introduction of incentives for the use of natural energy sources to service new and existing buildings.

* Notifications to which an asterisk (*) is prefixed appear for the first time.

- *7 The Hon. B. P. DUNN—To move, That this House expresses its concern that the road toll is again increasing, and calls on the Government to re-consider certain past recommendations of the Road Safety Committee not yet implemented.

GOVERNMENT BUSINESS

Orders of the Day

- *1 EDUCATION (AMENDMENT) BILL—(from Assembly—Hon. A. J. Hunt)—Second reading—*Resumption of debate.* (Hon. Evan Walker).
- 2 INDUSTRIAL RELATIONS (SECRET BALLOTS) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 3 MAGISTRATES' COURTS (AMENDMENT) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).
- 4 MAGISTRATES (SUMMARY PROCEEDINGS) (TRAFFIC COURTS) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).
- 5 BAIL (AMENDMENT) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 6 ENVIRONMENT PROTECTION (LICENCE FEES) BILL—(Hon. W. V. Houghton)—Second reading—*Resumption of debate.* (Hon. Evan Walker).
- 7 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—*Resumption of debate.* (Hon. D. R. White).
- *8 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—*Resumption of debate.* (Hon. Glyn Jenkins).

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(Hon. G. A. Sgro)—Second reading.
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(Hon. W. A. Landeryou)—Second reading.
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(Hon. W. A. Landeryou)—Second reading.
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(Hon. W. A. Landeryou)—Second reading.
- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(Hon. W. A. Landeryou)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(Hon. W. A. Landeryou)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(Hon. Evan Walker)—Second reading.
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(Hon. R. A. Mackenzie)—Second reading.
- 13 WILDLIFE (SPRING TRAPS) BILL—(Hon. R. A. Mackenzie)—Second reading.

- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 15 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.
- 16 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
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- 23 RAILWAYS BOARD REPORT, 1980-81—To be considered.
- 24 STATE BANK REPORTS, STATEMENTS, RETURNS, &c., 1980-81—To be considered.
- 25 MELBOURNE METROPOLITAN PLANNING SCHEME—AMENDMENT No. 151—To be considered.
- 26 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (*Hon. D. M. Evans*)—*Resumption of debate. (Hon. F. J. Granter).*
- 27 DIETITIANS REGISTRATION BOARD REPORT, 1980-81—To be considered.
- 28 PORT UTILIZATION AND DEVELOPMENT—PROGRESS REPORT OF STATE DEVELOPMENT COMMITTEE—To be considered.
- 29 VICTORIAN NURSING COUNCIL REPORT, 1980-81—To be considered.
- *30 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1979-80—To be considered.
- *31 FISHERIES (SCALLOP) (AMENDMENT No. 1) REGULATIONS 1981 (STATUTORY RULE No. 438/1981)—To be considered.

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TUESDAY, 20 OCTOBER GOVERNMENT BUSINESS

Orders of the Day

- 1 FILMS (AMENDMENT) BILL—(*from Assembly—Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. R. A. Mackenzie).*
- 2 LISTING OF DEBTORS BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. J. M. Walton).*
- 3 FRENCH ISLAND (LAND EXCHANGE) BILL—(*from Assembly—Hon. W. V. Houghton*)—Second reading—*Resumption of debate. (Hon. Evan Walker).*
- *4 COUNTRY FIRE AUTHORITY (BORROWING POWERS) BILL—(*from Assembly—Hon. F. J. Granter*)—Second reading—*Resumption of debate. (Hon. R. A. Mackenzie).*
- *5 CORONERS (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. I. B. Trayling).*
- *6 LAW REFORM BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. W. A. Landeryou).*

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

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PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

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MINUTES OF THE PROCEEDINGS

Nos. 9, 10 and 11

No. 9—Tuesday, 13 October 1981

- 1 The President took the Chair and read the Prayer.
- 2 THE LATE HONOURABLE PATRICK JOHN KENNELLY, A.O., AND THE LATE HONOURABLE ARTHUR SMITH—The Honourable A. J. Hunt moved, That this House place on record its deep regret at the deaths of the Honourable Patrick John Kennelly, A.O., and the Honourable Arthur Smith, and its keen appreciation of the long and valuable services rendered to the Parliament and the people of Victoria by Mr Kennelly as a Member of the Legislative Council for the Melbourne West Province from 1938 to 1952, and Minister of the Crown in 1943 and from 1945 to 1947, and as a Senator for Victoria from 1953 to 1971; and by Mr Smith as a Member of the Legislative Council for the Bendigo Province from 1952 to 1964.

And the Honourable Members having addressed the House—

The question was put and, Honourable Members signifying their assent by rising in their places, unanimously resolved in the affirmative.

- 3 ADJOURNMENT—The Honourable A. J. Hunt moved, That, as a further mark of respect to the memory of the late Honourable Patrick John Kennelly, A.O., and the late Honourable Arthur Smith, the House do now adjourn until Eight o'clock this day.

Question—put and resolved in the affirmative.

And then the Council, at thirty-four minutes past Five o'clock, adjourned until Eight o'clock this day.

* * *

- 1 The President took the Chair.
- 2 FILMS (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Films Act 1971'*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Glyn Jenkins (for the Honourable Haddon Storey), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 3 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Dietitians Registration Board—Report for the year 1980–81.

State Development Committee—Progress Report on Port Utilization and Development in Victoria.

Teaching Service Act 1958—

Teaching Service (Classification, Salaries, and Allowances) Regulations—Amendment No. 573.

Teaching Service (Teachers Tribunal) Regulations—Amendments Nos. 571 and 572.

Town and Country Planning Act 1961—

Lillydale—Shire of Lillydale Planning Scheme 1958—Amendment No. 103 Part 1, 1978.

Town and Country Planning Act 1961 (*continued*):

Melbourne Metropolitan Planning Scheme—Amendments No. 88, Part 4 (with two maps); and No. 115, Part 2B.

Sale—City of Sale Planning Scheme 1975—Amendments Nos. 8 and 11, 1980.

South Gippsland—Shire of South Gippsland Planning Scheme—Amendment No. 45, 1980.

Stawell—Town of Stawell Planning Scheme—Amendment No. 20.

Woorayl—Shire of Woorayl Planning Scheme—Amendment No. 52.

Victorian Nursing Council—Report for the year 1980–81.

The Honourable Evan Walker moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

4 POSTPONEMENT OF NOTICES OF MOTION AND ORDER OF THE DAY—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor and the proposed amendment thereto, and the Notices of Motion, General Business, be postponed until later this day.

5 LISTING OF DEBTORS BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.

The Honourable W. A. Landeryou (for the Honourable J. M. Walton) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

6 FILMS (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.

The Honourable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

7 FRENCH ISLAND (LAND EXCHANGE) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable W. V. Houghton moved, That this Bill be now read a second time.

The Honourable Evan Walker moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

8 GOVERNMENT BUILDINGS ADVISORY COUNCIL (AMENDMENT) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable R. A. Mackenzie moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to provide for the amalgamation of the Government Buildings Advisory Council and the Historic Buildings Preservation Council as one body responsible for the conservation of all buildings included on a single historic buildings register”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 24

The Hon. H. G. Baylor
 P. D. Block
 C. Bubb
 B. A. Chamberlain
 D. G. Crozier
 B. P. Dunn
 D. M. Evans
 Dr K. J. Foley
 F. J. Granter
 H. M. Hamilton (*Teller*)
 V. T. Hauser (*Teller*)
 D. K. Hayward
 W. V. Houghton
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles
 R. J. Long
 N. B. Reid
 D. N. Saltmarsh
 N. F. Stacey
 Haddon Storey
 J. A. Taylor
 H. R. Ward
 K. I. M. Wright

NOES, 9

The Hon. Joan Coxsedg (*Teller*)
 D. E. Kent
 W. A. Landeryou
 R. A. Mackenzie
 G. A. Sgro (*Teller*)
 I. B. Trayling
 Evan Walker
 J. M. Walton
 D. R. White

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

9 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 4 to 6, inclusive, be postponed until later this day.

10 PRINTERS AND NEWSPAPERS (AMENDMENT) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable W. A. Landeryou moved, That the debate be now adjourned.

Debate ensued.

Question—put.

The Council divided.

AYES, 9

The Hon. Joan Coxsedg
 D. E. Kent (*Teller*)
 W. A. Landeryou
 R. A. Mackenzie (*Teller*)
 G. A. Sgro
 I. B. Trayling
 Evan Walker
 J. M. Walton
 D. R. White

NOES, 26

The Hon. H. G. Baylor
 P. D. Block
 C. Bubb
 W. M. Campbell
 B. A. Chamberlain
 D. G. Crozier
 B. P. Dunn
 D. M. Evans
 Dr K. J. Foley

F. J. Granter
 J. V. C. Guest
 H. M. Hamilton
 V. T. Hauser
 W. V. Houghton
 Dr R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 R. J. Long
 J. W. S. Radford
 N. B. Reid (*Teller*)
 D. N. Saltmarsh
 N. F. Stacey (*Teller*)
 Haddon Storey
 J. A. Taylor
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative.

Question—That this Bill be now read a second time—put and resolved in the affirmative.

Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable B. A. Chamberlain having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

11 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 8 and 9, be postponed until later this day.

12 THE CONSTITUTION ACT AMENDMENT (CONJOINT ELECTIONS) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

13 ADJOURNMENT—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at Four o'clock.

Question—put and resolved in the affirmative.

The Honourable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at fifty-four minutes past Ten o'clock, adjourned until tomorrow at Four o'clock.

A. R. B. McDONNELL
 Clerk of the Legislative Council

No. 10—Wednesday, 14 October 1981

- 1 The President took the Chair and read the Prayer.
- 2 EDUCATION (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Education Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable A. J. Hunt, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 3 COUNTRY FIRE AUTHORITY (BORROWING POWERS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Country Fire Authority Act 1958’ to increase the Borrowing Powers of the Country Fire Authority*” and desiring the concurrence of the Council therein.

On the motion of the Honourable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 4 CORONERS (AMENDMENT) BILL—On the motion (by leave without notice) of the Honourable Haddon Storey, leave was given to bring in a Bill to amend the *Coroners Act 1958* with respect to the Making of *post-mortem* Examinations, to amend the *Registration of Births Deaths and Marriages Act 1959*, and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 5 LAW REFORM BILL—On the motion (by leave without notice) of the Honourable Haddon Storey, leave was given to bring in a Bill to make further Provision with respect to the Powers of the Law Reform Commissioner, to amend the *Law Reform Act 1973* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 6 PAPERS—

PUBLIC BODIES REVIEW COMMITTEE—ECONOMIC IMPACT OF PUBLIC BODIES—The Honourable Dr K. J. Foley presented a Report from the Public Bodies Review Committee on the Economic Impact of Public Bodies in Victoria, together with an Appendix.

Ordered to lie on the Table and to be printed.

The Honourable Glyn Jenkins moved, That the Council take note of the Report.

The Honourable Glyn Jenkins moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

* * *

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Albury-Wodonga (Victoria) Corporation—Report and accounts for the year 1979–80 (in lieu of that tabled on 7 May 1981).

Statutory Rules under the following Acts of Parliament:

Building Industry Long Service Leave Act 1975—No. 437.

Fisheries Act 1968—No. 438.

Health Act 1958—No. 435.

Police Regulation Act 1958—No. 436.

The Honourable Evan Walker moved, That the Report and the Statutory Rule under the *Fisheries Act* 1968 be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

7 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor and the proposed amendment thereto be postponed until later this day.

8 SHOP TRADING HOURS—The Honourable W. A. Landeryou moved, by leave, That this House is of the opinion that any extension of shop trading hours to allow Saturday afternoon or Sunday trading will—

(a) cause further price increases and add to inflation;

(b) impose increasing and undue hardship on the families of employees in the retail industry;

(c) adversely affect the viability of thousands of small shopkeepers to the advantage of chain store supermarkets; and

(d) aggravate the already alarming incidence of unemployment, particularly in relation to young people—

and therefore recommends that legislation to extend shop trading hours should not be introduced at least during the next three years and nine months.

Debate ensued.

The Honourable Haddon Storey moved, as an amendment, That all the words after "That" (where first occurring) be omitted with the view of inserting in place thereof "this House does not support a general extension of shop trading hours throughout Victoria and therefore recommends that legislation for a general extension of shop trading hours be not introduced during the next three years and nine months, unless approved by a referendum".

Debate ensued.

The Honourable B. P. Dunn moved, as an amendment to the amendment moved by the Honourable Haddon Storey, That the words "a general" (where twice occurring) be omitted with the view of inserting in place thereof "any".

Debate ensued.

Question—That the words proposed to be omitted (by the Honourable Haddon Storey from the motion of the Honourable W. A. Landeryou) stand part of the question—put.

The Council divided.

AYES, 12

The Hon. Joan Coxsedge
 B. P. Dunn
 D. M. Evans (*Teller*)
 D. E. Kent
 W. A. Landeryou
 R. A. Mackenzie
 G. A. Sgro
 I. B. Trayling (*Teller*)
 Evan Walker
 J. M. Walton
 D. R. White
 K. I. M. Wright

NOES, 21

The Hon. H. G. Baylor
 P. D. Block
 C. Bubb
 W. M. Campbell
 B. A. Chamberlain
 F. J. Granter
 J. V. C. Guest
 V. T. Hauser
 D. K. Hayward
 W. V. Houghton
 Dr R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles

R. Lawson
 R. J. Long
 N. B. Reid
 N. F. Stacey
 Haddon Storey
 J. A. Taylor (*Teller*)
 H. R. Ward (*Teller*)

And so it passed in the negative.

Question—That the words proposed to be omitted (by the Honourable B. P. Dunn from the amendment of the Honourable Haddon Storey) stand part of the proposed amendment—put.

The Council divided.

AYES, 22

NOES, 12

The Hon. H. G. Baylor (*Teller*)
 P. D. Block (*Teller*)
 C. Bubb
 B. A. Chamberlain
 D. G. Crozier
 F. J. Granter
 J. V. C. Guest
 V. T. Hauser
 D. K. Hayward
 W. V. Houghton
 Dr R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles
 R. Lawson
 R. J. Long
 J. W. S. Radford
 N. B. Reid
 N. F. Stacey
 Haddon Storey
 J. A. Taylor
 H. R. Ward

The Hon. Joan Cocksedge
 B. P. Dunn
 D. M. Evans
 D. E. Kent
 W. A. Landeryou
 R. A. Mackenzie
 G. A. Sgro
 I. B. Trayling
 Evan Walker
 J. M. Walton (*Teller*)
 D. R. White
 K. I. M. Wright (*Teller*)

And so it was resolved in the affirmative—Amendment negatived.

Question—That the words proposed to be inserted (by the Honourable Haddon Storey in the motion of the Honourable W. A. Landeryou) be so inserted—put and resolved in the affirmative.

Question—That this House does not support a general extension of shop trading hours throughout Victoria and therefore recommends that legislation for a general extension of shop trading hours be not introduced during the next three years and nine months, unless approved by a referendum—put and resolved in the affirmative.

9 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of Notices of Motion, General Business, Nos. 2 to 7 inclusive, be postponed until later this day.

10 LAW REFORM BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.

The Honourable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 11 CORONERS (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.

The Honourable W. A. Landeryou (for the Honourable I. B. Trayling) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.

- 12 COUNTRY FIRE AUTHORITY (BORROWING POWERS) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable F. J. Granter moved, That this Bill be now read a second time.

The Honourable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.

- 13 EDUCATION (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable A. J. Hunt moved, That this Bill be now read a second time.

The Honourable Evan Walker moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.

- 14 ADJOURNMENT—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at a quarter to Ten o'clock.

Question—put and resolved in the affirmative.

And then the Council, at fifty minutes past Ten o'clock, adjourned until tomorrow at a quarter to Ten o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

No. 11—Thursday, 15 October 1981

- 1 The President took the Chair and read the Prayer.

- 2 PETITION—PULPWOOD HARVESTING—The Honourable R. A. Mackenzie presented a Petition from certain citizens of Victoria praying that a full Environmental Effects Statement be made on and a full inquiry be held into proposed pulpwood harvesting in the Otway Ranges.

Ordered to lie on the Table.

- 3 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Education—Report of the Council of Adult Education for the year 1980–81.

Government Buildings Advisory Council—Report for the year 1980–81.

Hospitals and Charities Act 1958—Resumption of land at Red Cliffs—Certificate of the Minister of Health.

National Parks Act 1975—

Notice of consent to the granting of an Extractive Industry Lease in Chiltern Park dated 8 October 1981.

Notice of consent to the granting of an Exploration Licence in Chiltern Park dated 29 September 1981.

The Honourable Evan Walker moved, That the Reports and the Notice of Consent under the *National Parks Act 1975* relating to Chiltern Park dated 8 October 1981 be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

4 POSTPONEMENT OF NOTICES OF MOTION AND ORDER OF THE DAY—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor and the proposed amendment thereto, and the Notices of Motion, General Business, be postponed until later this day.

5 EDUCATION (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy President resumed the Chair; and the Honourable V. T. Hauser having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

6 ADJOURNMENT—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until Tuesday next at Four o'clock.

Question—put and resolved in the affirmative.

The Honourable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at twenty-four minutes past One o'clock, adjourned until Tuesday next at Four o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

Mr President takes the Chair at a Quarter past Four o'clock

LEGISLATIVE COUNCIL OF VICTORIA

Order of the Day (to take precedence)

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—*Resumption of debate on motion for Address—and on the amendment of the Hon. D. R. White* to add the following words to the proposed Address: “but deplore that the lack of control of the Minister of Water Supply over the Melbourne and Metropolitan Board of Works in connection with the construction of its Head Office building has resulted in an inexcusable frittering of ratepayers’ funds” (*Hon. J. A. Taylor*).

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State’s road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act 1958* to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. R. LAWSON—To move, That this House take note of the need for Australian society to conserve non-renewable energy sources and for that reason it urges local government and other building control authorities to authorize and encourage techniques of building that will lead to the conservation of energy; further, that this House urges the introduction of incentives for the use of natural energy sources to service new and existing buildings.

** Notifications to which an asterisk (*) is prefixed appear for the first time.*

- 7 The Hon. B. P. DUNN—To move, That this House expresses its concern that the road toll is again increasing, and calls on the Government to re-consider certain past recommendations of the Road Safety Committee not yet implemented.

GOVERNMENT BUSINESS

Orders of the Day

- 1 INDUSTRIAL RELATIONS (SECRET BALLOTS) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 2 BAIL (AMENDMENT) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 3 ENVIRONMENT PROTECTION (LICENCE FEES) BILL—(Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. Evan Walker).
- 4 LISTING OF DEBTORS BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. J. M. Walton).
- 5 CORONERS (AMENDMENT) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. I. B. Trayling).
- 6 LAW REFORM BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 7 MAGISTRATES' COURTS (AMENDMENT) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- 8 MAGISTRATES (SUMMARY PROCEEDINGS) (TRAFFIC COURTS) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- 9 FILMS (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. R. A. Mackenzie).
- 10 COUNTRY FIRE AUTHORITY (BORROWING POWERS) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—Resumption of debate. (Hon. R. A. Mackenzie).
- 11 FRENCH ISLAND (LAND EXCHANGE) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. Evan Walker).
- 12 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—Resumption of debate. (Hon. D. R. White).
- 13 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—Resumption of debate. (Hon. Glyn Jenkins).

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(Hon. G. A. Sgro)—Second reading.
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(Hon. W. A. Landeryou)—Second reading.
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(Hon. W. A. Landeryou)—Second reading.
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(Hon. W. A. Landeryou)—Second reading.

- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. Evan Walker*)—Second reading.
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(*Hon. R. A. Mackenzie*)—Second reading.
- 13 WILDLIFE (SPRING TRAPS) BILL—(*Hon. R. A. Mackenzie*)—Second reading.
- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 15 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.
- 16 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
- 17 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 18 EXHIBITION TRUSTEES REPORT, 1980-81—To be considered.
- 19 NATIONAL PARKS ACT—MINISTER'S NOTICE OF CONSENT TO OPERATION IN GIPPSLAND LAKES PARK DATED 6 OCTOBER 1981—To be considered.
- 20 PHARMACY BOARD REPORT, 1980—To be considered.
- 21 POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1980-81—To be considered.
- 22 RAILWAYS BOARD REPORT, 1980-81—To be considered.
- 23 STATE BANK REPORTS, STATEMENTS, RETURNS, &c., 1980-81—To be considered.
- 24 MELBOURNE METROPOLITAN PLANNING SCHEME—AMENDMENT No. 151—To be considered.
- 25 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 26 DIETITIANS REGISTRATION BOARD REPORT, 1980-81—To be considered.
- 27 PORT UTILIZATION AND DEVELOPMENT—PROGRESS REPORT OF STATE DEVELOPMENT COMMITTEE—To be considered.
- 28 VICTORIAN NURSING COUNCIL REPORT, 1980-81—To be considered.
- 29 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1979-80—To be considered.
- 30 FISHERIES (SCALLOP) (AMENDMENT No. 1) REGULATIONS 1981 (S.R. No. 438/1981)—To be considered.
- *31 COUNCIL OF ADULT EDUCATION REPORT, 1980-81—To be considered.
- *32 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1980-81—To be considered.
- *33 NATIONAL PARKS ACT—MINISTER'S NOTICE OF CONSENT TO EXTRACTIVE INDUSTRY LEASE IN CHILTERN PARK DATED 8 OCTOBER 1981—To be considered.

A. R. B. McDONNELL

Clerk of the Legislative Council

FRED S. GRIMWADE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedg, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

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Mr President takes the Chair at a Quarter past Four o'clock

LEGISLATIVE COUNCIL OF VICTORIA

Order of the Day (to take precedence)

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—*Resumption of debate on motion for Address—and on the amendment of the Hon. D. R. White* to add the following words to the proposed Address: “but deplore that the lack of control of the Minister of Water Supply over the Melbourne and Metropolitan Board of Works in connection with the construction of its Head Office building has resulted in an inexcusable frittering of ratepayers’ funds” (*Hon. J. A. Taylor*).

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State’s road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act* 1958 to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. R. LAWSON—To move, That this House take note of the need for Australian society to conserve non-renewable energy sources and for that reason it urges local government and other building control authorities to authorize and encourage techniques of building that will lead to the conservation of energy; further, that this House urges the introduction of incentives for the use of natural energy sources to service new and existing buildings.

* Notifications to which an asterisk (*) is prefixed appear for the first time.

- 7 The Hon. B. P. DUNN—To move, That this House expresses its concern that the road toll is again increasing, and calls on the Government to re-consider certain past recommendations of the Road Safety Committee not yet implemented.
- *8 The Hon. D. R. WHITE—To move, That he have leave to bring in a Bill to prohibit the retailing of Motor Fuel from Depot Sites, to ensure the Supply of Motor Fuel to Franchisees, to regulate the entering into, renewing, assigning and terminating of Franchise Agreements, to establish the Gas and Fuel Corporation as Petroleum Pricing Agency and for other purposes.

GOVERNMENT BUSINESS

Orders of the Day

- 1 COUNTRY FIRE AUTHORITY (BORROWING POWERS) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—Resumption of debate. (Hon. R. A. Mackenzie).
- 2 LISTING OF DEBTORS BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. J. M. Walton).
- 3 BAIL (AMENDMENT) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 4 LAW REFORM BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 5 MAGISTRATES' COURTS (AMENDMENT) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- 6 MAGISTRATES (SUMMARY PROCEEDINGS) (TRAFFIC COURTS) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- 7 FRENCH ISLAND (LAND EXCHANGE) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. Evan Walker).
- 8 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—Resumption of debate. (Hon. D. R. White).
- 9 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—Resumption of debate. (Hon. Glyn Jenkins).

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(Hon. G. A. Sgro)—Second reading.
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(Hon. W. A. Landeryou)—Second reading.
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(Hon. W. A. Landeryou)—Second reading.
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(Hon. W. A. Landeryou)—Second reading.
- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(Hon. W. A. Landeryou)—Second reading.

- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. Evan Walker*)—Second reading.
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(*Hon. R. A. Mackenzie*)—Second reading.
- 13 WILDLIFE (SPRING TRAPS) BILL—(*Hon. R. A. Mackenzie*)—Second reading.
- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 15 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.
- 16 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
- 17 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 18 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 19 DIETITIANS REGISTRATION BOARD REPORT, 1980-81—To be considered.
- 20 PORT UTILIZATION AND DEVELOPMENT—PROGRESS REPORT OF STATE DEVELOPMENT COMMITTEE—To be considered.
- 21 VICTORIAN NURSING COUNCIL REPORT, 1980-81—To be considered.
- 22 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1979-80—To be considered.
- 23 FISHERIES (SCALLOP) (AMENDMENT No. 1) REGULATIONS 1981 (S.R. No. 438/1981)—To be considered.
- 24 COUNCIL OF ADULT EDUCATION REPORT, 1980-81—To be considered.
- 25 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1980-81—To be considered.
- 26 NATIONAL PARKS ACT—MINISTER'S NOTICE OF CONSENT TO EXTRACTIVE INDUSTRY LEASE IN CHILTERN PARK DATED 8 OCTOBER 1981—To be considered.
- *27 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1980-81—To be considered.
- *28 COMMERCIAL FISHERIES SECTION REPORT, 1979-80—To be considered.
- *29 LAND CONSERVATION COUNCIL REPORT, 1980-81—To be considered.
- *30 DEPARTMENT OF MINERALS AND ENERGY REPORT, 1978—To be considered.
- *31 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1980-81—To be considered.
- *32 VICTORIAN FILM CORPORATION REPORT, 1979-80—To be considered.

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

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PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedg, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

* * *

Mr President takes the Chair at Eleven o'clock

LEGISLATIVE COUNCIL OF VICTORIA

Order of the Day (to take precedence)

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—*Resumption of debate on motion for Address—and on the amendment of the Hon. D. R. White to add the following words to the proposed Address: “but deplore that the lack of control of the Minister of Water Supply over the Melbourne and Metropolitan Board of Works in connection with the construction of its Head Office building has resulted in an inexcusable frittering of ratepayers’ funds” (Hon. J. A. Taylor).*

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State’s road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act 1958* to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. R. LAWSON—To move, That this House take note of the need for Australian society to conserve non-renewable energy sources and for that reason it urges local government and other building control authorities to authorize and encourage techniques of building that will lead to the conservation of energy; further, that this House urges the introduction of incentives for the use of natural energy sources to service new and existing buildings.

** Notifications to which an asterisk (*) is prefixed appear for the first time.*

- 7 The Hon. B. P. DUNN—To move, That this House expresses its concern that the road toll is again increasing, and calls on the Government to re-consider certain past recommendations of the Road Safety Committee not yet implemented.
- 8 The Hon. D. R. WHITE—To move, That he have leave to bring in a Bill to prohibit the retailing of Motor Fuel from Depot Sites, to ensure the Supply of Motor Fuel to Franchisees, to regulate the entering into, renewing, assigning and terminating of Franchise Agreements, to establish the Gas and Fuel Corporation as Petroleum Pricing Agency and for other purposes.

GOVERNMENT BUSINESS

Orders of the Day

- 1 BAIL (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 2 LAW REFORM BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 3 MAGISTRATES' COURTS (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 4 FRENCH ISLAND (LAND EXCHANGE) BILL—(*from Assembly—Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. Evan Walker*).
- 5 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(*Hon. Glyn Jenkins*)—*Resumption of debate.* (*Hon. D. R. White*).
- 6 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(*Hon. Glyn Jenkins*)—*Resumption of debate.* (*Hon. Glyn Jenkins*).

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(*Hon. G. A. Sgro*)—Second reading.
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(*Hon. W. A. Landeryou*)—Second reading.
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- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. Evan Walker*)—Second reading.

- 12 REFUSAL OF MEDICAL TREATMENT BILL—(Hon. R. A. Mackenzie)—Second reading.
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- 29 LAND CONSERVATION COUNCIL REPORT, 1980-81—To be considered.
- 30 DEPARTMENT OF MINERALS AND ENERGY REPORT, 1978—To be considered.
- 31 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1980-81—To be considered.
- 32 VICTORIAN FILM CORPORATION REPORT, 1979-80—To be considered.
- *33 COUNTRY ROADS BOARD REPORT, 1980-81—To be considered.

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
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STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

* * *

MINUTES OF THE PROCEEDINGS

Nos. 12, 13 and 14

No. 12—Tuesday, 20 October 1981

- 1 The President took the Chair and read the Prayer.
- 2 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR—The Honourable A. J. Hunt presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz.:
 - Government Buildings Advisory Council (Amendment) Act.*
 - The Constitution Act Amendment (Conjoint Elections) Act.*
 - Education (Amendment) Act.*
- 3 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Environment Protection Authority—Report for the year 1980–81.
 - Fisheries—Report of the Commercial Fisheries Section of the Fisheries and Wildlife Division for the year 1979–80.
 - Land Conservation Council—Report for the year 1980–81.
 - Minerals and Energy—Report of the Department for the year 1978.
 - Small Business Development Corporation—Report for the year 1980–81.
 - Town and Country Planning Act 1961—
 - Ararat—City of Ararat Planning Scheme—Amendment No. 28.
 - Bacchus Marsh—Shire of Bacchus Marsh Planning Scheme—Amendment No. 12.
 - Horsham—City of Horsham Planning Scheme 1973—Amendment No. 63, 1980.
 - Kilmore—Shire of Kilmore Planning Scheme—Amendment No. 21, 1977.
 - Knox—City of Knox Planning Scheme 1965—Amendment No. 223, Part 1, 1980.
 - Lillydale—Shire of Lillydale Planning Scheme 1958—Amendment No. 39, 1973.
 - Melbourne Metropolitan Planning Scheme—Amendment No. 139, Part 2 (with five maps).
 - Portland Planning Scheme (Town of Portland)—Amendment No. 21, Part 2, 1981.
 - Warrnambool—
 - City of Warrnambool Planning Scheme (with five maps);
 - City of Warrnambool Planning Scheme—Amendment No. 4.
 - Victorian Film Corporation—Report for the year 1979–80.

The Honourable Evan Walker moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 4 POSTPONEMENT OF NOTICES OF MOTION AND ORDER OF THE DAY—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor and the proposed amendment thereto, and the Notices of Motion, General Business, be postponed until later this day.

Dr R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles
 R. Lawson
 R. J. Long
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 Haddon Storey
 J. A. Taylor
 K. I. M. Wright

And so it was resolved in the affirmative—Bill committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 6 LABOUR AND INDUSTRY (FURTHER AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Labour and Industry Act 1958’, the ‘Hospitals Remuneration Tribunal Act 1978’, the ‘Health Commission Act 1977’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 7 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day; Government Business, No. 2, be postponed until later this day.

- 8 ENVIRONMENT PROTECTION (LICENCE FEES) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed:

A point of order having been raised by the Honourable Evan Walker as to the competence of the Council to initiate this Bill—

The President said—

I have to uphold the point of order. Indeed, the Bill is a taxing measure in which case it is completely out of order for this House to initiate the measure. In those circumstances, I order that the Bill be withdrawn.

Accordingly, the Bill was withdrawn.

- 9 LABOUR AND INDUSTRY (FURTHER AMENDMENT) BILL—This Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 10 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 4 to 8 inclusive, be postponed until later this day.
- 11 FILMS (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 12 CORONERS (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 13 ADJOURNMENT—The Honourable Haddon Storey moved, That the Council, at its rising, adjourn until tomorrow at Four o'clock.
Question—put and resolved in the affirmative.
The Honourable Haddon Storey moved, That the House do now adjourn.
Debate ensued.
Question—put and resolved in the affirmative.
- And then the Council, at twenty-three minutes past Eleven o'clock, adjourned until tomorrow at Four o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

No. 13—Wednesday, 21 October 1981

- 1 The President took the Chair and read the Prayer.
- 2 MINISTERIAL STATEMENT—MOUNT HOTHAM ALPINE RESORT MANAGEMENT COMMITTEE—The Honourable W. V. Houghton made a Ministerial statement regarding the Mount Hotham Alpine Resort Management Committee.
The Honourable Evan Walker moved, That the Council take note of the Ministerial statement.
Debate ensued.
Question—put and resolved in the affirmative.
- 3 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
Country Roads Board—Report for the year 1980–81.
Statutory Rules under the following Acts of Parliament:
Consumer Affairs Act 1972—No. 442.
Dentists Act 1972—No. 444.
Health Act 1958—No. 443.
Local Government Act 1958—No. 434.
Motor Car Traders Act 1973—No. 441.

Public Service Act 1974—Nos. 439 and 440; PSD Nos. 132 to 134, 137, 139 to 141, and 143 to 145.

Railways Act 1958—Nos. 445 and 446.

The Honourable Evan Walker moved, That the Report tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

4 POSTPONEMENT OF NOTICES OF MOTION AND ORDER OF THE DAY—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor and the proposed amendment thereto, and the Notices of Motion, General Business, be postponed until later this day.

5 COUNTRY FIRE AUTHORITY (BORROWING POWERS) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

6 LISTING OF DEBTORS BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable B. A. Chamberlain having reported that the Committee had agreed to the Bill with an amended title, which amended title is as follows:—“*An Act to amend the ‘County Court Act 1958’, the ‘Supreme Court Act 1958’ and the ‘Magistrates’ Courts Act 1971’ to restrict the Publication of Information with respect to Debtors*”; the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

7 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 to 5 inclusive, be postponed until later this day.

8 MAGISTRATES (SUMMARY PROCEEDINGS) (TRAFFIC COURTS) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

9 ADJOURNMENT—The Honourable Haddon Storey moved, That the Council, at its rising, adjourn until tomorrow at a quarter to Eleven o’clock.

Question—put and resolved in the affirmative.

The Honourable Haddon Storey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at one minute past Eleven o'clock, adjourned until tomorrow at a quarter to Eleven o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

No. 14—Thursday, 22 October 1981

- 1 The President took the Chair and read the Prayer.
- 2 APPROPRIATION (1981–82, No. 1) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to appropriate certain Sums out of the Consolidated Fund for the Service of the Financial Year 1981–82 and to appropriate the Supplies granted in the last preceding Session of Parliament and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honourable Glyn Jenkins, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 3 POSTPONEMENT OF NOTICES OF MOTION AND ORDER OF THE DAY—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor and the proposed amendment thereto, and the Notices of Motion, General Business, be postponed until later this day.
- 4 BAIL (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 5 LAW REFORM BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 6 MAGISTRATES’ COURTS (AMENDMENT) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—
Debate resumed.
Question—put.
The Council divided.

AYES, 24

The Hon. H. G. Baylor
P. D. Block
C. Bubb
W. M. Campbell
B. A. Chamberlain
B. P. Dunn
D. M. Evans

NOES, 10

The Hon. Joan Coxside
R. J. Eddy (*Teller*)
D. E. Kent
W. A. Landeryou
R. A. Mackenzie (*Teller*)
G. A. Sgro
I. B. Trayling

J. V. C. Guest (*Teller*)
 H. M. Hamilton
 D. K. Hayward (*Teller*)
 W. V. Houghton
 Dr R. W. Howard
 Glyn Jenkins
 R. I. Knowles
 R. Lawson
 R. J. Long
 J. W. S. Radford
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 D. N. Saltmarsh
 N. F. Stacey
 Haddon Storey
 J. A. Taylor
 H. R. Ward
 K. I. M. Wright

Evan Walker
 J. M. Walton
 D. R. White

And so it was resolved in the affirmative—Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 7 FRENCH ISLAND (LAND EXCHANGE) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 8 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—The Order of the Day having been read for the resumption of the debate on the question, That the Council agree to the Address to His Excellency the Governor in reply to His Excellency's Opening Speech (for Address see page 16 *ante*), and on the amendment of the Honourable D. R. White to add certain words thereto (for amendment see page 25 *ante*)—

Debate resumed.

The Honourable N. F. Stacey moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 9 ADJOURNMENT—The Honourable Haddon Storey moved, That the Council, at its rising, adjourn until Tuesday next at half-past Four o'clock.

Question—put and resolved in the affirmative.

The Honourable Haddon Storey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirty minutes past Four o'clock, adjourned until Tuesday next at half-past Four o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

Mr President takes the Chair at a Quarter to Five o'clock

LEGISLATIVE COUNCIL OF VICTORIA

Order of the Day (to take precedence)

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—*Resumption of debate on motion for Address—and on the amendment of the Hon. D. R. White* to add the following words to the proposed Address: “but deplore that the lack of control of the Minister of Water Supply over the Melbourne and Metropolitan Board of Works in connection with the construction of its Head Office building has resulted in an inexcusable frittering of ratepayers’ funds” (*Hon. N. F. Stacey*).

GOVERNMENT BUSINESS

Notice of Motion

- *1 The Hon. W. V. HOUGHTON—To move, That he have leave to bring in a Bill to amend the *Wildlife Act 1975* and Part VIII. of the *Magistrates’ Courts Act 1971* to make better Provision for the Protection of Whales.

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State’s road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act 1958* to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.

* Notifications to which an asterisk (*) is prefixed appear for the first time.

- 6 The Hon. R. LAWSON—To move, That this House take note of the need for Australian society to conserve non-renewable energy sources and for that reason it urges local government and other building control authorities to authorize and encourage techniques of building that will lead to the conservation of energy; further, that this House urges the introduction of incentives for the use of natural energy sources to service new and existing buildings.
- 7 The Hon. B. P. DUNN—To move, That this House expresses its concern that the road toll is again increasing, and calls on the Government to re-consider certain past recommendations of the Road Safety Committee not yet implemented.
- 8 The Hon. D. R. WHITE—To move, That he have leave to bring in a Bill to prohibit the retailing of Motor Fuel from Depot Sites, to ensure the Supply of Motor Fuel to Franchisees, to regulate the entering into, renewing, assigning and terminating of Franchise Agreements, to establish the Gas and Fuel Corporation as Petroleum Pricing Agency and for other purposes.

GOVERNMENT BUSINESS

Orders of the Day

- *1 APPROPRIATION (1981-82, No. 1) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading.
- 2 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—Resumption of debate. (Hon. D. R. White).
- 3 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—Resumption of debate. (Hon. Glyn Jenkins).

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(Hon. G. A. Sgro)—Second reading.
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(Hon. W. A. Landeryou)—Second reading.
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(Hon. W. A. Landeryou)—Second reading.
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(Hon. W. A. Landeryou)—Second reading.
- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(Hon. W. A. Landeryou)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(Hon. W. A. Landeryou)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(Hon. Evan Walker)—Second reading.

- 12 REFUSAL OF MEDICAL TREATMENT BILL—(Hon. R. A. Mackenzie)—Second reading.
- 13 WILDLIFE (SPRING TRAPS) BILL—(Hon. R. A. Mackenzie)—Second reading.
- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 15 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.
- 16 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
- 17 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 18 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (Hon. D. M. Evans)—*Resumption of debate.* (Hon. F. J. Granter).
- 19 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1979-80—To be considered.
- 20 FISHERIES (SCALLOP) (AMENDMENT No. 1) REGULATIONS 1981 (S.R. No. 438/1981)—To be considered.
- 21 COUNCIL OF ADULT EDUCATION REPORT, 1980-81—To be considered.
- 22 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1980-81—To be considered.
- 23 NATIONAL PARKS ACT—MINISTER'S NOTICE OF CONSENT TO EXTRACTIVE INDUSTRY LEASE IN CHILTERN PARK DATED 8 OCTOBER 1981—To be considered.
- 24 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1980-81—To be considered.
- 25 COMMERCIAL FISHERIES SECTION REPORT, 1979-80—To be considered.
- 26 LAND CONSERVATION COUNCIL REPORT, 1980-81—To be considered.
- 27 DEPARTMENT OF MINERALS AND ENERGY REPORT, 1978—To be considered.
- 28 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1980-81—To be considered.
- 29 VICTORIAN FILM CORPORATION REPORT, 1979-80—To be considered.
- 30 COUNTRY ROADS BOARD REPORT, 1980-81—To be considered.

A. R. B. McDONNELL

Clerk of the Legislative Council

FRED S. GRIMWADE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

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PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Cocksedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

* * *

Mr President takes the Chair at a Quarter past Four o'clock

LEGISLATIVE COUNCIL OF VICTORIA

Order of the Day (to take precedence)

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—*Resumption of debate on motion for Address—and on the amendment of the Hon. D. R. White to add the following words to the proposed Address: “but deplore that the lack of control of the Minister of Water Supply over the Melbourne and Metropolitan Board of Works in connection with the construction of its Head Office building has resulted in an inexcusable frittering of ratepayers’ funds” (Hon B. A. Chamberlain).*

GOVERNMENT BUSINESS

Notice of Motion

- *1 The Hon. HADDON STOREY—To move, That he have leave to bring in a Bill to amend the *Charities Act 1978* to enable Investigations of the Affairs of Charities to be carried out and for other purposes.

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State’s road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act 1958* to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.

* Notifications to which an asterisk (*) is prefixed appear for the first time.

- 6 The Hon. R. LAWSON—To move, That this House take note of the need for Australian society to conserve non-renewable energy sources and for that reason it urges local government and other building control authorities to authorize and encourage techniques of building that will lead to the conservation of energy; further, that this House urges the introduction of incentives for the use of natural energy sources to service new and existing buildings.
- 7 The Hon. B. P. DUNN—To move, That this House expresses its concern that the road toll is again increasing, and calls on the Government to re-consider certain past recommendations of the Road Safety Committee not yet implemented.
- 8 The Hon. D. R. WHITE—To move, That he have leave to bring in a Bill to prohibit the retailing of Motor Fuel from Depot Sites, to ensure the Supply of Motor Fuel to Franchisees, to regulate the entering into, renewing, assigning and terminating of Franchise Agreements, to establish the Gas and Fuel Corporation as Petroleum Pricing Agency and for other purposes.

GOVERNMENT BUSINESS

Orders of the Day

- *1 WRONGS (DEFAMATION) BILL—(*Hon. Haddon Storey*)—Second reading.
- *2 CONSTITUTION (PARLIAMENTARY OATHS) BILL—(*Hon. Haddon Storey*)—Second reading.
- *3 INSTRUMENTS (ENDURING POWERS OF ATTORNEY) BILL—(*Hon. Haddon Storey*)—Second reading.
- *4 HOUSING COMMISSION LAND PURCHASES—REPORT OF ROYAL COMMISSION—To be considered.
- 5 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(*Hon. Glyn Jenkins*)—*Resumption of debate.* (*Hon. D. R. White*).
- 6 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(*Hon. Glyn Jenkins*)—*Resumption of debate.* (*Hon. Glyn Jenkins*).

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(*Hon. G. A. Sgro*)—Second reading.
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.

- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—
Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. Evan Walker*)—Second
reading.
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(*Hon. R. A. Mackenzie*)—Second
reading.
- 13 WILDLIFE (SPRING TRAPS) BILL—(*Hon. R. A. Mackenzie*)—Second reading.
- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR
REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 15 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST
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- 16 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S
REPORT—To be considered.
- 17 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL
STATEMENT—To be considered.
- 18 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (*Hon. D. M.
Evans*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 19 COUNCIL OF ADULT EDUCATION REPORT, 1980-81—To be considered.
- 20 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1980-81—To be considered.
- 21 NATIONAL PARKS ACT—MINISTER'S NOTICE OF CONSENT TO EXTRACTIVE INDUSTRY
LEASE IN CHILTERN PARK DATED 8 OCTOBER 1981—To be considered.
- 22 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1980-81—To be considered.
- 23 COMMERCIAL FISHERIES SECTION REPORT, 1979-80—To be considered.
- 24 LAND CONSERVATION COUNCIL REPORT, 1980-81—To be considered.
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- 28 COUNTRY ROADS BOARD REPORT, 1980-81—To be considered.
- *29 GAS AND FUEL CORPORATION REPORT, 1980-81—To be considered.
- *30 NATIONAL PARKS ACT—MINISTER'S NOTICE OF CONSENT TO RENEWAL OF
EXPLORATION LICENCES IN SNOWY RIVER NATIONAL PARK AND TINGARINGY
NATIONAL PARK DATED 27 OCTOBER 1981—To be considered.
- *31 RESIDENTIAL TENANCIES REGULATIONS 1981 (S.R. No. 456/1981)—To be
considered.
- *32 SHIRE OF FLINDERS PLANNING SCHEME 1962—AMENDMENT No. 119, 1979
(CONSERVATION PLAN)—To be considered.
- *33 STATE RIVERS AND WATER SUPPLY COMMISSION REPORT, 1980-81—To be
considered.
- *34 YOUNG FARMERS' FINANCE COUNCIL REPORT, 1980-81—To be considered.

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TUESDAY, 3 NOVEMBER
GOVERNMENT BUSINESS

Orders of the Day

- 1 APPROPRIATION (1981-82, No. 1) BILL—(*from Assembly—Hon. Glyn Jenkins*)
—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- *2 TRUSTEE (AUTHORIZED INVESTMENTS) BILL—(*Hon. Haddon Storey*)—Second
reading—*Resumption of debate.* (*Hon. R. A. Mackenzie*).

TUESDAY, 10 NOVEMBER
GOVERNMENT BUSINESS

Order of the Day

*1 WILDLIFE (PROTECTION OF WHALES) BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate. (Hon. R. A. Mackenzie).*

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

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STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

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SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

• • •

Mr President takes the Chair at Eleven o'clock

LEGISLATIVE COUNCIL OF VICTORIA

Order of the Day (to take precedence)

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—*Resumption of debate on motion for Address—and on the amendment of the Hon. D. R. White to add the following words to the proposed Address: “but deplore that the lack of control of the Minister of Water Supply over the Melbourne and Metropolitan Board of Works in connection with the construction of its Head Office building has resulted in an inexcusable frittering of ratepayers’ funds” (Hon B. A. Chamberlain).*

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State’s road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
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GOVERNMENT BUSINESS

Orders of the Day

- *1 BUSINESS FRANCHISE (PETROLEUM PRODUCTS) (FEES) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading.
- *2 TRANSPORT (FEES) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading.
- *3 PIPELINES (FEES) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading.
- *4 PUBLIC AUTHORITIES (CONTRIBUTIONS) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading.
- *5 CHARITIES (AMENDMENT) BILL—(Hon. Haddon Storey)—Second reading.
- 6 WRONGS (DEFAMATION) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. G. A. Sgro).
- 7 HOUSING COMMISSION LAND PURCHASES—REPORT OF ROYAL COMMISSION—To be considered.
- 8 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—*Resumption of debate.* (Hon. D. R. White).
- 9 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—*Resumption of debate.* (Hon. Glyn Jenkins).

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(Hon. G. A. Sgro)—Second reading.
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. H. M. Hamilton).
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(Hon. W. A. Landeryou)—Second reading.
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(Hon. W. A. Landeryou)—Second reading.
- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(Hon. W. A. Landeryou)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(Hon. W. A. Landeryou)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(Hon. Evan Walker)—Second reading.

- 12 REFUSAL OF MEDICAL TREATMENT BILL—(*Hon. R. A. Mackenzie*)—Second reading—*Resumption of debate.* (*Hon. W. V. Houghton*).
- 13 WILDLIFE (SPRING TRAPS) BILL—(*Hon. R. A. Mackenzie*)—Second reading.
- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
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- 17 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 18 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 19 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1980-81—To be considered.
- 20 COMMERCIAL FISHERIES SECTION REPORT, 1979-80—To be considered.
- 21 LAND CONSERVATION COUNCIL REPORT, 1980-81—To be considered.
- 22 DEPARTMENT OF MINERALS AND ENERGY REPORT, 1978—To be considered.
- 23 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1980-81—To be considered.
- 24 VICTORIAN FILM CORPORATION REPORT, 1979-80—To be considered.
- 25 COUNTRY ROADS BOARD REPORT, 1980-81—To be considered.
- 26 GAS AND FUEL CORPORATION REPORT, 1980-81—To be considered.
- 27 NATIONAL PARKS ACT—MINISTER'S NOTICE OF CONSENT TO RENEWAL OF EXPLORATION LICENCES IN SNOWY RIVER NATIONAL PARK AND TINGARINGY NATIONAL PARK DATED 27 OCTOBER 1981—To be considered.
- 28 RESIDENTIAL TENANCIES REGULATIONS 1981 (S.R. No. 456/1981)—To be considered.
- 29 SHIRE OF FLINDERS PLANNING SCHEME 1962—AMENDMENT No. 119, 1979 (CONSERVATION PLAN)—To be considered.
- 30 STATE RIVERS AND WATER SUPPLY COMMISSION REPORT, 1980-81—To be considered.
- 31 YOUNG FARMERS' FINANCE COUNCIL REPORT, 1980-81—To be considered.
- *32 TEACHER EDUCATION—FINAL REPORT OF COMMITTEE OF VICTORIAN ENQUIRY—To be considered.

* * *

TUESDAY, 3 NOVEMBER
GOVERNMENT BUSINESS

Orders of the Day

- 1 APPROPRIATION (1981-82, No. 1) BILL—(*from Assembly—Hon. Glyn Jenkins*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 2 TRUSTEE (AUTHORIZED INVESTMENTS) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. R. A. Mackenzie*).

* * *

TUESDAY, 10 NOVEMBER
GOVERNMENT BUSINESS

Orders of the Day

- 1 WILDLIFE (PROTECTION OF WHALES) BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. R. A. Mackenzie*).

- 2 CONSTITUTION (PARLIAMENTARY OATHS) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. C. J. Kennedy*).
- 3 INSTRUMENTS (ENDURING POWERS OF ATTORNEY) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. Joan Coxsedg*).

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

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MINUTES OF THE PROCEEDINGS

Nos. 15, 16 and 17

No. 15—Tuesday, 27 October 1981

- 1 The President took the Chair and read the Prayer.
- 2 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR—The Honourable A. J. Hunt presented Messages from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz.:

Industrial Relations (Secret Ballots) Act.
Films (Amendment) Act.
Country Fire Authority (Borrowing Powers) Act.
French Island (Land Exchange) Act.
Labour and Industry (Further Amendment) Act.

3 PETITIONS—

MINI STEEL MILL, TOTTENHAM—The Honourable Joan Coxsedg presented a Petition from certain citizens of the western suburbs praying that the land upon which Smorgon Consolidated Industries propose to establish a mini steel mill in Tottenham be not rezoned “Special Use Zone 14” and that the health and welfare of the people of the western suburbs will be the first consideration before any permit is granted to Smorgon Consolidated Industries to establish such offensive industry, and moved, That it do lie on the Table and be read by the Clerk.

Question—put and resolved in the affirmative.

The Clerk read the Petition.

* * * *

PLANNING, WAVERLEY AREA—The Honourable C. J. Kennedy presented a Petition from certain citizens of the Waverley area praying that the Melbourne and Metropolitan Board of Works Strategy Plan, designating Glen Waverley as the “District Centre”, be approved and that any application or submission to extend Brandon Park Shopping Centre be rejected, and moved, That it do lie on the Table and be read by the Clerk.

Question—put and resolved in the affirmative.

The Clerk read the Petition.

- 4 TRUSTEE (AUTHORIZED INVESTMENTS) BILL—On the motion (by leave without notice) of the Honourable Haddon Storey, leave was given to bring in a Bill to amend section 4 of the *Trustee Act* 1958 to authorize Trustees to deposit Moneys with certain Building Societies and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 5 WRONGS (DEFAMATION) BILL—On the motion (by leave without notice) of the Honourable Haddon Storey, leave was given to bring in a Bill to amend the *Wrongs Act* 1958 in relation to the Reporting of certain Public Inquiries, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

6 CONSTITUTION (PARLIAMENTARY OATHS) BILL—On the motion (by leave without notice) of the Honourable Haddon Storey, leave was given to bring in a Bill to amend the *Constitution Act 1975* with respect to the Administration of Oaths by the Legislative Council the Legislative Assembly and Committees and Joint Committees thereof and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

7 INSTRUMENTS (ENDURING POWERS OF ATTORNEY) BILL—On the motion (by leave without notice) of the Honourable Haddon Storey, leave was given to bring in a Bill to amend the *Instruments Act 1958* to make provision with respect to Enduring Powers of Attorney and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

8 PAPERS—

HOUSING COMMISSION LAND PURCHASES—The Honourable Haddon Storey presented, by command of His Excellency the Governor, the Report of the Royal Commission into certain Housing Commission land purchases and other matters.

Ordered to lie on the Table.

The Honourable Haddon Storey moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Gas and Fuel Corporation—Report for the year 1980–81.

National Parks Act 1975—Notice of consent to renewal of exploration licences in Snowy River National Park and Tingaringy National Park dated 27 October 1981.

Statutory Rules under the following Acts of Parliament:

Landlord and Tenant Act 1958—No. 455.

Legal Profession Practice Act 1958—No. 447.

Liquor Control Act 1968—No. 453.

Parliamentary Salaries and Superannuation Act 1968—No. 451.

Police Regulation Act 1958—No. 452.

Public Service Act 1974—PSD Nos. 131, 136, 138, 142, and 146 to 152.

Residential Tenancies Act 1980—No. 456.

Supreme Court Act 1958—Planning Appeals Board Act 1980—No. 450.

Supreme Court Act 1958—Victorian Economic Development Corporation Act 1981—No. 449.

Water Act 1958—No. 448.

Town and Country Planning Act 1961—Shire of Flinders Planning Scheme 1962—Amendment No. 119, 1979 (Conservation Plan) (with thirty-three maps).

Water Supply—Report of the State Rivers and Water Supply Commission for the year 1980–81 (two papers).

Young Farmers' Finance Council—Report for the year 1980–81.

The Honourable Evan Walker moved, That the Reports, Notice of consent under the *National Parks Act 1975*, Planning Scheme amendment under the *Town and Country Planning Act 1961* and Statutory Rule under the *Residential Tenancies Act 1980* be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 9 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor and the proposed amendment thereto be postponed until later this day.
- 10 WILDLIFE (PROTECTION OF WHALES) BILL—On the motion of the Honourable W. V. Houghton, leave was given to bring in a Bill to amend the *Wildlife Act 1975* and Part VIII. of the *Magistrates' Courts Act 1971* to make better Provision for the Protection of Whales, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 11 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of the Notices of Motion, General Business, be postponed until later this day.
- 12 APPROPRIATION (1981–82, No. 1) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.
The Honourable W. A. Landeryou moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 13 TRUSTEE (AUTHORIZED INVESTMENTS) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.
The Honourable R. A. Mackenzie moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 14 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—The Order of the Day having been read for the resumption of the debate on the question, That the Council agree to the Address to His Excellency the Governor in reply to His Excellency's Opening Speech (for Address see page 16 *ante*), and on the amendment of the Honourable D. R. White to add certain words thereto (for amendment see page 25 *ante*)—
Debate resumed.
The Honourable B. A. Chamberlain moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.
- 15 WILDLIFE (PROTECTION OF WHALES) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable W. V. Houghton moved, That this Bill be now read a second time.
The Honourable R. A. Mackenzie moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday, 10 November.
- 16 ADJOURNMENT—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at Four o'clock.
Question—put and resolved in the affirmative.
The Honourable A. J. Hunt moved, That the House do now adjourn.
Debate ensued.
Question—put and resolved in the affirmative.

And then the Council, at seven minutes past Eleven o'clock, adjourned until tomorrow at Four o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

No. 16—Wednesday, 28 October 1981

1 The President took the Chair and read the Prayer.

2 BUSINESS FRANCHISE (PETROLEUM PRODUCTS) (FEES) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Business Franchise (Petroleum Products) Act 1979’ to make provision with respect to Fees, and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Glyn Jenkins, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

3 TRANSPORT (FEES) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Transport Regulation Act 1958’, the ‘Country Roads Act 1958’, the ‘Motor Car Act 1958’ and the ‘Local Government Act 1958’, to make provision with respect to the collection of Fees by the Transport Regulation Board and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Glyn Jenkins, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

4 PETITIONS—

STATE ELECTRICITY COMMISSION—The Honourable D. R. White presented a Petition from certain citizens of Victoria praying that the House take immediate action to reject the recently-announced State Electricity Commission tariff increases and to institute a wide-ranging inquiry into the management and policies of the Commission.

Ordered to lie on the Table.

* * *

PLANNING, WAVERLEY AREA—The Honourable C. J. Kennedy presented a Petition from certain citizens of the Waverley area praying that the Melbourne and Metropolitan Board of Works Strategy Plan, designating Glen Waverley as the “District Centre”, be approved and that any application or submission to extend Brandon Park Shopping Centre be rejected, and moved, That it do lie on the Table and be read by the Clerk.

Question—put and resolved in the affirmative.

The Clerk read the Petition.

5 PAPERS—

TEACHER EDUCATION—The Honourable A. J. Hunt moved, by leave, That there be laid before this House a copy of the Final Report of the Committee of the Victorian Enquiry into Teacher Education.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable A. J. Hunt and ordered to lie on the Table.

The Honourable W. A. Landeryou moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * *

STANDING ORDERS COMMITTEE—MINOR AMENDMENTS—The Honourable W. M. Campbell, on behalf of the Honourable the President (Chairman), presented a Report from the Standing Orders Committee upon unrelated minor amendments.

Ordered to lie on the Table and to be printed.

* * *

The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk:

Town and Country Planning Act 1961—Melbourne Metropolitan Planning Scheme—Amendments No. 3, Part 1E (with two maps); No. 120, Part 1B (with map); No. 137, Part 1c (with three maps); No. 139, Part 1B (with two maps); No. 142, Part 2 (with four maps); No. 143, Part 1 (with thirty maps); and No. 163 (with map).

6 STANDING ORDERS—The Honourable A. J. Hunt moved, by leave—

- (a) that the words “the Usher” in Standing Orders 2, 3, 11, 12, 23, 36, 37, 44, 50, 61, 143, 144 (where twice occurring) and 205 respectively be omitted with the view of inserting “the Usher of the Black Rod”;
- (b) that the word “sworn” in Standing Order 7 be omitted with the view of inserting “be sworn or make affirmation”;
- (c) that the words “and Select” be inserted after the word “Standing” in Standing Order 20A;
- (d) that the words “At the conclusion of debate on the motion for an Address in reply to the Speech of His Excellency the Governor” be inserted before the words “A motion” in Standing Order 21;
- (e) that the words “The Constitution Act Amendment Acts” in Standing Order 24 be omitted with the view of inserting “*The Constitution Act Amendment Act 1958*”;
- (f) that the words “as prescribed by The Constitution Act Amendment Acts” in Standing Order 25 be omitted with the view of inserting “or make affirmation as prescribed by the *Constitution Act 1975*”;
- (g) that the word “elect” in Standing Order 33 be omitted;
- (h) that the word “Council” in Standing Order 148 be omitted with the view of inserting “Chamber”; and
- (i) that the words “When the Chairman has called out the number of a clause, and the marginal note or the clause has been read” in Standing Order 276 be omitted with the view of inserting “When the number of a clause has been called”.

Question—put and resolved in the affirmative.

- 7 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor and the proposed amendment thereto be postponed until later this day.
- 8 CHARITIES (AMENDMENT) BILL—On the motion of the Honourable Haddon Storey, leave was given to bring in a Bill to amend the *Charities Act 1978* to enable Investigations of the Affairs of Charities to be carried out, and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 9 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 to 6 inclusive, be postponed until later this day.
- 10 ROAD SAFETY COMMITTEE RECOMMENDATIONS—The Honourable B. P. Dunn moved, That this House expresses its concern that the road toll is again increasing, and calls on the Government to re-consider certain past recommendations of the Road Safety Committee not yet implemented.

Debate ensued.

The Honourable H. M. Hamilton moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 11 POSTPONEMENT OF NOTICE OF MOTION AND ORDERS OF THE DAY—Ordered—That the consideration of Notice of Motion, General Business, No. 8, the Orders of the Day, Government Business and Orders of the Day, General Business, Nos. 1 to 11 inclusive, be postponed until later this day.

- 12 REFUSAL OF MEDICAL TREATMENT BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable R. A. Mackenzie moved, That this Bill be now read a second time.

The Honourable W. V. Houghton moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 13 PUBLIC AUTHORITIES (CONTRIBUTIONS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Public Authorities (Contributions) Act 1966' with respect to the Contributions to be made by the Gas and Fuel Corporation of Victoria*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Glyn Jenkins, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 14 CONSTITUTION (COUNCIL POWERS) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable W. A. Landeryou moved, That this Bill be now read a second time.

Debate ensued.

The Honourable H. M. Hamilton moved, That the debate be now adjourned.

Question—put.

- 18 INSTRUMENTS (ENDURING POWERS OF ATTORNEY) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.

The Honourable R. J. Eddy (for the Honourable Joan Coxsedg) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday, 10 November.

- 19 ROAD SAFETY COMMITTEE RECOMMENDATIONS—The Order of the Day having been read for the resumption of the debate on the question, That this House expresses its concern that the road toll is again increasing, and calls on the Government to re-consider certain past recommendations of the Road Safety Committee not yet implemented—

Debate resumed.

Question—put and resolved in the affirmative.

- 20 ADJOURNMENT—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at a quarter to Eleven o'clock.

Question—put and resolved in the affirmative.

The Honourable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

And the Council having continued to sit until after Twelve midnight—

THURSDAY, 29 OCTOBER

Debate continued.

Question—put and resolved in the affirmative.

And then the Council, at seven minutes past Twelve o'clock in the morning, adjourned until this day at a quarter to Eleven o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

No. 17—Thursday, 29 October 1981

- 1 The President took the Chair and read the Prayer.
- 2 POSTPONEMENT OF NOTICES OF MOTION AND ORDER OF THE DAY—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor and the proposed amendment thereto, and the Notices of Motion, General Business, be postponed until later this day.
- 3 BUSINESS FRANCHISE (PETROLEUM PRODUCTS) (FEES) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.
The Honourable W. A. Landeryou moved, That the debate be now adjourned until the next day of meeting.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Question—That the debate be adjourned until Tuesday next—proposed.
The Honourable Glyn Jenkins moved, as an amendment, That the words “Tuesday next” be omitted with the view of inserting in place thereof “later this day”.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 15

The Hon. W. R. Baxter
 Joan Coxsedge
 B. P. Dunn
 R. J. Eddy
 D. M. Evans (*Teller*)
 C. J. Kennedy (*Teller*)
 D. E. Kent
 W. A. Landeryou
 R. A. Mackenzie
 G. A. Sgro
 I. B. Trayling
 Evan Walker
 J. M. Walton
 D. R. White
 K. I. M. Wright

NOES, 24

The Hon. H. G. Baylor
 P. D. Block
 C. Bubb
 W. M. Campbell
 B. A. Chamberlain
 D. G. Crozier
 F. J. Granter
 J. V. C. Guest
 H. M. Hamilton
 V. T. Hauser
 D. K. Hayward
 W. V. Houghton
 Dr R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles
 R. Lawson (*Teller*)
 R. J. Long (*Teller*)
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 N. F. Stacey
 Haddon Storey
 H. R. Ward

And so it passed in the negative.

Question—That the words proposed to be inserted be so inserted—put and resolved in the affirmative.

Question—That the debate be adjourned until later this day—put and resolved in the affirmative.

- 4 TRANSPORT (FEES) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.

The Honourable C. J. Kennedy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 5 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 3, be postponed until later this day.

- 6 PUBLIC AUTHORITIES (CONTRIBUTIONS) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.

The Honourable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday, 10 November.

7. PIPELINES (FEES) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.

The Honourable D. R. White moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

8. ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—The Order of the Day having been read for the resumption of the debate on the question, That the Council agree to the Address to His Excellency the Governor in reply to His Excellency's Opening Speech (for Address see page 16 *ante*), and on the amendment of the Honourable D. R. White to add certain words thereto (for amendment see page 25 *ante*)—

Debate resumed.

Question—That the words proposed to be added be so added—put and negatived.

Question—That the Council agree to the following Address to His Excellency the Governor in reply to His Excellency's Opening Speech:

MAY IT PLEASE YOUR EXCELLENCY—

We, the Legislative Council of Victoria, in Parliament assembled, beg to express our loyalty to Our Most Gracious Sovereign, and to thank Your Excellency for the gracious Speech which you have been pleased to address to Parliament—put and resolved in the affirmative.

The Honourable D. G. Crozier moved, That the Address be presented to His Excellency the Governor by the President and such Members of the Council as may wish to accompany him.

Question—put and resolved in the affirmative.

9. BUSINESS FRANCHISE (PETROLEUM PRODUCTS) (FEES) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 24

The Hon. W. R. Baxter
 H. G. Baylor
 P. D. Block
 C. Bubb
 B. A. Chamberlain
 D. G. Crozier
 B. P. Dunn
 D. M. Evans
 J. V. C. Guest
 H. M. Hamilton
 V. T. Hauser
 D. K. Hayward
 W. V. Houghton
 Dr R. W. Howard
 Glyn Jenkins
 R. I. Knowles
 R. Lawson
 R. J. Long
 J. W. S. Radford

NOES, 9

The Hon. Joan Coxsedge (*Teller*)
 R. J. Eddy (*Teller*)
 C. J. Kennedy
 D. E. Kent
 R. A. Mackenzie
 G. A. Sgro
 I. B. Trayling
 Evan Walker
 J. M. Walton

N. B. Reid
D. N. Saltmarsh (*Teller*)
N. F. Stacey (*Teller*)
H. R. Ward
K. I. M. Wright

And so it was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy President resumed the Chair; and the Honourable V. T. Hauser having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

10 ADJOURNMENT—The Honourable D. G. Crozier moved, That the Council, at its rising, adjourn until Tuesday, 10 November at half-past Four o'clock.

Question—put and resolved in the affirmative.

The Honourable D. G. Crozier moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at sixteen minutes past Three o'clock, adjourned until Tuesday 10 November at half-past Four o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

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Mr President takes the Chair at a Quarter to Five o'clock

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State's road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act* 1958 to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. R. LAWSON—To move, That this House take note of the need for Australian society to conserve non-renewable energy sources and for that reason it urges local government and other building control authorities to authorize and encourage techniques of building that will lead to the conservation of energy; further, that this House urges the introduction of incentives for the use of natural energy sources to service new and existing buildings.
- 7 The Hon. D. R. WHITE—To move, That he have leave to bring in a Bill to prohibit the retailing of Motor Fuel from Depot Sites, to ensure the Supply of Motor Fuel to Franchisees, to regulate the entering into, renewing, assigning and terminating of Franchise Agreements, to establish the Gas and Fuel Corporation as Petroleum Pricing Agency and for other purposes.

GOVERNMENT BUSINESS

Orders of the Day

- 1 CHARITIES (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading.
- 2 TRANSPORT (FEES) BILL—(*from Assembly—Hon. Glyn Jenkins*)—Second reading—*Resumption of debate.* (*Hon. C. J. Kennedy*).

* *Notifications to which an asterisk (*) is prefixed appear for the first time.*

- 3 PIPELINES (FEES) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—*Resumption of debate.* (Hon. D. R. White).
- 4 PUBLIC AUTHORITIES (CONTRIBUTIONS) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- 5 APPROPRIATION (1981–82, No. 1) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 6 WRONGS (DEFAMATION) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. G. A. Sgro).
- 7 TRUSTEE (AUTHORIZED INVESTMENTS) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- 8 CONSTITUTION (PARLIAMENTARY OATHS) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. C. J. Kennedy).
- 9 INSTRUMENTS (ENDURING POWERS OF ATTORNEY) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. Joan Coxsedge).
- 10 WILDLIFE (PROTECTION OF WHALES) BILL—(Hon. W. V. Houghton)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- 11 HOUSING COMMISSION LAND PURCHASES—REPORT OF ROYAL COMMISSION—To be considered.
- 12 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—*Resumption of debate.* (Hon. D. R. White).
- 13 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—*Resumption of debate.* (Hon. Glyn Jenkins).

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(Hon. G. A. Sgro)—Second reading.
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. H. M. Hamilton).
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(Hon. W. A. Landeryou)—Second reading.
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(Hon. W. A. Landeryou)—Second reading.
- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(Hon. W. A. Landeryou)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(Hon. W. A. Landeryou)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(Hon. Evan Walker)—Second reading.
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(Hon. R. A. Mackenzie)—Second reading—*Resumption of debate.* (Hon. W. V. Houghton).
- 13 WILDLIFE (SPRING TRAPS) BILL—(Hon. R. A. Mackenzie)—Second reading.

- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 15 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.
- 16 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
- 17 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 18 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 19 COUNTRY ROADS BOARD REPORT, 1980-81—To be considered.
- 20 GAS AND FUEL CORPORATION REPORT, 1980-81—To be considered.
- 21 NATIONAL PARKS ACT—MINISTER'S NOTICE OF CONSENT TO RENEWAL OF EXPLORATION LICENCES IN SNOWY RIVER NATIONAL PARK AND TINGARINGY NATIONAL PARK DATED 27 OCTOBER 1981—To be considered.
- 22 RESIDENTIAL TENANCIES REGULATIONS 1981 (S.R. No. 456/1981)—To be considered.
- 23 SHIRE OF FLINDERS PLANNING SCHEME 1962—AMENDMENT No. 119, 1979 (CONSERVATION PLAN)—To be considered.
- 24 STATE RIVERS AND WATER SUPPLY COMMISSION REPORT, 1980-81—To be considered.
- 25 YOUNG FARMERS' FINANCE COUNCIL REPORT, 1980-81—To be considered.
- 26 TEACHER EDUCATION—FINAL REPORT OF COMMITTEE OF VICTORIAN ENQUIRY—To be considered.

A. R. B. McDONNELL

Clerk of the Legislative Council

FRED S. GRIMWADE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Cocksedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

* * *

Mr President takes the Chair at Four o'clock

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

Notice of Motion

- *1 The Hon. A. J. HUNT—To move, That he have leave to bring in a Bill to amend the *Post-Secondary Education Act 1978* and the *Melbourne University Act 1958*, and for other purposes.
- *2 The Hon. GLYN JENKINS—To move, That he have leave to bring in a Bill to amend the *Melbourne and Metropolitan Board of Works Act 1958* to provide for the Development of the Yarra River and the Maribyrnong River and for other purposes.
- *3 The Hon. HADDON STOREY—To move, That he have leave to bring in a Bill to amend the *Small Claims Tribunals Act 1973* with respect to the Jurisdiction of the Small Claims Tribunals and for other purposes.
- *4 The Hon. GLYN JENKINS—To move, That he have leave to bring in a Bill to amend the *Sewerage Districts Act 1958* and the *Water Act 1958* with respect to the Payment of Interest.
- *5 The Hon. GLYN JENKINS—To move, That he have leave to bring in a Bill to amend Section 15 of the *River Murray Waters Act 1915* and Section 34 of the *Water Act 1958*.

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State's road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act 1958* to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.

* Notifications to which an asterisk (*) is prefixed appear for the first time.

- 5 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. R. LAWSON—To move, That this House take note of the need for Australian society to conserve non-renewable energy sources and for that reason it urges local government and other building control authorities to authorize and encourage techniques of building that will lead to the conservation of energy; further, that this House urges the introduction of incentives for the use of natural energy sources to service new and existing buildings.
- 7 The Hon. D. R. WHITE—To move, That he have leave to bring in a Bill to prohibit the retailing of Motor Fuel from Depot Sites, to ensure the Supply of Motor Fuel to Franchisees, to regulate the entering into, renewing, assigning and terminating of Franchise Agreements, to establish the Gas and Fuel Corporation as Petroleum Pricing Agency and for other purposes.

GOVERNMENT BUSINESS

Orders of the Day

- *1 MELBOURNE UNIVERSITY (AMENDMENT) BILL—(*Hon. A. J. Hunt*)—Second reading.
- *2 FREEDOM OF INFORMATION BILL—(*Hon. A. J. Hunt*)—Second reading.
- 3 APPROPRIATION (1981–82, No. 1) BILL—(*from Assembly—Hon. Glyn Jenkins*)—To be committed.
- 4 TRANSPORT (FEES) BILL—(*from Assembly—Hon. Glyn Jenkins*)—Second reading—*Resumption of debate. (Hon. C. J. Kennedy).*
- 5 PIPELINES (FEES) BILL—(*from Assembly—Hon. Glyn Jenkins*)—Second reading—*Resumption of debate. (Hon. D. R. White).*
- 6 PUBLIC AUTHORITIES (CONTRIBUTIONS) BILL—(*from Assembly—Hon. Glyn Jenkins*)—Second reading—*Resumption of debate. (Hon. R. A. Mackenzie).*
- 7 WRONGS (DEFAMATION) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. G. A. Sgro).*
- 8 TRUSTEE (AUTHORIZED INVESTMENTS) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. R. A. Mackenzie).*
- 9 CONSTITUTION (PARLIAMENTARY OATHS) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. C. J. Kennedy).*
- 10 INSTRUMENTS (ENDURING POWERS OF ATTORNEY) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. Joan Coxsedge).*
- 11 WILDLIFE (PROTECTION OF WHALES) BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate. (Hon. R. A. Mackenzie).*
- *12 COUNCIL OF ADULT EDUCATION BILL—(*from Assembly—Hon. A. J. Hunt*)—Second reading—*Resumption of debate. (Hon. Evan Walker).*
- 13 HOUSING COMMISSION LAND PURCHASES—REPORT OF ROYAL COMMISSION—To be considered.
- 14 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(*Hon. Glyn Jenkins*)—*Resumption of debate. (Hon. D. R. White).*
- 15 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(*Hon. Glyn Jenkins*)—*Resumption of debate. (Hon. Glyn Jenkins).*

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(*Hon. G. A. Sgro*)—Second reading.
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. H. M. Hamilton*).
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. Evan Walker*)—Second reading.
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(*Hon. R. A. Mackenzie*)—Second reading—*Resumption of debate.* (*Hon. W. V. Houghton*).
- 13 WILDLIFE (SPRING TRAPS) BILL—(*Hon. R. A. Mackenzie*)—Second reading.
- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 15 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.
- 16 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
- 17 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 18 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 19 GAS AND FUEL CORPORATION REPORT, 1980-81—To be considered.
- 20 NATIONAL PARKS ACT—MINISTER'S NOTICE OF CONSENT TO RENEWAL OF EXPLORATION LICENCES IN SNOWY RIVER NATIONAL PARK AND TINGARINGY NATIONAL PARK DATED 27 OCTOBER 1981—To be considered.
- 21 RESIDENTIAL TENANCIES REGULATIONS 1981 (S.R. No. 456/1981)—To be considered.
- 22 SHIRE OF FLINDERS PLANNING SCHEME 1962—AMENDMENT No. 119, 1979 (CONSERVATION PLAN)—To be considered.
- 23 STATE RIVERS AND WATER SUPPLY COMMISSION REPORT, 1980-81—To be considered.
- 24 YOUNG FARMERS' FINANCE COUNCIL REPORT, 1980-81—To be considered.
- 25 TEACHER EDUCATION—FINAL REPORT OF COMMITTEE OF VICTORIAN ENQUIRY—To be considered.

- *26 CHILD DEVELOPMENT AND FAMILY SERVICES COUNCIL REPORT, 1980-81—To be considered.
- *27 CHIROPRACTORS AND OSTEOPATHS REGISTRATION BOARD REPORT, 1980—To be considered.
- *28 CORRECTIONAL SERVICES COUNCIL REPORT, 1980-81—To be considered.
- *29 ESTATE AGENTS BOARD REPORT, 1980-81—To be considered.
- *30 GROUNDWATER INVESTIGATION PROGRAMME REPORT, 1980—To be considered.
- *31 MELBOURNE UNDERGROUND RAIL LOOP AUTHORITY REPORT, 1980-81—To be considered.
- *32 DEPARTMENT OF MINERALS AND ENERGY REPORT, 1979—To be considered.
- *33 POULTRY FARMER LICENSING COMMITTEE REPORT, 1980-81—To be considered.
- *34 PUBLIC RECORD OFFICE REPORT, 1980-81—To be considered.
- *35 ZOOLOGICAL BOARD REPORT, 1979-80—To be considered.
- *36 TRANSPORT REGULATION BOARD REPORT, 1980-81—To be considered.

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TUESDAY, 17 NOVEMBER

GOVERNMENT BUSINESS

Orders of the Day

- 1 CHARITIES (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- *2 EXHIBITION (AMENDMENT) BILL—(*from Assembly—Hon. Glyn Jenkins*)—Second reading—*Resumption of debate.* (*Hon. D. E. Kent*).
- *3 METROPOLITAN FIRE BRIGADES (AMENDMENT) BILL—(*from Assembly—Hon. F. J. Granter*)—Second reading—*Resumption of debate.* (*Hon. D. R. White*).
- *4 NATIONAL GALLERY OF VICTORIA AND THE VICTORIAN ARTS CENTRE (TERMS OF APPOINTMENT OF MEMBERS) BILL—(*from Assembly—Hon. Glyn Jenkins*)—Second reading—*Resumption of debate.* (*Hon. Evan Walker*).
- *5 PLANNING APPEALS BOARD (CHIEF CHAIRMAN'S PENSION) BILL—(*from Assembly—Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. Evan Walker*).
- *6 HOUSING (FURTHER AMENDMENT) BILL—(*from Assembly—Hon. F. J. Granter*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- *7 EDUCATION (COUNCILS) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. Evan Walker*).
- *8 CO-OPERATIVE HOUSING SOCIETIES (INDEMNITIES) BILL—(*from Assembly—Hon. F. J. Granter*)—Second reading—*Resumption of debate.* (*Hon. G. A. Sgro*).
- *9 HOME FINANCE (AMENDMENT) BILL—(*from Assembly—Hon. F. J. Granter*)—Second reading—*Resumption of debate.* (*Hon. C. J. Kennedy*).

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

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PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

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PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

* * *

Mr President takes the Chair at Eleven o'clock

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State's road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act 1958* to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
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- 6 The Hon. R. LAWSON—To move, That this House take note of the need for Australian society to conserve non-renewable energy sources and for that reason it urges local government and other building control authorities to authorize and encourage techniques of building that will lead to the conservation of energy; further, that this House urges the introduction of incentives for the use of natural energy sources to service new and existing buildings.
- 7 The Hon. D. R. WHITE—To move, That he have leave to bring in a Bill to prohibit the retailing of Motor Fuel from Depot Sites, to ensure the Supply of Motor Fuel to Franchisees, to regulate the entering into, renewing, assigning and terminating of Franchise Agreements, to establish the Gas and Fuel Corporation as Petroleum Pricing Agency and for other purposes.
- *8 The Hon. B. A. CHAMBERLAIN—To move, That the Public Bodies Review Committee be empowered to sit during the sittings of the Council until the end of December next.

** Notifications to which an asterisk (*) is prefixed appear for the first time.*

GOVERNMENT BUSINESS

Orders of the Day

- 1 MELBOURNE UNIVERSITY (AMENDMENT) BILL—(*Hon. A. J. Hunt*)—Second reading.
- 2 FREEDOM OF INFORMATION BILL—(*Hon. A. J. Hunt*)—Second reading.
- *3 SMALL CLAIMS TRIBUNALS (JURISDICTION) BILL—(*Hon. Haddon Storey*)—Second reading.
- *4 SWAN HILL PIONEER SETTLEMENT (AMENDMENT) BILL—(*from Assembly—Hon. D. G. Crozier*)—Second reading.
- 5 COUNCIL OF ADULT EDUCATION BILL—(*from Assembly—Hon. A. J. Hunt*)—Second reading—*Resumption of debate. (Hon. Evan Walker)*.
- 6 APPROPRIATION (1981–82, No. 1) BILL—(*from Assembly—Hon. Glyn Jenkins*)—To be further considered in Committee.
- 7 WRONGS (DEFAMATION) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. G. A. Sgro)*.
- 8 TRUSTEE (AUTHORIZED INVESTMENTS) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. R. A. Mackenzie)*.
- 9 CONSTITUTION (PARLIAMENTARY OATHS) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. C. J. Kennedy)*.
- 10 INSTRUMENTS (ENDURING POWERS OF ATTORNEY) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. Joan Coxsedg)*.
- 11 WILDLIFE (PROTECTION OF WHALES) BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate. (Hon. R. A. Mackenzie)*.
- 12 HOUSING COMMISSION LAND PURCHASES—REPORT OF ROYAL COMMISSION—To be considered.
- 13 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(*Hon. Glyn Jenkins*)—*Resumption of debate. (Hon. D. R. White)*.
- 14 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(*Hon. Glyn Jenkins*)—*Resumption of debate. (Hon. Glyn Jenkins)*.

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(*Hon. G. A. Sgro*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain)*.
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate. (Hon. H. M. Hamilton)*.
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate. (Hon. H. R. Ward)*.
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(*Hon. W. A. Landeryou*)—Second reading.

- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. H. R. Ward*).
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(*Hon. R. A. Mackenzie*)—Second reading—*Resumption of debate.* (*Hon. W. V. Houghton*).
- 13 WILDLIFE (SPRING TRAPS) BILL—(*Hon. R. A. Mackenzie*)—Second reading.
- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 15 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.
- 16 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
- 17 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 18 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 19 GAS AND FUEL CORPORATION REPORT, 1980-81—To be considered.
- 20 NATIONAL PARKS ACT—MINISTER'S NOTICE OF CONSENT TO RENEWAL OF EXPLORATION LICENCES IN SNOWY RIVER NATIONAL PARK AND TINGARINGY NATIONAL PARK DATED 27 OCTOBER 1981—To be considered.
- 21 RESIDENTIAL TENANCIES REGULATIONS 1981 (S.R. No. 456/1981)—To be considered.
- 22 SHIRE OF FLINDERS PLANNING SCHEME 1962—AMENDMENT No. 119, 1979 (CONSERVATION PLAN)—To be considered.
- 23 STATE RIVERS AND WATER SUPPLY COMMISSION REPORT, 1980-81—To be considered.
- 24 YOUNG FARMERS' FINANCE COUNCIL REPORT, 1980-81—To be considered.
- 25 TEACHER EDUCATION—FINAL REPORT OF COMMITTEE OF VICTORIAN ENQUIRY—To be considered.
- 26 CHILD DEVELOPMENT AND FAMILY SERVICES COUNCIL REPORT, 1980-81—To be considered.
- 27 CHIROPRACTORS AND OSTEOPATHS REGISTRATION BOARD REPORT, 1980—To be considered.
- 28 CORRECTIONAL SERVICES COUNCIL REPORT, 1980-81—To be considered.
- 29 ESTATE AGENTS BOARD REPORT, 1980-81—To be considered.
- 30 GROUNDWATER INVESTIGATION PROGRAMME REPORT, 1980—To be considered.
- 31 MELBOURNE UNDERGROUND RAIL LOOP AUTHORITY REPORT, 1980-81—To be considered.
- 32 DEPARTMENT OF MINERALS AND ENERGY REPORT, 1979—To be considered.
- 33 POULTRY FARMER LICENSING COMMITTEE REPORT, 1980-81—To be considered.
- 34 PUBLIC RECORD OFFICE REPORT, 1980-81—To be considered.
- 35 ZOOLOGICAL BOARD REPORT, 1979-80—To be considered.
- 36 TRANSPORT REGULATION BOARD REPORT, 1980-81—To be considered.

TUESDAY, 17 NOVEMBER

GOVERNMENT BUSINESS

Orders of the Day

- 1 CHARITIES (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. R. J. Eddy).*
- 2 EXHIBITION (AMENDMENT) BILL—(*from Assembly—Hon. Glyn Jenkins*)—Second reading—*Resumption of debate. (Hon. D. E. Kent).*
- 3 METROPOLITAN FIRE BRIGADES (AMENDMENT) BILL—(*from Assembly—Hon. F. J. Granter*)—Second reading—*Resumption of debate. (Hon. D. R. White).*
- 4 NATIONAL GALLERY OF VICTORIA AND THE VICTORIAN ARTS CENTRE (TERMS OF APPOINTMENT OF MEMBERS) BILL—(*from Assembly—Hon. Glyn Jenkins*)—Second reading—*Resumption of debate. (Hon. Evan Walker).*
- 5 PLANNING APPEALS BOARD (CHIEF CHAIRMAN'S PENSION) BILL—(*from Assembly—Hon. A. J. Hunt*)—Second reading—*Resumption of debate. (Hon. Evan Walker).*
- 6 HOUSING (FURTHER AMENDMENT) BILL—(*from Assembly—Hon. F. J. Granter*)—Second reading—*Resumption of debate. (Hon. R. J. Eddy).*
- 7 EDUCATION (COUNCILS) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate. (Hon. Evan Walker).*
- 8 CO-OPERATIVE HOUSING SOCIETIES (INDEMNITIES) BILL—(*from Assembly—Hon. F. J. Granter*)—Second reading—*Resumption of debate. (Hon. G. A. Sgro).*
- 9 HOME FINANCE (AMENDMENT) BILL—(*from Assembly—Hon. F. J. Granter*)—Second reading—*Resumption of debate. (Hon. C. J. Kennedy).*
- *10 TOWN AND COUNTRY PLANNING (WESTERN PORT) BILL—(*from Assembly—Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. Evan Walker).*
- *11 URBAN LAND AUTHORITY (AMENDMENT) BILL—(*from Assembly—Hon. F. J. Granter*)—Second reading—*Resumption of debate. (Hon. R. A. Mackenzie).*
- *12 TRANSPORT REGULATION (LICENCE FEES ABOLITION) BILL—(*from Assembly—Hon. Glyn Jenkins*)—Second reading—*Resumption of debate. (Hon. G. A. S. Butler).*
- *13 MELBOURNE AND METROPOLITAN BOARD OF WORKS (YARRA DEVELOPMENT) BILL—(*Hon. Glyn Jenkins*)—Second reading—*Resumption of debate. (Hon. D. R. White).*
- *14 WATER AND SEWERAGE AUTHORITIES (INTEREST PAYMENTS) BILL—(*Hon. Glyn Jenkins*)—Second reading—*Resumption of debate. (Hon. D. R. White).*
- *15 DISPOSAL OF DARTMOUTH TOWNSHIP BILL—(*Hon. Glyn Jenkins*)—Second reading—*Resumption of debate. (Hon. D. R. White).*
- *16 POST-SECONDARY EDUCATION (AMENDMENT) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate. (Hon. Evan Walker).*
- *17 MELBOURNE AND METROPOLITAN TRAMWAYS (BORROWING POWERS) BILL—(*from Assembly—Hon. Glyn Jenkins*)—Second reading—*Resumption of debate. (Hon. G. A. S. Butler).*

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedg, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

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MINUTES OF THE PROCEEDINGS

Nos. 18, 19 and 20

No. 18—Tuesday, 10 November 1981

- 1 The President took the Chair and read the Prayer.
- 2 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR—The Honourable A. J. Hunt presented a Message from His Excellency the Governor informing the Council that he had, on 30 October 1981, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments, viz.:
Business Franchise (Petroleum Products) (Fees) Act.

- 3 FOOTSCRAY (WESTERN OVAL RESERVE) LANDS BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act relating to the granting of leases of certain lands in the City of Footscray and authorizing the Committee of Management of those lands to extend the leasing thereof, to amend the 'Footscray (Recreation Ground) Lands Act 1968' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 4 EXHIBITION (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to recognize the Bestowal of the Title 'Royal' on the Exhibition, to amend the 'Exhibition Act 1957' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Glyn Jenkins, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 5 METROPOLITAN FIRE BRIGADES (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Metropolitan Fire Brigades Act 1958' with respect to the payment of wages and salaries and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 6 NATIONAL GALLERY OF VICTORIA AND THE VICTORIAN ARTS CENTRE (TERMS OF APPOINTMENT OF MEMBERS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'National Gallery of Victoria Act 1966' and the 'Victorian Arts Centre Act 1979' to make provision with respect to the terms of appointment of members of the Council of Trustees of the National Gallery of Victoria and of members of the Victorian Arts Centre Trust, and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Glyn Jenkins, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and by leave, to be read a second time later this day.

- 7 PLANNING APPEALS BOARD (CHIEF CHAIRMAN'S PENSION) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend section 76 of the ‘Planning Appeals Board Act 1980’ with respect to the retirement benefits payable to and in relation to the Chief Chairman of the Planning Appeals Board and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable A. J. Hunt, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 8 COUNCIL OF ADULT EDUCATION BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to establish a Body Corporate under the Name of the Council of Adult Education, to repeal Part V. of the ‘Education Act 1958’, and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable A. J. Hunt, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 9 HOUSING (FURTHER AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Housing Act 1958’ to make provision for the Payment of Benefits to former Employés of Holmesglen Constructions and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 10 ADJOURNMENT—MOTION UNDER STANDING ORDER No. 53—The Honourable W. A. Landeryou moved, That the Council do now adjourn, and said he proposed to speak to the subject of “The failure of the Government to protect the interests of the public of Victoria in relation to the pricing and distribution of petroleum products”; and six other Honourable Members having risen in their places and required the motion to be proposed—

Debate ensued.

Question—put.

The Council divided.

AYES, 13

The Hon. W. R. Baxter
G. A. S. Butler
Joan Cocksedge
B. P. Dunn
R. J. Eddy
D. M. Evans
C. J. Kennedy (*Teller*)
D. E. Kent (*Teller*)
W. A. Landeryou
R. A. Mackenzie
G. A. Sgro
Evan Walker
D. R. White

NOES, 21

The Hon. H. G. Baylor
P. D. Block
C. Bubb
W. M. Campbell
B. A. Chamberlain
F. J. Granter
J. V. C. Guest
V. T. Hauser
D. K. Hayward
Dr R. W. Howard
A. J. Hunt
Glyn Jenkins
R. I. Knowles
R. Lawson
R. J. Long
J. W. S. Radford
N. B. Reid (*Teller*)

D. N. Saltmarsh
 N. F. Stacey
 Haddon Storey
 H. R. Ward (*Teller*)

And so it passed in the negative.

- 11 MELBOURNE UNIVERSITY (AMENDMENT) BILL—On the motion (by leave without notice) of the Honourable A. J. Hunt, leave was given to bring in a Bill to amend the *Melbourne University Act* 1958 and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 12 EDUCATION (COUNCILS) BILL—On the motion (by leave without notice) of the Honourable A. J. Hunt, leave was given to bring in a Bill to amend section 29A of the *Education Act* 1958, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 13 FREEDOM OF INFORMATION BILL—On the motion (by leave without notice) of the Honourable A. J. Hunt, leave was given to bring in a Bill to give Members of the Public Rights of Access to Official Documents of the Government of Victoria and of its Agencies, to amend the *Ombudsman Act* 1973, and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 14 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Child Development and Family Services Council—Report for the period ended 30 June 1981.
 - Chiropractors and Osteopaths Registration Board—Report for the year 1980.
 - Correctional Services Council—Report for the period ended 30 June 1981.
 - Estate Agents Board—Report for the period ended 30 June 1981.
 - Groundwater—Report on the investigation programme for the year 1980.
 - Melbourne Underground Rail Loop Authority—Report for the year 1980–81.
 - Minerals and Energy—Report of the Department for the year 1979.
 - Poultry Farmer Licensing Committee—Report for the year ended 28 February 1981.
 - Public Record Office—Report for the year 1980–81.
 - Statutory Rules under the following Acts of Parliament:
 - Dental Technicians Act 1972—No. 459.
 - Environment Protection Act 1970—No. 462.
 - Fisheries Act 1968—No. 407.
 - Industrial Relations Act 1979—No. 465.
 - Marine Act 1958—No. 460.
 - Motor Car Act 1958—Nos. 454 and 457.
 - Pharmacists Act 1974—No. 458.
 - Transport Regulation Board—Report for the year 1980–81.
 - Workers Compensation Board Fund—Balance-sheet and statement of receipts and expenditure for the year 1980–81.
 - Zoological Board—Report for the year 1979–80.
- The Honourable Evan Walker moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.
- Question—put and resolved in the affirmative.
- 15 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of the Notices of Motion, General Business, be postponed until later this day.

- 16 CHARITIES (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.
The Honourable R. J. Eddy moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 17 CO-OPERATIVE HOUSING SOCIETIES (INDEMNITIES) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Co-operative Housing Societies Act 1958’ in respect of Indemnities*” and desiring the concurrence of the Council therein.
On the motion of the Honourable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 18 FOOTSCRAY (WESTERN OVAL RESERVE) LANDS BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable W. V. Houghton moved, That this Bill be now read a second time.
The Deputy President ruled the Bill to be a Private Bill.
The Honourable W. V. Houghton moved, That this Bill be dealt with as a Public Bill.
Question—put and resolved in the affirmative.
Debate on main question continued.
Question—That this Bill be now read a second time—put and resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 19 EXHIBITION (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.
The Honourable D. E. Kent moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 20 METROPOLITAN FIRE BRIGADES (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable F. J. Granter moved, That this Bill be now read a second time.
The Honourable D. R. White moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 21 NATIONAL GALLERY OF VICTORIA AND THE VICTORIAN ARTS CENTRE (TERMS OF APPOINTMENT OF MEMBERS) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.
The Honourable R. J. Eddy (for the Honourable Evan Walker) moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.

- 22 PLANNING APPEALS BOARD (CHIEF CHAIRMAN'S PENSION) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable A. J. Hunt moved, That this Bill be now read a second time.
The Honourable Evan Walker moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 23 COUNCIL OF ADULT EDUCATION BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable A. J. Hunt moved, That this Bill be now read a second time.
The Honourable Evan Walker moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.
- 24 HOUSING (FURTHER AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable F. J. Granter moved, That this Bill be now read a second time.
The Honourable R. J. Eddy moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 25 EDUCATION (COUNCILS) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable A. J. Hunt moved, That this Bill be now read a second time.
The Honourable Evan Walker moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 26 CO-OPERATIVE HOUSING SOCIETIES (INDEMNITIES) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable F. J. Granter moved, That this Bill be now read a second time.
The Honourable G. A. Sgro moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 27 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 to 4 inclusive, be postponed until later this day.
- 28 APPROPRIATION (1981–82, No. 1) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time.
The Honourable Glyn Jenkins moved, That the Bill be committed to a Committee of the whole on the next day of meeting.
Question—put and resolved in the affirmative.
- 29 HOME FINANCE (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Home Finance Act 1962' to make further Provision with respect to Loans on First Mortgage of Dwelling-houses made by the Home Finance Trust and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

- The Order of the Day for the second reading of this Bill having been read, the Honourable F. J. Granter moved, That this Bill be now read a second time.
- The Honourable C. J. Kennedy moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until Tuesday next.
- 30 ADJOURNMENT—The Honourable Haddon Storey moved, That the Council, at its rising, adjourn until tomorrow at a quarter to Four o'clock.
- Question—put and resolved in the affirmative.
- The Honourable Haddon Storey moved, That the House do now adjourn.
- Debate ensued.
- Question—put and resolved in the affirmative.
- And then the Council, at forty-nine minutes past Eleven o'clock, adjourned until tomorrow at a quarter to Four o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

No. 19—Wednesday, 11 November 1981

- 1 The President took the Chair and read the Prayer.
- 2 TOWN AND COUNTRY PLANNING (WESTERN PORT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to abolish the Western Port Regional Planning Authority, to transfer the Staff of that Authority into Public Service, to amend the ‘Town and Country Planning Act 1961’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 3 ADJOURNMENT—MOTION UNDER STANDING ORDER No. 53—The Honourable K. I. M. Wright moved, That the Council do now adjourn, and said he proposed to speak to the subject of “The failure of the Government to instruct the State Electricity Commission to implement policies of uniform tariffs for electricity to all consumers throughout Victoria, by demanding collection of arrears resulting from the unfair imposition of a surcharge on Lindsay Point consumers and disconnecting power supply, thereby endangering their livelihood”; and six other Honourable Members having risen in their places and required the motion to be proposed—

Debate ensued.

Question—put and negatived.

- 4 SWAN HILL PIONEER SETTLEMENT (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Swan Hill Pioneer Settlement Act 1974’*” and desiring the concurrence of the Council therein.

On the motion of the Honourable F. J. Granter (for the Honourable D. G. Crozier), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 5 PORT OF MELBOURNE AUTHORITY (INSCRIBED STOCK) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Port of Melbourne Authority Act 1958’ with respect to Inscribed Stock and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable F. J. Granter (for the Honourable Haddon Storey), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 6 URBAN LAND AUTHORITY (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend section 19 of the ‘Urban Land Authority Act 1979’*” and desiring the concurrence of the Council therein.

On the motion of the Honourable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 7 GEELONG REGIONAL COMMISSION (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Geelong Regional Commission Act 1977’*” and desiring the concurrence of the Council therein.

On the motion of the Honourable F. J. Granter (for the Honourable D. G. Crozier), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 8 TRANSPORT REGULATION (LICENCE FEES ABOLITION) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Transport Regulation Act 1958’ to provide for the abolition of licence fees for the issue or renewal of Commercial Passenger Vehicle, Private Omnibus and Commercial Goods Vehicle Licences, to amend the ‘Motor Car Act 1958’ and the ‘Transport (Deregulation) Act 1980’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Glyn Jenkins, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 9 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Police Service Board—Determinations Nos. 351 and 352.

Teaching Service Act 1958—

Teaching Service (Classification, Salaries, and Allowances) Regulation—
Amendments Nos. 574, 575, and 577 to 579.

Teaching Service (Teachers Tribunal) Regulations—Amendment No. 576.

- 10 POSTPONEMENT OF NOTICE OF MOTION—Ordered—That the consideration of Notice of Motion, Government Business, No. 1, be postponed until later this day.

- 11 MELBOURNE AND METROPOLITAN BOARD OF WORKS (YARRA DEVELOPMENT) BILL—
On the motion of the Honourable Glyn Jenkins, leave was given to bring in a Bill to amend the *Melbourne and Metropolitan Board of Works Act 1958* to provide for the Development of the Yarra River and the Maribyrnong River and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 12 SMALL CLAIMS TRIBUNALS (JURISDICTION) BILL—On the motion of the Honourable A. J. Hunt (for the Honourable Haddon Storey), leave was given to bring in a Bill to amend the *Small Claims Tribunals Act 1973* with respect to the Jurisdiction of the Small Claims Tribunals and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 13 WATER AND SEWERAGE AUTHORITIES (INTEREST PAYMENTS) BILL—On the motion of the Honourable Glyn Jenkins, leave was given to bring in a Bill to amend the *Sewerage Districts Act 1958* and the *Water Act 1958* with respect to the Payment of Interest, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 14 DISPOSAL OF DARTMOUTH TOWNSHIP BILL—On the motion of the Honourable Glyn Jenkins, leave was given to bring in a Bill to amend Section 15 of the *River Murray Waters Act 1915* and Section 34 of the *Water Act 1958*, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 15 MELBOURNE AND METROPOLITAN TRAMWAYS (BORROWING POWERS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to increase the limit of the Borrowing Powers of the Melbourne and Metropolitan Tramways Board*” and desiring the concurrence of the Council therein.
- On the motion of the Honourable Glyn Jenkins, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 16 POST-SECONDARY EDUCATION (AMENDMENT) BILL—On the motion of the Honourable A. J. Hunt, leave was given to bring in a Bill to amend the *Post-Secondary Education Act 1978* and the *Melbourne University Act 1958*, and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 17 POSTPONEMENT OF NOTICES OF MOTION AND ORDERS OF THE DAY—Ordered—That the consideration of the Notices of Motion, General Business, the Orders of the Day, Government Business, and Orders of the Day, General Business, Nos. 1 to 10 inclusive, be postponed until later this day.
- 18 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.
- The Honourable H. R. Ward moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 19 TOWN AND COUNTRY PLANNING (WESTERN PORT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable A. J. Hunt moved, That this Bill be now read a second time.
- The Honourable R. J. Eddy (for the Honourable Evan Walker) moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until Tuesday next.
- 20 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable G. A. Sgro moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 21 ELECTORAL COMMISSION BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable W. A. Landeryou moved, That this Bill be now read a second time.

The Honourable H. R. Ward moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 22 MELBOURNE AND METROPOLITAN BOARD OF WORKS (YARRA DEVELOPMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.

The Honourable D. R. White moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 23 TRANSPORT (FEES) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 26

NOES, 9

The Hon. W. R. Baxter
 H. G. Baylor (*Teller*)
 P. D. Block (*Teller*)
 C. Bubb
 W. M. Campbell
 B. A. Chamberlain
 D. G. Crozier
 B. P. Dunn
 D. M. Evans
 J. V. C. Guest
 H. M. Hamilton
 V. T. Hauser
 D. K. Hayward
 W. V. Houghton
 Dr R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles
 R. Lawson
 R. J. Long
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 N. F. Stacey
 H. R. Ward
 K. I. M. Wright

The Hon. G. A. S. Butler
 Joan Coxsedg
 R. J. Eddy
 C. J. Kennedy
 D. E. Kent
 W. A. Landeryou
 R. A. Mackenzie (*Teller*)
 G. A. Sgro (*Teller*)
 D. R. White

And so it was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 24 URBAN LAND AUTHORITY (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable W. V. Houghton moved, That this Bill be now read a second time.

The Honourable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 25 GEELONG REGIONAL COMMISSION (AMENDMENT) BILL—This Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 26 PORT OF MELBOURNE AUTHORITY (INSCRIBED STOCK) BILL—This Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 27 MELBOURNE AND METROPOLITAN TRAMWAYS (BORROWING POWERS) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable D. G. Crozier (for the Honourable Glyn Jenkins) moved, That this Bill be now read a second time.

The Honourable G. A. S. Butler moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 28 TRANSPORT REGULATION (LICENCE FEES ABOLITION) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable D. G. Crozier (for the Honourable Glyn Jenkins) moved, That this Bill be now read a second time.

The Honourable G. A. S. Butler moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 29 WATER AND SEWERAGE AUTHORITIES (INTEREST PAYMENTS) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.

The Honourable D. R. White moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 30 DISPOSAL OF DARTMOUTH TOWNSHIP BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.

The Honourable D. R. White moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 33 PUBLIC AUTHORITIES (CONTRIBUTIONS) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable R. A. Mackenzie moved, as an 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 the Government provides the House with details of the basis of its energy pricing policy, including the impact of price increases on energy consumption, equity and the profitability of the Gas and Fuel Corporation”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 26

The Hon. W. R. Baxter
 H. G. Baylor
 P. D. Block
 C. Bubb
 W. M. Campbell
 B. A. Chamberlain
 D. G. Crozier
 B. P. Dunn
 D. M. Evans
 J. V. C. Guest
 H. M. Hamilton (*Teller*)
 V. T. Hauser
 D. K. Hayward
 W. V. Houghton
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles
 R. Lawson
 R. J. Long
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 N. F. Stacey
 J. A. Taylor
 H. R. Ward
 K. I. M. Wright (*Teller*)

NOES, 9

The Hon. Joan Coxsedg
 R. J. Eddy
 C. J. Kennedy
 D. E. Kent
 W. A. Landeryou
 R. A. Mackenzie (*Teller*)
 G. A. Sgro
 I. B. Trayling (*Teller*)
 D. R. White

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 34 APPROPRIATION (1981–82, No. 1) BILL—This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

35 ADJOURNMENT—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at a quarter to Eleven o'clock.

Question—put and resolved in the affirmative.

And the Council having continued to sit until after Twelve midnight—

THURSDAY, 12 NOVEMBER

The Honourable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at eleven minutes past Twelve o'clock in the morning, adjourned until this day at a quarter to Eleven o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

No. 20—Thursday, 12 November 1981

1 The President took the Chair and read the Prayer.

2 PETITION—PULPWOOD HARVESTING, OTWAY RANGES—The Honourable R. A. Mackenzie presented a Petition from certain citizens of Victoria praying that a full Environmental Effects Statement be made on, and a full inquiry be held into, proposed pulpwood harvesting in the Otway Ranges.

Ordered to lie on the Table.

3 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 to 7 inclusive, be postponed until later this day.

4 PUBLIC BODIES REVIEW COMMITTEE—The Honourable B. A. Chamberlain moved, That the Public Bodies Review Committee be empowered to sit during the sittings of the Council until the end of December next.

Debate ensued.

The Honourable B. P. Dunn moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

5 MELBOURNE UNIVERSITY (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable A. J. Hunt moved, That this Bill be now read a second time.

The Honourable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

6 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

7 SMALL CLAIMS TRIBUNALS (JURISDICTION) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.

The Honourable W. A. Landeryou moved, That the debate be now adjourned.
 Question—That the debate be now adjourned—put and resolved in the affirmative.
 Ordered—That the debate be adjourned until Tuesday next.

- 8 SWAN HILL PIONEER SETTLEMENT (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable D. G. Crozier moved, That this Bill be now read a second time.

The Honourable G. A. Sgro moved, That the debate be now adjourned.
 Question—That the debate be now adjourned—put and resolved in the affirmative.
 Ordered—That the debate be adjourned until Tuesday next.

- 9 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 5 to 10 inclusive, be postponed until later this day.

- 10 WILDLIFE (PROTECTION OF WHALES) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 11 APPROPRIATION (1981–82, No. 1) BILL—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The Deputy-President resumed the Chair; and the Honourable D. M. Evans reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 12 COUNCIL OF ADULT EDUCATION BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 13 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 12 and 13, be postponed until later this day.

- 14 ECONOMIC IMPACT OF PUBLIC BODIES—The Order of the Day having been read for the resumption of the debate on the question, That the Council take note of the report of the Public Bodies Review Committee—

Debate ensued.

The Honourable D. R. White moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

15 CONSTITUTION (PARLIAMENTARY OATHS) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

16 ADJOURNMENT—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until Tuesday next at a quarter to Four o'clock.

Debate ensued.

Question—put and resolved in the affirmative.

The Honourable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at fifty-four minutes past Five o'clock, adjourned until Tuesday next at a quarter to Four o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

Mr President takes the Chair at Four o'clock

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

Notice of Motion

- *1 The Hon. HADDON STOREY—To move, That he have leave to bring in a Bill to make provision for the Incorporation of certain Associations, for the Regulation of certain Affairs of Incorporated Associations, to amend the *Evidence Act 1958* and for other purposes.

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State's road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act 1958* to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. R. LAWSON—To move, That this House take note of the need for Australian society to conserve non-renewable energy sources and for that reason it urges local government and other building control authorities to authorize and encourage techniques of building that will lead to the conservation of energy; further, that this House urges the introduction of incentives for the use of natural energy sources to service new and existing buildings.
- 7 The Hon. D. R. WHITE—To move, That he have leave to bring in a Bill to prohibit the retailing of Motor Fuel from Depot Sites, to ensure the Supply

* Notifications to which an asterisk (*) is prefixed appear for the first time.

of Motor Fuel to Franchisees, to regulate the entering into, renewing, assigning and terminating of Franchise Agreements, to establish the Gas and Fuel Corporation as Petroleum Pricing Agency and for other purposes.

GOVERNMENT BUSINESS

Orders of the Day

- 1 SMALL CLAIMS TRIBUNALS (JURISDICTION) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 2 MELBOURNE UNIVERSITY (AMENDMENT) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 3 POST-SECONDARY EDUCATION (AMENDMENT) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. Evan Walker*).
- 4 WRONGS (DEFAMATION) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. G. A. Sgro*).
- 5 TRUSTEE (AUTHORIZED INVESTMENTS) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. R. A. Mackenzie*).
- 6 INSTRUMENTS (ENDURING POWERS OF ATTORNEY) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. Joan Coxsedg*).
- 7 CHARITIES (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 8 EDUCATION (COUNCILS) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. Evan Walker*).
- 9 MELBOURNE AND METROPOLITAN BOARD OF WORKS (YARRA DEVELOPMENT) BILL—(*Hon. Glyn Jenkins*)—Second reading—*Resumption of debate.* (*Hon. D. R. White*).
- 10 WATER AND SEWERAGE AUTHORITIES (INTEREST PAYMENTS) BILL—(*Hon. Glyn Jenkins*)—Second reading—*Resumption of debate.* (*Hon. D. R. White*).
- 11 DISPOSAL OF DARTMOUTH TOWNSHIP BILL—(*Hon. Glyn Jenkins*)—Second reading—*Resumption of debate.* (*Hon. D. R. White*).
- 12 MELBOURNE AND METROPOLITAN TRAMWAYS (BORROWING POWERS) BILL—(*from Assembly—Hon. Glyn Jenkins*)—Second reading—*Resumption of debate.* (*Hon. G. A. S. Butler*).
- 13 APPROPRIATION (1981–82, No. 1) BILL—(*from Assembly—Hon. Glyn Jenkins*)—To be further considered in Committee.
- 14 EXHIBITION (AMENDMENT) BILL—(*from Assembly—Hon. Glyn Jenkins*)—Second reading—*Resumption of debate.* (*Hon. D. E. Kent*).
- 15 METROPOLITAN FIRE BRIGADES (AMENDMENT) BILL—(*from Assembly—Hon. F. J. Granter*)—Second reading—*Resumption of debate.* (*Hon. D. R. White*).
- 16 NATIONAL GALLERY OF VICTORIA AND THE VICTORIAN ARTS CENTRE (TERMS OF APPOINTMENT OF MEMBERS) BILL—(*from Assembly—Hon. Glyn Jenkins*)—Second reading—*Resumption of debate.* (*Hon. Evan Walker*).
- 17 PLANNING APPEALS BOARD (CHIEF CHAIRMAN'S PENSION) BILL—(*from Assembly—Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. Evan Walker*).
- 18 HOUSING (FURTHER AMENDMENT) BILL—(*from Assembly—Hon. F. J. Granter*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 19 CO-OPERATIVE HOUSING SOCIETIES (INDEMNITIES) BILL—(*from Assembly—Hon. F. J. Granter*)—Second reading—*Resumption of debate.* (*Hon. G. A. Sgro*).
- 20 HOME FINANCE (AMENDMENT) BILL—(*from Assembly—Hon. F. J. Granter*)—Second reading—*Resumption of debate.* (*Hon. C. J. Kennedy*).

- 21 TOWN AND COUNTRY PLANNING (WESTERN PORT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. Evan Walker).
- 22 URBAN LAND AUTHORITY (AMENDMENT) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—Resumption of debate. (Hon. R. A. Mackenzie).
- 23 TRANSPORT REGULATION (LICENCE FEES ABOLITION) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—Resumption of debate. (Hon. G. A. S. Butler).
- 24 SWAN HILL PIONEER SETTLEMENT (AMENDMENT) BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—Resumption of debate. (Hon. G. A. Sgro).
- 25 FREEDOM OF INFORMATION BILL—(Hon. A. J. Hunt)—Second reading.
- 26 HOUSING COMMISSION LAND PURCHASES—REPORT OF ROYAL COMMISSION—To be considered.
- 27 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—Resumption of debate. (Hon. D. R. White).
- 28 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—Resumption of debate. (Hon. D. R. White).

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(Hon. G. A. Sgro)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(Hon. W. A. Landeryou)—Second reading—Resumption of debate. (Hon. H. M. Hamilton).
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(Hon. W. A. Landeryou)—Second reading—Resumption of debate. (Hon. H. R. Ward).
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(Hon. W. A. Landeryou)—Second reading.
- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(Hon. W. A. Landeryou)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(Hon. W. A. Landeryou)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. H. R. Ward).
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(Hon. R. A. Mackenzie)—Second reading—Resumption of debate. (Hon. W. V. Houghton).
- 13 WILDLIFE (SPRING TRAPS) BILL—(Hon. R. A. Mackenzie)—Second reading.
- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 15 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.

- 16 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
- 17 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 18 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (*Hon. D. M. Evans*)—*Resumption of debate. (Hon. F. J. Granter)*.
- 19 TEACHER EDUCATION—FINAL REPORT OF COMMITTEE OF VICTORIAN ENQUIRY—To be considered.
- 20 CHILD DEVELOPMENT AND FAMILY SERVICES COUNCIL REPORT, 1980–81—To be considered.
- 21 CHIROPRACTORS AND OSTEOPATHS REGISTRATION BOARD REPORT, 1980—To be considered.
- 22 CORRECTIONAL SERVICES COUNCIL REPORT, 1980–81—To be considered.
- 23 ESTATE AGENTS BOARD REPORT, 1980–81—To be considered.
- 24 GROUNDWATER INVESTIGATION PROGRAMME REPORT, 1980—To be considered.
- 25 MELBOURNE UNDERGROUND RAIL LOOP AUTHORITY REPORT, 1980–81—To be considered.
- 26 DEPARTMENT OF MINERALS AND ENERGY REPORT, 1979—To be considered.
- 27 POULTRY FARMER LICENSING COMMITTEE REPORT, 1980–81—To be considered.
- 28 PUBLIC RECORD OFFICE REPORT, 1980–81—To be considered.
- 29 ZOOLOGICAL BOARD REPORT, 1979–80—To be considered.
- 30 TRANSPORT REGULATION BOARD REPORT, 1980–81—To be considered.
- *31 PUBLIC BODIES REVIEW COMMITTEE—MOTION TO AUTHORIZE MEETINGS DURING COUNCIL SITTINGS (*Hon. B. A. Chamberlain*)—*Resumption of debate. (Hon. B. P. Dunn)*.

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

* * *

Mr President takes the Chair at Three o'clock

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

Notice of Motion

- *1 The Hon. F. J. GRANTER—To move, That he have leave to bring in a Bill to amend the *Country Fire Authority Act 1958* to establish an Appeal Tribunal and for other purposes.

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State's road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act 1958* to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. R. LAWSON—To move, That this House take note of the need for Australian society to conserve non-renewable energy sources and for that reason it urges local government and other building control authorities to authorize and encourage techniques of building that will lead to the conservation of energy; further, that this House urges the introduction of incentives for the use of natural energy sources to service new and existing buildings.
- 7 The Hon. D. R. WHITE—To move, That he have leave to bring in a Bill to prohibit the retailing of Motor Fuel from Depot Sites, to ensure the Supply of Motor Fuel to Franchisees, to regulate the entering into, renewing,

* Notifications to which an asterisk (*) is prefixed appear for the first time.

assigning and terminating of Franchise Agreements, to establish the Gas and Fuel Corporation as Petroleum Pricing Agency and for other purposes.

- *8 The Hon. D. R. WHITE—To move, That this House calls on the Government to require the Melbourne and Metropolitan Board of Works to make more efficient use of the Board's financial assets to overcome the sewerage backlog.

GOVERNMENT BUSINESS

Orders of the Day

- *1 ASSOCIATIONS INCORPORATION BILL—(Hon. Haddon Storey)—Second reading.
- 2 WRONGS (DEFAMATION) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. G. A. Sgro).
- 3 PLANNING APPEALS BOARD (CHIEF CHAIRMAN'S PENSION) BILL—(from Assembly—Hon. A. J. Hunt)—Second reading—*Resumption of debate.* (Hon. Evan Walker).
- 4 HOUSING (FURTHER AMENDMENT) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).
- 5 CO-OPERATIVE HOUSING SOCIETIES (INDEMNITIES) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—*Resumption of debate.* (Hon. G. A. Sgro).
- 6 HOME FINANCE (AMENDMENT) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—*Resumption of debate.* (Hon. C. J. Kennedy).
- 7 TOWN AND COUNTRY PLANNING (WESTERN PORT) BILL—(from Assembly—Hon. A. J. Hunt)—Second reading—*Resumption of debate.* (Hon. Evan Walker).
- 8 APPROPRIATION (1981-82, No. 1) BILL—(from Assembly—Hon. Glyn Jenkins)—To be further considered in Committee.
- 9 TRANSPORT REGULATION (LICENCE FEES ABOLITION) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—*Resumption of debate.* (Hon. G. A. S. Butler).
- 10 SWAN HILL PIONEER SETTLEMENT (AMENDMENT) BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—*Resumption of debate.* (Hon. G. A. Sgro).
- 11 URBAN LAND AUTHORITY (AMENDMENT) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- 12 INSTRUMENTS (ENDURING POWERS OF ATTORNEY) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. Joan Coxsedge).
- 13 CHARITIES (AMENDMENT) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).
- 14 EDUCATION (COUNCILS) BILL—(Hon. A. J. Hunt)—Second reading—*Resumption of debate.* (Hon. Evan Walker).
- 15 FREEDOM OF INFORMATION BILL—(Hon. A. J. Hunt)—Second reading.
- 16 HOUSING COMMISSION LAND PURCHASES—REPORT OF ROYAL COMMISSION—To be considered.
- 17 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—*Resumption of debate.* (Hon. D. R. White).
- 18 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—*Resumption of debate.* (Hon. D. R. White).

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(Hon. G. A. Sgro)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. H. M. Hamilton).
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. H. R. Ward).
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(Hon. W. A. Landeryou)—Second reading.
- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(Hon. W. A. Landeryou)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(Hon. W. A. Landeryou)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(Hon. Evan Walker)—Second reading—*Resumption of debate.* (Hon. H. R. Ward).
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(Hon. R. A. Mackenzie)—Second reading—*Resumption of debate.* (Hon. W. V. Houghton).
- 13 WILDLIFE (SPRING TRAPS) BILL—(Hon. R. A. Mackenzie)—Second reading.
- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 15 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.
- 16 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
- 17 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 18 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (Hon. D. M. Evans)—*Resumption of debate.* (Hon. F. J. Granter).
- 19 TEACHER EDUCATION—FINAL REPORT OF COMMITTEE OF VICTORIAN ENQUIRY—To be considered.
- 20 CHILD DEVELOPMENT AND FAMILY SERVICES COUNCIL REPORT, 1980-81—To be considered.
- 21 CHIROPRACTORS AND OSTEOPATHS REGISTRATION BOARD REPORT, 1980—To be considered.
- 22 CORRECTIONAL SERVICES COUNCIL REPORT, 1980-81—To be considered.
- 23 ESTATE AGENTS BOARD REPORT, 1980-81—To be considered.
- 24 GROUNDWATER INVESTIGATION PROGRAMME REPORT, 1980—To be considered.
- 25 MELBOURNE UNDERGROUND RAIL LOOP AUTHORITY REPORT, 1980-81—To be considered.
- 26 DEPARTMENT OF MINERALS AND ENERGY REPORT, 1979—To be considered.

- 27 POULTRY FARMER LICENSING COMMITTEE REPORT, 1980-81—To be considered.
- 28 PUBLIC RECORD OFFICE REPORT, 1980-81—To be considered.
- 29 ZOOLOGICAL BOARD REPORT, 1979-80—To be considered.
- 30 TRANSPORT REGULATION BOARD REPORT, 1980-81—To be considered.
- 31 PUBLIC BODIES REVIEW COMMITTEE—MOTION TO AUTHORIZE MEETINGS DURING COUNCIL SITTINGS (*Hon. B. A. Chamberlain*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- *32 TOTALIZATOR AGENCY BOARD REPORT, 1980-81—To be considered.
- *33 BUSINESS FRANCHISE (PETROLEUM PRODUCTS) (AMENDMENT) REGULATIONS 1981 (S.R. No. 469/1981)—To be considered.
- *34 COUNTRY FIRE AUTHORITY (LOAN No. 163) REGULATIONS 1981 (S.R. No. 468/1981)—To be considered.

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TUESDAY, 24 NOVEMBER
GOVERNMENT BUSINESS

Orders of the Day

- 1 MELBOURNE UNIVERSITY (AMENDMENT) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 2 POST-SECONDARY EDUCATION (AMENDMENT) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. Evan Walker*).

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

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PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

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Mr President takes the Chair at Eleven o'clock

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

Notices of Motion

- *1 The Hon. HADDON STOREY—To move, That he have leave to bring in a Bill to make amendments to certain Acts consequential upon the enactment of the *Companies (Application of Laws) Act 1981*, to make certain other amendments to Acts and for other purposes.
- *2 The Hon. HADDON STOREY—To move, That he have leave to bring in a Bill to make Provision for the Formation of Companies in Victoria, the Regulation of Companies formed in Victoria, the Registration in Victoria of certain other Bodies and certain other Matters, and for other purposes.
- *3 The Hon. HADDON STOREY—To move, That he have leave to bring in a Bill to establish the Corporate Affairs Commissioner as a body corporate, to establish the Companies Auditors and Liquidators Disciplinary Board, to amend the *Companies Act 1961*, the *Securities Industry Act 1975* and certain other Acts and for other purposes.
- *4 The Hon. HADDON STOREY—To move, That he have leave to bring in a Bill to amend the *Legal Profession Practice Act 1958* and the *Legal Aid Commission Act 1978* and for other purposes.
- *5 The Hon. F. J. GRANTER—To move, That he have leave to bring in a Bill to further amend the *Motor Car Act 1958* and for other purposes.

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State's road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act 1958* to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable

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amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.

- 5 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. R. LAWSON—To move, That this House take note of the need for Australian society to conserve non-renewable energy sources and for that reason it urges local government and other building control authorities to authorize and encourage techniques of building that will lead to the conservation of energy; further, that this House urges the introduction of incentives for the use of natural energy sources to service new and existing buildings.
- 7 The Hon. D. R. WHITE—To move, That he have leave to bring in a Bill to prohibit the retailing of Motor Fuel from Depot Sites, to ensure the Supply of Motor Fuel to Franchisees, to regulate the entering into, renewing, assigning and terminating of Franchise Agreements, to establish the Gas and Fuel Corporation as Petroleum Pricing Agency and for other purposes.
- 8 The Hon. D. R. WHITE—To move, That this House calls on the Government to require the Melbourne and Metropolitan Board of Works to make more efficient use of the Board's financial assets to overcome the sewerage backlog.

GOVERNMENT BUSINESS

Orders of the Day

- 1 ASSOCIATIONS INCORPORATION BILL—(*Hon. Haddon Storey*)—Second reading.
- 2 FREEDOM OF INFORMATION BILL—(*Hon. Haddon Storey*)—Second reading.
- *3 COUNTRY FIRE AUTHORITY (AMENDMENT) BILL—(*Hon. F. J. Granter*)—Second reading.
- *4 WORKERS COMPENSATION (INSURERS GUARANTEE AND COMPENSATION SUPPLEMENTATION FUND) BILL—(*from Assembly—Hon. Haddon Storey*)—Second reading.
- *5 WORKERS COMPENSATION (AMENDMENT) BILL—(*from Assembly—Hon. Haddon Storey*)—Second reading.
- 6 WRONGS (DEFAMATION) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. G. A. Sgro).*
- 7 TOWN AND COUNTRY PLANNING (WESTERN PORT) BILL—(*from Assembly—Hon. A. J. Hunt*)—Second reading—*Resumption of debate. (Hon. Evan Walker).*
- 8 INSTRUMENTS (ENDURING POWERS OF ATTORNEY) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. Joan Coxsedge).*
- 9 CHARITIES (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. R. J. Eddy).*
- 10 EDUCATION (COUNCILS) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate. (Hon. Evan Walker).*
- 11 TRANSPORT REGULATION (LICENCE FEES ABOLITION) BILL—(*from Assembly—Hon. Glyn Jenkins*)—Second reading—*Resumption of debate. (Hon. G. A. S. Butler).*
- 12 SWAN HILL PIONEER SETTLEMENT (AMENDMENT) BILL—(*from Assembly—Hon. D. G. Crozier*)—Second reading—*Resumption of debate. (Hon. G. A. Sgro).*
- 13 URBAN LAND AUTHORITY (AMENDMENT) BILL—(*from Assembly—Hon. F. J. Granter*)—Second reading—*Resumption of debate. (Hon. R. A. Mackenzie).*

- 14 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—Resumption of debate. (Hon. D. R. White).
- 15 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—Resumption of debate. (Hon. D. R. White).

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(Hon. G. A. Sgro)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(Hon. W. A. Landeryou)—Second reading—Resumption of debate. (Hon. H. M. Hamilton).
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(Hon. W. A. Landeryou)—Second reading—Resumption of debate. (Hon. H. R. Ward).
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(Hon. W. A. Landeryou)—Second reading.
- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(Hon. W. A. Landeryou)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(Hon. W. A. Landeryou)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. H. R. Ward).
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(Hon. R. A. Mackenzie)—Second reading—Resumption of debate. (Hon. W. V. Houghton).
- 13 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.
- 15 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
- 16 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 17 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (Hon. D. M. Evans)—Resumption of debate. (Hon. F. J. Granter).
- 18 TEACHER EDUCATION—FINAL REPORT OF COMMITTEE OF VICTORIAN ENQUIRY—To be considered.
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- 22 ESTATE AGENTS BOARD REPORT, 1980-81—To be considered.
- 23 GROUNDWATER INVESTIGATION PROGRAMME REPORT, 1980—To be considered.
- 24 MELBOURNE UNDERGROUND RAIL LOOP AUTHORITY REPORT, 1980-81—To be considered.
- 25 DEPARTMENT OF MINERALS AND ENERGY REPORT, 1979—To be considered.
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- 30 TOTALIZATOR AGENCY BOARD REPORT, 1980-81—To be considered.
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- 32 COUNTRY FIRE AUTHORITY (LOAN No. 163) REGULATIONS 1981 (S.R. No. 468/1981)—To be considered.

* * *

TUESDAY, 24 NOVEMBER
GOVERNMENT BUSINESS

Orders of the Day

- 1 MELBOURNE UNIVERSITY (AMENDMENT) BILL—(Hon. A. J. Hunt)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 2 POST-SECONDARY EDUCATION (AMENDMENT) BILL—(Hon. A. J. Hunt)—Second reading—*Resumption of debate.* (Hon. Evan Walker).
- *3 PROBATE DUTY BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- *4 STAMPS (TRANSFER DUTY REFUND) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- *5 FORESTS (AMENDMENT) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—*Resumption of debate.* (Hon. D. E. Kent).
- *6 VICTORIAN COLLEGE OF THE ARTS (AMENDMENT) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—*Resumption of debate.* (Hon. Evan Walker).
- *7 PORT OF MELBOURNE AUTHORITY (BORROWING POWERS) BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).

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WEDNESDAY, 25 NOVEMBER
GENERAL BUSINESS

Order of the Day

- 1 WILDLIFE (SPRING TRAPS) BILL—(Hon. R. A. Mackenzie)—Second reading—*Resumption of debate.* (Hon. W. V. Houghton).

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

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CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

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STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedg, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

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MINUTES OF THE PROCEEDINGS

Nos. 21, 22 and 23

No. 21—Tuesday, 17 November 1981

- 1 The President took the Chair and read the Prayer.
- 2 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR—The Honourable A. J. Hunt presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz.:
 - Footscray (Western Oval Reserve) Lands Act.*
 - Transport (Fees) Act.*
 - Geelong Regional Commission (Amendment) Act.*
 - Port of Melbourne Authority (Inscribed Stock) Act.*
 - Pipelines (Fees) Act.*
 - Public Authorities (Contributions) Act.*
 - Council of Adult Education Act.*

- 3 PAPERS—
 - ELECTRICITY RESOURCES—The Honourable D. G. Crozier moved, by leave, That there be laid before this House a copy of the Report, in three parts, of the Joint Commonwealth/State Committee of Inquiry into electricity generation and the sharing of power resources in South-East Australia.
 - Question—put and resolved in the affirmative.
 - The said Report was thereupon presented by the Honourable D. G. Crozier and ordered to lie on the Table.

* * *

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

- Statutory Rules under the following Acts of Parliament:
 - Business Franchise (Petroleum Products) Act 1979—Business Franchise (Tobacco) Act 1974—No. 469.
 - Country Fire Authority Act 1958—No. 468.
 - Marketing of Primary Products Act 1958—No. 470.
 - Post-Secondary Education Act 1978—No. 474.
 - Public Service Act 1974—Nos. 463 and 464; PSD Nos. 153 to 159.
 - State Bank Act 1958—No. 473.
 - State Electricity Commission Act 1958—No. 461.
 - Vegetation and Vine Diseases Act 1958—Nos. 471 and 472.

Totalizator Agency Board—Report and accounts for the year ended 31 July 1981.

- Town and Country Planning Act 1961—
 - Ballarat—Shire of Ballarat Planning Scheme—Amendment No. 11.
 - Benalla—City of Benalla Planning Scheme—Amendment No. 31.
 - Croydon—City of Croydon Planning Scheme 1961—Amendment No. 105.
 - Flinders—Shire of Flinders Planning Scheme 1962—Amendments No. 132, 1980, Part 1; and No. 150.
 - Latrobe Valley Sub-Regional Planning Scheme 1949—Amendment No. 42.
 - Lillydale—Shire of Lillydale Planning Scheme—Amendments Nos. 136 and 142.

Town and Country Planning Act 1961 (*continued*):

Melbourne Metropolitan Planning Scheme—Amendment No. 178.

Mildura—City of Mildura Planning Scheme—Amendment No. 41.

Mornington—Shire of Mornington Planning Scheme 1959—Amendment No. 135, 1981.

Morwell—Shire of Morwell Planning Scheme—Amendment No. 9.

Phillip Island Planning Scheme—Amendment No. 12.

Port Fairy Planning Scheme—Amendment No. 13.

Rosedale—Shire of Rosedale Planning Scheme—Amendments Nos. 22 and 23.

Seymour Planning Scheme—Amendment No. 52.

Woorayl—Shire of Woorayl Planning Scheme—Amendment No. 51, 1981.

The Honourable B. A. Chamberlain moved, That the Report tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That Statutory Rules Nos. 468 and 469 tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 4 ASSOCIATIONS INCORPORATION BILL—On the motion of the Honourable Haddon Storey, leave was given to bring in a Bill to make provision for the Incorporation of certain Associations, for the Regulation of certain Affairs of Incorporated Associations, to amend the *Evidence Act* 1958 and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 5 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of the Notices of Motion, General Business, be postponed until later this day.
- 6 SMALL CLAIMS TRIBUNALS (JURISDICTION) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 7 POSTPONEMENT OF ORDERS OF THE DAY—
Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 and 3, be postponed until Tuesday next.
Ordered—That the consideration of Order of the Day, Government Business, No. 4, be postponed until later this day.
- 8 TRUSTEE (AUTHORIZED INVESTMENTS) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 9 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 6 to 13 inclusive, be postponed until later this day.

- 10 EXHIBITION (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 11 MELBOURNE AND METROPOLITAN BOARD OF WORKS (YARRA DEVELOPMENT) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable D. R. White moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to provide for each municipality adjacent to the Yarra River to be represented on the Lower Yarra Advisory Committee”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 25

The Hon. W. R. Baxter
 H. G. Baylor
 C. Bubb
 W. M. Campbell
 B. A. Chamberlain
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 H. M. Hamilton
 V. T. Hauser (*Teller*)
 D. K. Hayward (*Teller*)
 W. V. Houghton
 Dr R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles
 R. Lawson
 R. J. Long
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 N. F. Stacey
 Haddon Storey
 J. A. Taylor
 H. R. Ward

NOES, 9

The Hon. G. A. S. Butler
 Joan Coxsedge (*Teller*)
 R. J. Eddy (*Teller*)
 C. J. Kennedy
 W. A. Landeryou
 R. A. Mackenzie
 G. A. Sgro
 Evan Walker
 D. R. White

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 14 MELBOURNE AND METROPOLITAN TRAMWAYS (BORROWING POWERS) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable G. A. S. Butler moved, as an 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 details of the Melbourne and Metropolitan Tramways Board’s capital works programme, including the leasing programme, for 1981–82 have been made available to the House”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 26

The Hon. W. R. Baxter
 H. G. Baylor
 P. D. Block
 C. Bubb
 B. A. Chamberlain
 B. P. Dunn
 D. M. Evans (*Teller*)
 F. J. Granter
 J. V. C. Guest
 H. M. Hamilton
 V. T. Hauser
 D. K. Hayward
 W. V. Houghton
 Dr R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles (*Teller*)
 R. Lawson
 R. J. Long
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 N. F. Stacey
 Haddon Storey
 J. A. Taylor
 H. R. Ward

NOES, 11

The Hon. G. A. S. Butler
 Joan Coxsedge
 R. J. Eddy
 C. J. Kennedy
 D. E. Kent (*Teller*)
 W. A. Landeryou
 R. A. Mackenzie
 G. A. Sgro (*Teller*)
 Evan Walker
 J. M. Walton
 D. R. White

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 15 METROPOLITAN FIRE BRIGADES (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 16 NATIONAL GALLERY OF VICTORIA AND THE VICTORIAN ARTS CENTRE (TERMS OF APPOINTMENT OF MEMBERS) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 17 APPROPRIATION (1981–82, No. 1) BILL—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

- 18 ADJOURNMENT—The Honourable Glyn Jenkins moved, That the Council, at its rising, adjourn until tomorrow at a quarter to Three o'clock.

Question—put and resolved in the affirmative.

The Honourable Glyn Jenkins moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at eighteen minutes past Eleven o'clock, adjourned until tomorrow at a quarter to Three o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

No. 22—Wednesday, 18 November 1981

- 1 The President took the Chair and read the Prayer.
- 2 PROBATE DUTY BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Probate Duty Act 1962’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Glyn Jenkins, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 3 STAMPS (TRANSFER DUTY REFUND) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Stamps Act 1958’ to make provision with respect to Refunds of Stamp Duty on Transfers or Conveyances and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Glyn Jenkins, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 4 PETITION—PULPWOOD HARVESTING, OTWAY RANGES—The Honourable R. A. Mackenzie presented a Petition from certain citizens of Victoria praying that a full Environmental Effects Statement be made on and a full inquiry be held into proposed pulpwood harvesting in the Otway Ranges.
Ordered to lie on the Table.
- 5 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
Crimes Compensation Tribunal—Report for the year 1980–81.
Town and Country Planning Act 1961—Melbourne Metropolitan Planning Scheme—Amendments No. 141, Part 1B (with map); and No. 142, Part 1 (with twenty-nine maps).
- 6 COUNTRY FIRE AUTHORITY (AMENDMENT) BILL—On the motion of the Honourable F. J. Granter, leave was given to bring in a Bill to amend the *Country Fire Authority Act 1958* to establish an Appeal Tribunal and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 7 POSTPONEMENT OF NOTICES OF MOTION AND ORDERS OF THE DAY—Ordered—That the consideration of the Notices of Motion, General Business, the Orders of the Day, Government Business, and Orders of the Day, General Business, Nos. 1 to 30 inclusive, be postponed until later this day.
- 8 PUBLIC BODIES REVIEW COMMITTEE—The Order of the Day having been read for the resumption of the debate on the question, That the Public Bodies Review Committee be empowered to sit during the sittings of the Council until the end of December next—
Debate resumed.
The Honourable W. A. Landeryou moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until later this day.
- 9 HOUSING COMMISSION LAND PURCHASES—The Order of the Day having been read for the consideration of the Report of the Royal Commission into Housing Commission land purchases, the Honourable D. R. White moved, That the Council take note of the Report.
Debate ensued.
Question—put and resolved in the affirmative.
- 10 FORESTS (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Forests Act 1958’*” and desiring the concurrence of the Council therein.
On the motion of the Honourable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 11 VICTORIAN COLLEGE OF THE ARTS (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend Section 5 of the ‘Victorian College of the Arts Act 1981’*” and desiring the concurrence of the Council therein.
On the motion of the Honourable Glyn Jenkins, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 12 PUBLIC BODIES REVIEW COMMITTEE—The Order of the Day having been read for the resumption of the debate on the question, That the Public Bodies Review Committee be empowered to sit during the sittings of the Council until the end of December next—
 Debate resumed.
 Question—put and resolved in the affirmative.
- 13 WILDLIFE (SPRING TRAPS) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable R. A. Mackenzie moved, That this Bill be now read a second time.
 The Honourable F. J. Granter (for the Honourable W. V. Houghton) moved, That the debate be now adjourned.
 Question—That the debate be now adjourned—put and resolved in the affirmative.
 Ordered—That the debate be adjourned until Wednesday next.
- 14 FORESTS (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable F. J. Granter moved, That this Bill be now read a second time.
 The Honourable D. E. Kent moved, That the debate be now adjourned.
 Question—That the debate be now adjourned—put and resolved in the affirmative.
 Ordered—That the debate be adjourned until Tuesday next.
- 15 PROBATE DUTY BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.
 The Honourable Evan Walker (for the Honourable W. A. Landeryou) moved, That the debate be now adjourned.
 Question—That the debate be now adjourned—put and resolved in the affirmative.
 Ordered—That the debate be adjourned until Tuesday next.
- 16 PORT OF MELBOURNE AUTHORITY (BORROWING POWERS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to increase the Borrowing Powers of the Port of Melbourne Authority and to amend the ‘Port of Melbourne Authority Act 1958’*” and desiring the concurrence of the Council therein.
 On the motion of the Honourable F. J. Granter (for the Honourable D. G. Crozier), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 17 STAMPS (TRANSFER DUTY REFUND) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.
 The Honourable R. A. Mackenzie moved, That the debate be now adjourned.
 Question—That the debate be now adjourned—put and resolved in the affirmative.
 Ordered—That the debate be adjourned until Tuesday next.
- 18 VICTORIAN COLLEGE OF THE ARTS (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.
 The Honourable Evan Walker moved, That the debate be now adjourned.
 Question—That the debate be now adjourned—put and resolved in the affirmative.
 Ordered—That the debate be adjourned until Tuesday next.

- 19 PORT OF MELBOURNE AUTHORITY (BORROWING POWERS) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable F. J. Granter (for the Honourable D. G. Crozier) moved, That this Bill be now read a second time.

The Honourable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 20 PLANNING APPEALS BOARD (CHIEF CHAIRMAN'S PENSION) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable W. R. Baxter (for the Honourable K. I. M. Wright) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 21 CO-OPERATIVE HOUSING SOCIETIES (INDEMNITIES) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 22 PLANNING APPEALS BOARD (CHIEF CHAIRMAN'S PENSION) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 23 HOUSING (FURTHER AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 24 HOME FINANCE (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable P. D. Block having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 25 APPROPRIATION (1981–82, No. 1) BILL—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 26 WORKERS COMPENSATION (INSURERS GUARANTEE AND COMPENSATION SUPPLEMENTATION FUND) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make provision with respect to the application of any surplus in the Insurers Guarantee and Compensation Supplementation Fund, to amend the ‘Workers Compensation Act 1958’ and other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable A. J. Hunt (for the Honourable Haddon Storey), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 27 WORKERS COMPENSATION (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Workers Compensation Act 1958’, to amend the ‘Workers Compensation (Amendment) Act 1978’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable A. J. Hunt (for the Honourable Haddon Storey), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 28 ADJOURNMENT—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at a quarter to Eleven o’clock.

Question—put and resolved in the affirmative.

The Honourable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirty-three minutes past Eleven o’clock, adjourned until tomorrow at a quarter to Eleven o’clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

No. 23—Thursday, 19 November 1981

- 1 The President took the Chair and read the Prayer.

- 2 HOUSING COMMISSION FILES—By leave, the Honourable A. J. Hunt moved, by leave, That there be laid upon the Table until the rising of the House this day, the Housing Commission files relating to the purchase of properties at 110 Garden Street, Portland, 170 Edgar Street, Portland, and 2 Murray Street, Mildura.

Debate ensued.

Question—put and resolved in the affirmative.

The said files were thereupon presented by the Honourable A. J. Hunt and ordered to lie on the Table.

The Honourable D. R. White moved, That the files be taken into consideration later this day.

Question—put and resolved in the affirmative.

- 3 PAPER—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:

Ombudsman—Report for the year 1980–81.

The Honourable Evan Walker moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 4 COMPANIES (CONSEQUENTIAL AMENDMENTS) BILL—On the motion of the Honourable Haddon Storey, leave was given to bring in a Bill to make amendments to certain Acts consequential upon the enactment of the *Companies (Application of Laws) Act* 1981, to make certain other amendments to Acts and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 5 COMPANIES (APPLICATION OF LAWS) BILL—On the motion of the Honourable Haddon Storey, leave was given to bring in a Bill to make Provision for the Formation of Companies in Victoria, the Regulation of Companies formed in Victoria, the Registration in Victoria of certain other Bodies and certain other Matters, and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 6 COMPANIES (ADMINISTRATION) BILL—On the motion of the Honourable Haddon Storey, leave was given to bring in a Bill to establish the Corporate Affairs Commissioner as a body corporate, to establish the Companies Auditors and Liquidators Disciplinary Board, to amend the *Companies Act* 1961, the *Securities Industry Act* 1975 and certain other Acts and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 7 COGNATE BILLS—The Honourable Haddon Storey moved, by leave, That this House authorizes and requires the Honourable the President to permit the second readings of the Companies (Consequential Amendments) Bill, the Companies (Application of Laws) Bill, and the Companies (Administration) Bill to be moved and debated concurrently.
- Question—put and resolved in the affirmative.
- 8 LEGAL PROFESSION PRACTICE (AMENDMENT) BILL—On the motion of the Honourable Haddon Storey, leave was given to bring in a Bill to amend the *Legal Profession Practice Act* 1958 and the *Legal Aid Commission Act* 1978 and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 9 MOTOR CAR (FURTHER AMENDMENT) BILL—On the motion of the Honourable F. J. Granter, leave was given to bring in a Bill to further amend the *Motor Car Act* 1958 and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 10 POSTPONEMENT OF NOTICES OF MOTION AND ORDERS OF THE DAY—Ordered—That the consideration of the Notices of Motion, General Business, the Orders of the Day, Government Business, and the Orders of the Day, General Business, be postponed until later this day.

- 11 HOUSING COMMISSION VALUATIONS—The Order of the Day having been read for the consideration of the Housing Commission files relating to the purchase of properties at 110 Garden Street, Portland, 170 Edgar Street, Portland, and 2 Murray Street, Mildura, the Honourable D. R. White moved, That the Council take note of the material relative to the valuation of properties contained in the Housing Commission files ordered to lie on the Table during this day.

Debate ensued.

Question—put and resolved in the affirmative.

- 12 ASSOCIATIONS INCORPORATION BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.

The Honourable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday, 1 December.

- 13 COUNTRY FIRE AUTHORITY (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable F. J. Granter moved, That this Bill be now read a second time.

The Honourable J. M. Walton moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 14 WORKERS COMPENSATION (INSURERS GUARANTEE AND COMPENSATION SUPPLEMENTATION FUND) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.

The Honourable G. A. S. Butler moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 15 URBAN LAND AUTHORITY (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 16 TRANSPORT REGULATION (LICENCE FEES ABOLITION) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 17 SWAN HILL PIONEER SETTLEMENT (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 18 TOWN AND COUNTRY PLANNING (WESTERN PORT) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 28

The Hon. W. R. Baxter
 H. G. Baylor
 P. D. Block
 C. Bubb
 B. A. Chamberlain
 D. G. Crozier
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 H. M. Hamilton
 V. T. Hauser
 D. K. Hayward
 W. V. Houghton
 Dr R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles
 R. Lawson (*Teller*)
 R. J. Long (*Teller*)
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 N. F. Stacey
 Haddon Storey
 J. A. Taylor
 H. R. Ward
 K. I. M. Wright

NOES, 12

The Hon. G. A. S. Butler
 Joan Coxsedge
 R. J. Eddy
 C. J. Kennedy
 D. E. Kent
 W. A. Landeryou
 R. A. Mackenzie
 G. A. Sgro
 I. B. Trayling (*Teller*)
 Evan Walker
 J. M. Walton (*Teller*)
 D. R. White

And so it was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable V. T. Hauser having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 19 MOTOR CAR (FURTHER AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable F. J. Granter moved, That this Bill be now read a second time.

The Honourable R. J. Eddy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 20 WORKERS COMPENSATION (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.

The Honourable G. A. S. Butler moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 21 TOURIST RAILWAYS BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make Provision with respect to the Establishment, Management, and Operation of Tourist Railways and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Glyn Jenkins, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 22 COMPANIES (CONSEQUENTIAL AMENDMENTS) BILL, COMPANIES (APPLICATION OF LAWS) BILL AND COMPANIES (ADMINISTRATION) BILL—Pursuant to the resolution of the Council this day, the Order of the Day for the second readings of these Bills having been read, the Honourable Haddon Storey moved, That these Bills be now read a second time.

The Honourable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday, 1 December.

- 23 TOURIST RAILWAYS BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.

The Honourable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 24 CONSERVATION OF ENERGY RESOURCES—The Honourable R. Lawson moved, That this House take note of the need for Australian society to conserve non-renewable energy sources and for that reason it urges local government and other building control authorities to authorize and encourage techniques of building that will lead to the conservation of energy; further, that this House urges the introduction of incentives for the use of natural energy sources to service new and existing buildings.

Debate ensued.

The Honourable Evan Walker moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 25 ADJOURNMENT—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until Tuesday next at Four o'clock.

Question—put and resolved in the affirmative.

The Honourable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirty-seven minutes past Five o'clock, adjourned until Tuesday next at Four o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

Mr President takes the Chair at a Quarter past Four o'clock

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

Notices of Motion

- *1 The Hon. A. J. HUNT—To move, That this House reprimands the Honourable D. R. White for misleading the House in debate on Wednesday, 18 November, as to the facts relating to Housing Commission purchases at 110 Garden Street, Portland, 170 Edgar Street, Portland, and 2 Murray Street, Mildura, and for failing to correct his statement despite opportunities tendered to him, and requires the Honourable D. R. White to apologize to the House for so misleading it.
- *2 The Hon. HADDON STOREY—To move, That he have leave to bring in a Bill to amend the *Penalties and Sentences Act 1981*.

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State's road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act 1958* to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. D. R. WHITE—To move, That he have leave to bring in a Bill to prohibit the retailing of Motor Fuel from Depot Sites, to ensure the Supply of Motor Fuel to Franchisees, to regulate the entering into, renewing,

* Notifications to which an asterisk (*) is prefixed appear for the first time.

assigning and terminating of Franchise Agreements, to establish the Gas and Fuel Corporation as Petroleum Pricing Agency and for other purposes.

- 7 The Hon. D. R. WHITE—To move, That this House calls on the Government to require the Melbourne and Metropolitan Board of Works to make more efficient use of the Board's financial assets to overcome the sewerage backlog.
- *8 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the Housing Commission spot purchase programme and, in particular, the comments of the Valuer-General as reported in the *Sun News Pictorial* of 19 November 1981; the Committee to have power to send for persons, papers and records; three to be the quorum.

GOVERNMENT BUSINESS

Orders of the Day

- Thursday*
- 1 FREEDOM OF INFORMATION BILL—(Hon. Haddon Storey)—Second reading.
 - ~~2 COUNTRY FIRE AUTHORITY (AMENDMENT) BILL—(Hon. F. J. Granter)—Second reading—Resumption of debate. (Hon. J. M. Walton).~~
 - 3 WRONGS (DEFAMATION) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. G. A. Sgro).
 - ~~4 INSTRUMENTS (ENDURING POWERS OF ATTORNEY) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. Joan Coxsedg).~~
 - 5 CHARITIES (AMENDMENT) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
 - 6 EDUCATION (COUNCILS) BILL—(Hon. A. J. Hunt)—Second reading—Resumption of debate. (Hon. Evan Walker).
 - 7 MELBOURNE UNIVERSITY (AMENDMENT) BILL—(Hon. A. J. Hunt)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
 - 8 POST-SECONDARY EDUCATION (AMENDMENT) BILL—(Hon. A. J. Hunt)—Second reading—Resumption of debate. (Hon. Evan Walker).
 - *9 LEGAL PROFESSION PRACTICE (AMENDMENT) BILL—(Hon. Haddon Storey)—Second reading.
 - *10 MOTOR CAR (FURTHER AMENDMENT) BILL—(Hon. F. J. Granter)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
 - 11 WORKERS COMPENSATION (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. G. A. S. Butler).
 - 12 WORKERS COMPENSATION (INSURERS GUARANTEE AND COMPENSATION SUPPLEMENTATION FUND) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. G. A. S. Butler).
 - 13 STAMPS (TRANSFER DUTY REFUND) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—Resumption of debate. (Hon. R. A. Mackenzie).
 - 14 FORESTS (AMENDMENT) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—Resumption of debate. (Hon. D. E. Kent).
 - *15 TOURIST RAILWAYS BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—Resumption of debate. (Hon. R. A. Mackenzie).
 - 16 VICTORIAN COLLEGE OF THE ARTS (AMENDMENT) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—Resumption of debate. (Hon. Evan Walker).
 - 17 PORT OF MELBOURNE AUTHORITY (BORROWING POWERS) BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—Resumption of debate. (Hon. R. A. Mackenzie).

- 18 PROBATE DUTY BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 19 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—Resumption of debate. (Hon. D. R. White).
- 20 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—Resumption of debate. (Hon. D. R. White).

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(Hon. G. A. Sgro)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(Hon. W. A. Landeryou)—Second reading—Resumption of debate. (Hon. H. M. Hamilton).
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(Hon. W. A. Landeryou)—Second reading—Resumption of debate. (Hon. H. R. Ward).
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(Hon. W. A. Landeryou)—Second reading.
- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(Hon. W. A. Landeryou)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(Hon. W. A. Landeryou)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. H. R. Ward).
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(Hon. R. A. Mackenzie)—Second reading—Resumption of debate. (Hon. W. V. Houghton).
- 13 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.
- 15 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
- 16 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 17 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (Hon. D. M. Evans)—Resumption of debate. (Hon. F. J. Granter).
- 18 TEACHER EDUCATION—FINAL REPORT OF COMMITTEE OF VICTORIAN ENQUIRY—To be considered.
- 19 TOTALIZATOR AGENCY BOARD REPORT, 1980-81—To be considered.
- 20 BUSINESS FRANCHISE (PETROLEUM PRODUCTS) (AMENDMENT) REGULATIONS 1981 (S.R. No. 469/1981)—To be considered.

- 21 COUNTRY FIRE AUTHORITY (LOAN No. 163) REGULATIONS 1981 (S.R. No. 468/1981)—To be considered.
- *22 OMBUDSMAN'S REPORT, 1980-81—To be considered.
- *23 CONSERVATION OF ENERGY RESOURCES—MOTION URGING ENCOURAGEMENT OF APPROPRIATE BUILDING TECHNIQUES AND INTRODUCTION OF INCENTIVES (*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. Evan Walker*).

* * *

WEDNESDAY, 25 NOVEMBER GENERAL BUSINESS

Order of the Day

- 1 WILDLIFE (SPRING TRAPS) BILL—(*Hon. R. A. Mackenzie*)—Second reading—*Resumption of debate.* (*Hon. W. V. Houghton*).

* * *

TUESDAY, 1 DECEMBER GOVERNMENT BUSINESS

Orders of the Day

- 1 ASSOCIATIONS INCORPORATION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- ø*2 COMPANIES (CONSEQUENTIAL AMENDMENTS) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- ø*3 COMPANIES (APPLICATION OF LAWS) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- ø*4 COMPANIES (ADMINISTRATION) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

* * *

Mr President takes the Chair at Two o'clock

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State's road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act* 1958 to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. D. R. WHITE—To move, That he have leave to bring in a Bill to prohibit the retailing of Motor Fuel from Depot Sites, to ensure the Supply of Motor Fuel to Franchisees, to regulate the entering into, renewing, assigning and terminating of Franchise Agreements, to establish the Gas and Fuel Corporation as Petroleum Pricing Agency and for other purposes.
- 7 The Hon. D. R. WHITE—To move, That this House calls on the Government to require the Melbourne and Metropolitan Board of Works to make more efficient use of the Board's financial assets to overcome the sewerage backlog.

GOVERNMENT BUSINESS

Orders of the Day

- 1 TOURIST RAILWAYS BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- 2 WORKERS COMPENSATION (INSURERS GUARANTEE AND COMPENSATION SUPPLEMENTATION FUND) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. G. A. S. Butler).

* Notifications to which an asterisk (*) is prefixed appear for the first time.

- 3 MELBOURNE UNIVERSITY (AMENDMENT) BILL—(Hon. A. J. Hunt)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 4 VICTORIAN COLLEGE OF THE ARTS (AMENDMENT) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—*Resumption of debate.* (Hon. Evan Walker).
- 5 STAMPS (TRANSFER DUTY REFUND) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- 6 WORKERS COMPENSATION (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. G. A. S. Butler).
- 7 MOTOR CAR (FURTHER AMENDMENT) BILL—(Hon. F. J. Granter)—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).
- 8 FORESTS (AMENDMENT) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—*Resumption of debate.* (Hon. D. E. Kent).
- 9 PORT OF MELBOURNE AUTHORITY (BORROWING POWERS) BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- 10 PROBATE DUTY BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 11 WRONGS (DEFAMATION) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. G. A. Sgro).
- 12 CHARITIES (AMENDMENT) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).
- 13 EDUCATION (COUNCILS) BILL—(Hon. A. J. Hunt)—Second reading—*Resumption of debate.* (Hon. Evan Walker).
- 14 POST-SECONDARY EDUCATION (AMENDMENT) BILL—(Hon. A. J. Hunt)—Second reading—*Resumption of debate.* (Hon. Evan Walker).
- *15 PUBLIC ACCOUNT (INVESTMENT POWERS) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- *16 PENALTIES AND SENTENCES (AMENDMENT) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).
- 17 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—*Resumption of debate.* (Hon. D. R. White).
- 18 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—*Resumption of debate.* (Hon. D. R. White).

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(Hon. G. A. Sgro)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. H. M. Hamilton).
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. H. R. Ward).
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(Hon. W. A. Landeryou)—Second reading.

- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. H. R. Ward*).
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(*Hon. R. A. Mackenzie*)—Second reading—*Resumption of debate.* (*Hon. W. V. Houghton*).
- 13 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.
- 15 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
- 16 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 17 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 18 TEACHER EDUCATION—FINAL REPORT OF COMMITTEE OF VICTORIAN ENQUIRY—To be considered.
- 19 TOTALIZATOR AGENCY BOARD REPORT, 1980-81—To be considered.
- 20 BUSINESS FRANCHISE (PETROLEUM PRODUCTS) (AMENDMENT) REGULATIONS 1981 (S.R. No. 469/1981)—To be considered.
- 21 COUNTRY FIRE AUTHORITY (LOAN No. 163) REGULATIONS 1981 (S.R. No. 468/1981)—To be considered.
- 22 OMBUDSMAN'S REPORT, 1980-81—To be considered.
- 23 CONSERVATION OF ENERGY RESOURCES—MOTION URGING ENCOURAGEMENT OF APPROPRIATE BUILDING TECHNIQUES AND INTRODUCTION OF INCENTIVES (*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 24 WILDLIFE (SPRING TRAPS) BILL—(*Hon. R. A. Mackenzie*)—Second reading—*Resumption of debate.* (*Hon. W. V. Houghton*).
- *25 CONSUMER AFFAIRS DIRECTOR'S REPORT, 1980-81—To be considered.
- *26 EQUAL OPPORTUNITY COMMISSIONER'S REPORT, 1980-81—To be considered.
- *27 RURAL FINANCE COMMISSION REPORT, 1980-81—To be considered.
- *28 STATE ELECTRICITY COMMISSION REPORT, 1980-81—To be considered.

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TUESDAY, 1 DECEMBER
GOVERNMENT BUSINESS

Orders of the Day

- 1 ASSOCIATIONS INCORPORATION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- ø2 COMPANIES (CONSEQUENTIAL AMENDMENTS) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).

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- ø3 COMPANIES (APPLICATION OF LAWS) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- ø4 COMPANIES (ADMINISTRATION) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 5 FREEDOM OF INFORMATION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- *6 PORT OF GEELONG AUTHORITY BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- *7 PUBLIC TRUSTEE (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. Joan Cossedge).
- *8 PORT OF PORTLAND AUTHORITY BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- 9 LEGAL PROFESSION PRACTICE (AMENDMENT) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Cocksedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

* * *

Mr President takes the Chair at Eleven o'clock

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State's road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act* 1958 to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. D. R. WHITE—To move, That he have leave to bring in a Bill to prohibit the retailing of Motor Fuel from Depot Sites, to ensure the Supply of Motor Fuel to Franchisees, to regulate the entering into, renewing, assigning and terminating of Franchise Agreements, to establish the Gas and Fuel Corporation as Petroleum Pricing Agency and for other purposes.
- 7 The Hon. D. R. WHITE—To move, That this House calls on the Government to require the Melbourne and Metropolitan Board of Works to make more efficient use of the Board's financial assets to overcome the sewerage backlog.

GOVERNMENT BUSINESS

Orders of the Day

- 1 PORT OF MELBOURNE AUTHORITY (BORROWING POWERS) BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—Resumption of debate. (Hon. R. A. Mackenzie).
- 2 PROBATE DUTY BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).

* Notifications to which an asterisk (*) is prefixed appear for the first time.

- 3 WRONGS (DEFAMATION) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. G. A. Sgro*).
- 4 CHARITIES (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 5 EDUCATION (COUNCILS) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. Evan Walker*).
- 6 POST-SECONDARY EDUCATION (AMENDMENT) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. Evan Walker*).
- 7 PUBLIC ACCOUNT (INVESTMENT POWERS) BILL—(*from Assembly—Hon. Glyn Jenkins*)—Second reading—*Resumption of debate.* (*Hon. R. A. Mackenzie*).
- 8 MOTOR CAR (FURTHER AMENDMENT) BILL—(*Hon. F. J. Granter*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- *9 JURIES (AMENDMENT) BILL—(*from Assembly—Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. G. A. Sgro*).
- *10 VICTORIAN WATER AND SEWERAGE AUTHORITIES ASSOCIATION BILL—(*Hon. Glyn Jenkins*)—Second reading.
- 11 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(*Hon. Glyn Jenkins*)—*Resumption of debate.* (*Hon. D. R. White*).
- 12 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(*Hon. Glyn Jenkins*)—*Resumption of debate.* (*Hon. D. R. White*).

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(*Hon. G. A. Sgro*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. H. M. Hamilton*).
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. H. R. Ward*).
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. H. R. Ward*).
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(*Hon. R. A. Mackenzie*)—Second reading—*Resumption of debate.* (*Hon. W. V. Houghton*).

- 13 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.
- 15 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
- 16 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 17 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 18 TEACHER EDUCATION—FINAL REPORT OF COMMITTEE OF VICTORIAN ENQUIRY—To be considered.
- 19 TOTALIZATOR AGENCY BOARD REPORT, 1980-81—To be considered.
- 20 BUSINESS FRANCHISE (PETROLEUM PRODUCTS) (AMENDMENT) REGULATIONS 1981 (S.R. No. 469/1981)—To be considered.
- 21 COUNTRY FIRE AUTHORITY (LOAN No. 163) REGULATIONS 1981 (S.R. No. 468/1981)—To be considered.
- 22 OMBUDSMAN'S REPORT, 1980-81—To be considered.
- 23 CONSERVATION OF ENERGY RESOURCES—MOTION URGING ENCOURAGEMENT OF APPROPRIATE BUILDING TECHNIQUES AND INTRODUCTION OF INCENTIVES (*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 24 WILDLIFE (SPRING TRAPS) BILL—(*Hon. R. A. Mackenzie*)—Second reading—*Resumption of debate.* (*Hon. W. V. Houghton*).
- 25 CONSUMER AFFAIRS DIRECTOR'S REPORT, 1980-81—To be considered.
- 26 EQUAL OPPORTUNITY COMMISSIONER'S REPORT, 1980-81—To be considered.
- 27 RURAL FINANCE COMMISSION REPORT, 1980-81—To be considered.
- 28 STATE ELECTRICITY COMMISSION REPORT, 1980-81—To be considered.
- *29 NATIONAL PARKS ACT—MINISTER'S NOTICE OF CONSENT TO RENEWAL OF MINING LEASE IN BOGONG NATIONAL PARK DATED 9 NOVEMBER 1981—To be considered.

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TUESDAY, 1 DECEMBER GOVERNMENT BUSINESS

Orders of the Day

- 1 ASSOCIATIONS INCORPORATION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- ø2 COMPANIES (CONSEQUENTIAL AMENDMENTS) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- ø3 COMPANIES (APPLICATION OF LAWS) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- ø4 COMPANIES (ADMINISTRATION) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 5 FREEDOM OF INFORMATION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).

ø Cognate Bills—Second readings moved and to be debated concurrently pursuant to Order of the House on 19 November 1981.

- 6 PORT OF GEELONG AUTHORITY BILL—(from Assembly—Hon. D. G. Crozier)—
Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- 7 PUBLIC TRUSTEE (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—
—Second reading—*Resumption of debate.* (Hon. Joan Coxsedge).
- 8 PORT OF PORTLAND AUTHORITY BILL—(from Assembly—Hon. D. G. Crozier)—
Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- 9 LEGAL PROFESSION PRACTICE (AMENDMENT) BILL—(Hon. Haddon Storey)—
Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- *10 WORKS AND SERVICES APPROPRIATION BILL—(from Assembly—Hon. Glyn
Jenkins)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- *11 GIFT DUTY (AMENDMENT) BILL—(from Assembly—Hon. Glyn Jenkins)—
Second reading—*Resumption of debate.* (Hon. C. J. Kennedy).

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

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MINUTES OF THE PROCEEDINGS

Nos. 24, 25 and 26

No. 24—Tuesday, 24 November 1981

- 1 The President took the Chair and read the Prayer.
- 2 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR—The Honourable A. J. Hunt presented Messages from His Excellency the Governor informing the Council—That he had, this day, given the Royal Assent to the undermentioned Act presented to him by the Honourable the Speaker of the Legislative Assembly, viz.:
 - Appropriation (1981–82, No. 1) Act.*
 That he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz.:
 - Exhibition (Amendment) Act.*
 - Melbourne and Metropolitan Tramways (Borrowing Powers) Act.*
 - Metropolitan Fire Brigades (Amendment) Act.*
 - National Gallery of Victoria and the Victorian Arts Centre (Terms of Appointment of Members) Act.*
 - Co-operative Housing Societies (Indemnities) Act.*
 - Planning Appeals Board (Chief Chairman's Pension) Act.*
 - Housing (Further Amendment) Act.*
 - Home Finance (Amendment) Act.*
 - Urban Land Authority (Amendment) Act.*
 - Transport Regulation (Licence Fees Abolition) Act.*
 - Swan Hill Pioneer Settlement (Amendment) Act.*
 - Town and Country Planning (Western Port) Act.*
- 3 PUBLIC ACCOUNT (INVESTMENT POWERS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend section 22B of the 'Public Account Act 1958'*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Haddon Storey (for the Honourable Glyn Jenkins), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Consumer Affairs—Report of the Director of Consumer Affairs for the year 1980–81.
 - Education Act 1958—Resumption of land at Chelsea and Traralgon—Certificates of the Minister of Education (two papers).
 - Equal Opportunity—Report of the Commissioner for Equal Opportunity for the year 1980–81.
 - Rural Finance Commission—Report for the year 1980–81.
 - State Electricity Commission—Report for the year 1980–81.
 - Statutory Rules under the following Acts of Parliament:
 - Industrial Training Act 1975—No. 478.
 - Public Service Act 1974—PSD No. 164.

Statutory Rules under the following Acts of Parliament (*continued*):

Racing Act 1958—No. 477.

Veterinary Surgeons Act 1958—No. 475.

Police Service Board—Determination No. 353.

The Honourable Evan Walker moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 5 POSTPONEMENT OF NOTICE OF MOTION—Ordered—That the consideration of Notice of Motion, Government Business, No. 1, be postponed until later this day.
- 6 PENALTIES AND SENTENCES (AMENDMENT) BILL—On the motion of the Honourable Haddon Storey, leave was given to bring in a Bill to amend the *Penalties and Sentences Act* 1981, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 7 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of the Notices of Motion, General Business, be postponed until later this day.
- 8 FREEDOM OF INFORMATION BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.
The Honourable R. J. Eddy (for the Honourable W. A. Landeryou) moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 9 PUBLIC ACCOUNT (INVESTMENT POWERS) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.
The Honourable R. J. Eddy (for the Honourable R. A. Mackenzie) moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.
- 10 PENALTIES AND SENTENCES (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.
The Honourable R. J. Eddy moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.
- 11 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 and 3, be postponed until later this day.
- 12 INSTRUMENTS (ENDURING POWERS OF ATTORNEY) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 13 COUNTRY FIRE AUTHORITY (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in

the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 14 PORT OF GEELONG AUTHORITY BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to constitute The Geelong Harbor Trust Commissioners into the Port of Geelong Authority, to amend the ‘Geelong Harbor Trust Act 1958’, the ‘Geelong Waterworks and Sewerage Trust Act 1958’, the ‘Grain Elevators Act 1958’, the ‘Grain Handling Improvement Authority Act 1979’, the ‘Local Government Act 1958’, the ‘Marine Act 1958’, the ‘Navigable Waters (Oil Pollution) Act 1960’, the ‘Port Phillip Authority Act 1966’ and the ‘Road Traffic Act 1958’ and for other purposes’*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Glyn Jenkins (for the Honourable D. G. Crozier), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins (for the Honourable D. G. Crozier) moved, That this Bill be now read a second time.

The Honourable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 15 HOUSING COMMISSION SPOT PURCHASE PROGRAMME—The Honourable D. R. White moved, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the Housing Commission spot purchase programme and, in particular, the comments of the Valuer-General as reported in the *Sun News-Pictorial* of 19 November 1981; the Committee to have power to send for persons, papers and records; three to be the quorum.

Debate ensued.

Question—put.

The Council divided.

AYES, 12

The Hon. G. A. S. Butler
Joan Coxsedge (*Teller*)
R. J. Eddy (*Teller*)
C. J. Kennedy
D. E. Kent
W. A. Landeryou
R. A. Mackenzie
G. A. Sgro
I. B. Trayling
Evan Walker
J. M. Walton
D. R. White

NOES, 27

The Hon. W. R. Baxter
P. D. Block
C. Bubb
W. M. Campbell
B. A. Chamberlain
D. G. Crozier
B. P. Dunn
D. M. Evans
F. J. Granter
J. V. C. Guest
H. M. Hamilton
V. T. Hauser
D. K. Hayward
W. V. Houghton
Dr R. W. Howard

A. J. Hunt
 Glyn Jenkins
 R. I. Knowles
 R. Lawson
 R. J. Long
 J. W. S. Radford (*Teller*)
 N. B. Reid (*Teller*)
 D. N. Saltmarsh
 N. F. Stacey
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative.

- 16 PORT OF PORTLAND AUTHORITY BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to constitute the Portland Harbor Trust Commissioners into the Port of Portland Authority, to amend the ‘Portland Harbor Trust Act 1958’, the ‘Grain Elevators Act 1958’, the ‘Harbor Boards Act 1958’, the ‘Marine Act 1958’, the ‘Public Contracts Act 1958’, the ‘Road Traffic Act 1958’, the ‘Navigable Waters (Oil Pollution) Act 1960’, the ‘Grain Handling Improvement Authorities Act 1979’, the ‘Alcoa (Portland Aluminium Smelter) Act 1980’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 17 PUBLIC TRUSTEE (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Public Trustee Act 1958’ and the ‘Public Service Act 1974’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 18 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 5 to 8 inclusive, be postponed until later this day.

- 19 LEGAL PROFESSION PRACTICE (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.

The Honourable R. J. Eddy (for the Honourable W. A. Landeryou) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 20 PUBLIC TRUSTEE (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.

The Honourable R. J. Eddy (for the Honourable Joan Coxledge) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 21 PORT OF PORTLAND AUTHORITY BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable D. G. Crozier moved, That this Bill be now read a second time.

The Honourable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 22 ADJOURNMENT—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at a quarter to Two o'clock.

Question—put and resolved in the affirmative.

The Honourable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirty-one minutes past Eleven o'clock, adjourned until tomorrow at a quarter to Two o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

No. 25—Wednesday, 25 November 1981

- 1 The President took the Chair and read the Prayer.
- 2 WORKS AND SERVICES APPROPRIATION BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act with respect to the Appropriation of Moneys out of the Works and Services Account for certain Works and Purposes*" and desiring the concurrence of the Council therein.
- On the motion of the Honourable Glyn Jenkins, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 3 VICTORIAN WATER AND SEWERAGE AUTHORITIES ASSOCIATION BILL—On the motion (by leave without notice) of the Honourable Glyn Jenkins, leave was given to bring in a Bill to make Provision with respect to the Amalgamation of the Provincial Sewerage Authorities Association of Victoria and the Waterworks Trusts Association of Victoria, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- National Parks Act 1975—Notice of consent to renewal of mining lease in Bogong National Park dated 9 November 1981.
- Statutory Rules under the following Acts of Parliament:
- Port of Melbourne Authority Act 1958—No. 483.
Public Service Act 1974—PSD Nos. 160, 163 and 165.
State Electricity Commission Act 1958—No. 466.
- The Honourable Evan Walker moved, That the Notice of consent under the *National Parks Act 1975* tabled by the Clerk be taken into consideration on the next day of meeting.
- Question—put and resolved in the affirmative.

5 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of the Notices of Motion, General Business, be postponed until later this day.

6 WORKS AND SERVICES APPROPRIATION BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.

The Honourable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

7 TOURIST RAILWAYS BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

8 WORKERS COMPENSATION (INSURERS GUARANTEE AND COMPENSATION SUPPLEMENTATION FUND) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable G. A. S. Butler moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to ensure that the \$35 000 000 is used to increase benefits to injured workers and that the proportion remaining of the funds in the Insurers Guarantee and Compensation Supplementation Fund be incorporated in a comprehensive programme of re-deploying financial assets into job generating capital works”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 25

The Hon. W. R. Baxter
H. G. Baylor
C. Bubb
W. M. Campbell
B. A. Chamberlain
D. G. Crozier
D. M. Evans
Dr K. J. Foley
F. J. Granter
J. V. C. Guest
V. T. Hauser
D. K. Hayward
W. V. Houghton
Dr R. W. Howard
A. J. Hunt
Glyn Jenkins
R. I. Knowles
R. Lawson
R. J. Long
N. B. Reid

NOES, 10

The Hon. G. A. S. Butler
Joan Coxsedge
R. J. Eddy (*Teller*)
W. A. Landeryou
R. A. Mackenzie (*Teller*)
G. A. Sgro
I. B. Trayling
Evan Walker
J. M. Walton
D. R. White

D. N. Saltmarsh (*Teller*)
 N. F. Stacey (*Teller*)
 J. A. Taylor
 H. R. Ward
 K. I. M. Wright

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put.

The Council divided.

AYES, 32

The Hon. H. G. Baylor
 C. Bubb
 G. A. S. Butler
 W. M. Campbell
 B. A. Chamberlain
 Joan Cocksedge
 D. G. Crozier
 R. J. Eddy
 D. M. Evans
 Dr K. J. Foley
 F. J. Granter
 J. V. C. Guest
 V. T. Hauser
 W. V. Houghton
 Dr R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 R. J. Long
 R. A. Mackenzie
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 G. A. Sgro
 N. F. Stacey
 J. A. Taylor (*Teller*)
 I. B. Trayling
 J. M. Walton
 H. R. Ward
 D. R. White (*Teller*)

NOES, 3

The Hon. W. R. Baxter
 D. M. Evans (*Teller*)
 K. I. M. Wright (*Teller*)

And so it was resolved in the affirmative—Bill read a second time and committed to a Committee of the Whole.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 9 LOCAL AUTHORITIES SUPERANNUATION (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Local Authorities Superannuation Act 1958’*” and desiring the concurrence of the Council therein.

On the motion of the Honourable A. J. Hunt (for the Honourable D. G. Crozier), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 10 MELBOURNE UNIVERSITY (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 11 MARINE (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Marine Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable A. J. Hunt (for the Honourable D. G. Crozier), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 12 LOCAL AUTHORITIES SUPERANNUATION (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable A. J. Hunt (for the Honourable D. G. Crozier) moved, That this Bill be now read a second time.

The Honourable R. J. Eddy (for the Honourable W. A. Landeryou) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 13 MARINE (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable A. J. Hunt (for the Honourable D. G. Crozier) moved, That this Bill be now read a second time.

The Honourable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 14 VICTORIAN COLLEGE OF THE ARTS (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 15 STAMPS (TRANSFER DUTY REFUND) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

The Honourable R. A. Mackenzie moved, as an amendment, That all the words after "That" be omitted with the view of inserting in place thereof "this Bill be withdrawn and re-drafted to provide for total exemption from the payment of stamp duty on the transfer of a home to a first-home buyer where the house and land cost is \$50 000 or less".

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 24

The Hon. W. R. Baxter
 H. G. Baylor (*Teller*)
 C. Bubb (*Teller*)
 W. M. Campbell
 B. A. Chamberlain
 D. G. Crozier
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 V. T. Hauser
 W. V. Houghton
 Dr R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles
 R. Lawson
 R. J. Long
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 N. F. Stacey
 J. A. Taylor
 H. R. Ward
 K. I. M. Wright

NOES, 11

The Hon. G. A. S. Butler
 Joan Coxsedge
 R. J. Eddy
 C. J. Kennedy
 W. A. Landeryou
 R. A. Mackenzie (*Teller*)
 G. A. Sgro (*Teller*)
 I. B. Trayling
 Evan Walker
 J. M. Walton
 D. R. White

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 16 WORKERS COMPENSATION (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 17 GIFT DUTY (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Gift Duty Act 1971' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable A. J. Hunt (for the Honourable Glyn Jenkins), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 18 JURIES (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Juries Act 1967’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable A. J. Hunt (for the Honourable Haddon Storey), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 19 LOCAL AUTHORITIES SUPERANNUATION (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 20 JURIES (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable A. J. Hunt (for the Honourable Haddon Storey) moved, That this Bill be now read a second time.

The Honourable G. A. Sgro moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 21 GIFT DUTY (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable F. J. Granter (for the Honourable Glyn Jenkins) moved, That this Bill be now read a second time.

The Honourable C. J. Kennedy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 22 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 7, be postponed until later this day.

- 23 FORESTS (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 24 MARINE (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 25 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 9 to 15 inclusive, be postponed until the next day of meeting.

- 26 PENALTIES AND SENTENCES (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 27 ADJOURNMENT—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at a quarter to Eleven o'clock.

Question—put and resolved in the affirmative.

The Honourable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at fourteen minutes past Six o'clock, adjourned until tomorrow at a quarter to Eleven o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

No. 26—Thursday, 26 November 1981

- 1 The President took the Chair and read the Prayer.
- 2 ENVIRONMENT PROTECTION (LICENCE FEES) BILL (No. 2)—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Environment Protection Act 1970’ to increase Licence Fees and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honourable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 3 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Country Fire Authority—Report for the year 1979–80.
 - Education Act 1958—Resumption of land at Langwarrin—Certificate of the Minister of Education.
 - Statutory Rule under the Forests Act 1958—No. 467.
 - Victoria Grants Commission—Report for the year ended 31 August 1981.
 The Honourable Evan Walker moved, That the Reports and Statutory Rule No. 467 be taken into consideration on the next day of meeting.
Question—put and resolved in the affirmative.
- 4 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of the Notices of Motion, General Business, be postponed until later this day.
- 5 ENVIRONMENT PROTECTION (LICENCE FEES) BILL (No. 2)—The Order of the Day having been read for the second reading of this Bill, the Honourable W. V. Houghton moved, That this Bill be now read a second time.
The Honourable R. J. Eddy (for the Honourable Evan Walker) moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 6 PORT OF MELBOURNE AUTHORITY (BORROWING POWERS) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable R. A. Mackenzie moved, as an 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 such time as the Government provides a report to the Parliament on the details of the capital works programme for the future development of the Port of Melbourne”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 27	NOES, 12
The Hon. W. R. Baxter	The Hon. G. A. S. Butler
H. G. Baylor	Joan Coxsedge
P. D. Block	R. J. Eddy
C. Bubb (<i>Teller</i>)	C. J. Kennedy
W. M. Campbell	D. E. Kent
B. A. Chamberlain (<i>Teller</i>)	W. A. Landeryou
D. G. Crozier	R. A. Mackenzie
B. P. Dunn	G. A. Sgro
D. M. Evans	I. B. Trayling (<i>Teller</i>)
J. V. C. Guest	Evan Walker
H. M. Hamilton	J. M. Walton (<i>Teller</i>)
V. T. Hauser	D. R. White
D. K. Hayward	
W. V. Houghton	
Dr R. W. Howard	
A. J. Hunt	
Glyn Jenkins	
R. I. Knowles	
R. Lawson	
R. J. Long	
J. W. S. Radford	
N. B. Reid	
D. N. Saltmarsh	
Haddon Storey	
J. A. Taylor	
H. R. Ward	
K. I. M. Wright	

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

7 PROBATE DUTY BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable W. A. Landeryou moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to:

- (a) exempt from probate duty all estates valued at less than \$200 000 effective from 1 January 1982, this exemption level to be indexed annually in accordance with increases in average weekly earnings in Victoria;
- (b) exempt from probate duty estates which are left to—(i) a spouse (including *de facto*); (ii) a parent by a child; (iii) a grandparent by a grandchild; and (iv) any approved charitable, scientific, educational or religious body;
- (c) exempt from probate duty the net value of a farm where the deceased person was a genuine full-time primary producer and the farm is left within the immediate family; and
- (d) exempt from probate duty property occupied jointly by siblings being bequeathed to surviving siblings”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 27

- The Hon. W. R. Baxter
- H. G. Baylor
- P. D. Block
- C. Bubb
- W. M. Campbell
- B. A. Chamberlain
- D. G. Crozier
- B. P. Dunn
- D. M. Evans
- J. V. C. Guest (*Teller*)
- H. M. Hamilton (*Teller*)
- V. T. Hauser
- D. K. Hayward
- W. V. Houghton
- Dr R. W. Howard
- A. J. Hunt
- Glyn Jenkins
- R. I. Knowles
- R. Lawson
- R. J. Long
- J. W. S. Radford
- N. B. Reid
- D. N. Salmarsh
- Haddon Storey
- J. A. Taylor
- H. R. Ward
- K. I. M. Wright

NOES, 12

- The Hon. G. A. S. Butler
- Joan Coxsedge (*Teller*)
- R. J. Eddy
- C. J. Kennedy
- D. E. Kent
- W. A. Landeryou
- R. A. Mackenzie
- G. A. Sgro
- I. B. Trayling
- Evan Walker
- J. M. Walton
- D. R. White (*Teller*)

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 8 WRONGS (DEFAMATION) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable W. A. Landeryou moved, as an 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 the views of the Standing Committee of Attorneys-General are known and consideration has been given to the recommendations of Committee C of the Constitutional Convention concerning uniform legislation on defamation”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 27

The Hon. W. R. Baxter
 H. G. Baylor
 P. D. Block
 C. Bubb
 W. M. Campbell
 B. A. Chamberlain
 D. G. Crozier
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 V. T. Hauser (*Teller*)
 D. K. Hayward (*Teller*)
 W. V. Houghton
 Dr R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles
 R. Lawson
 R. J. Long
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 N. F. Stacey
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

NOES, 11

The Hon. G. A. S. Butler
 Joan Coxsedge
 R. J. Eddy (*Teller*)
 C. J. Kennedy (*Teller*)
 D. E. Kent
 W. A. Landeryou
 R. A. Mackenzie
 G. A. Sgro
 Evan Walker
 J. M. Walton
 D. R. White

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time.

The Honourable Haddon Storey moved, by leave, That the Bill be now read a third time.

Question—put.

The Council divided.

AYES, 27

The Hon. W. R. Baxter
 H. G. Baylor
 P. D. Block
 C. Bubb
 W. M. Campbell
 B. A. Chamberlain
 D. G. Crozier
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 V. T. Hauser (*Teller*)
 D. K. Hayward (*Teller*)
 W. V. Houghton
 Dr R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles
 R. Lawson
 R. J. Long
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 N. F. Stacey
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

NOES, 11

The Hon. G. A. S. Butler
 Joan Coxsedge
 R. J. Eddy (*Teller*)
 C. J. Kennedy (*Teller*)
 D. E. Kent
 W. A. Landeryou
 R. A. Mackenzie
 G. A. Sgro
 Evan Walker
 J. M. Walton
 D. R. White

And so it was resolved in the affirmative—Bill read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 9 CHARITIES (AMENDMENT) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable R. J. Eddy moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to provide for the general registration and supervision of charities in Victoria”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 27

The Hon. W. R. Baxter
 H. G. Baylor
 P. D. Block
 C. Bubb
 B. A. Chamberlain
 D. G. Crozier
 B. P. Dunn
 D. M. Evans
 F. J. Granter

NOES, 11

The Hon. G. A. S. Butler
 Joan Coxsedge
 R. J. Eddy
 C. J. Kennedy
 D. E. Kent (*Teller*)
 W. A. Landeryou
 R. A. Mackenzie (*Teller*)
 G. A. Sgro
 Evan Walker

J. V. C. Guest	J. M. Walton
H. M. Hamilton	D. R. White
V. T. Hauser	
D. K. Hayward	
W. V. Houghton	
Dr R. W. Howard	
	(Teller)

A. J. Hunt
 Glyn Jenkins
 R. I. Knowles (Teller)
 R. Lawson
 R. J. Long
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 N. F. Stacey
 Haddon Storey
 H. R. Ward
 K. I. M. Wright

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 10 MELBOURNE UNIVERSITY (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they had agreed to the same without amendment.
- 11 MOTOR CAR (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Motor Car Act 1958’*” and desiring the concurrence of the Council therein.
- On the motion of the Honourable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 12 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 5 to 8 inclusive, be postponed until later this day.
- 13 JURIES (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
- Bill read a second time and, by leave, read a third time and passed.
- Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 14 MOTOR CAR (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable F. J. Granter moved, That this Bill be now read a second time.
- The Honourable R. J. Eddy moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 15 ADJOURNMENT—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until Tuesday next at a quarter past Three o’clock.

Question—put and resolved in the affirmative.

The Honourable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at forty-four minutes past Four o'clock, adjourned until Tuesday next at a quarter past Three o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

Mr President takes the Chair at half past Three o'clock

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State's road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act 1958* to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. D. R. WHITE—To move, That he have leave to bring in a Bill to prohibit the retailing of Motor Fuel from Depot Sites, to ensure the Supply of Motor Fuel to Franchisees, to regulate the entering into, renewing, assigning and terminating of Franchise Agreements, to establish the Gas and Fuel Corporation as Petroleum Pricing Agency and for other purposes.
- 7 The Hon. D. R. WHITE—To move, That this House calls on the Government to require the Melbourne and Metropolitan Board of Works to make more efficient use of the Board's financial assets to overcome the sewerage backlog.
- *8 The Hon. B. A. CHAMBERLAIN—To move, That this House expresses its concern at the stealthy growth of control of the Victorian A.L.P. by an extremist faction known as the Socialist Left, which is committed to policies repugnant to Victorians and to industrial policies which would be severely detrimental to the economic interests of this State.

** Notifications to which an asterisk (*) is prefixed appear for the first time.*

GOVERNMENT BUSINESS

Orders of the Day

- 1 VICTORIAN WATER AND SEWERAGE AUTHORITIES ASSOCIATION BILL—(*Hon. Glyn Jenkins*)—Second reading.
- 2 EDUCATION (COUNCILS) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. Evan Walker*).
- 3 POST-SECONDARY EDUCATION (AMENDMENT) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. Evan Walker*).
- 4 PUBLIC ACCOUNT (INVESTMENT POWERS) BILL—(*from Assembly—Hon. Glyn Jenkins*)—Second reading—*Resumption of debate.* (*Hon. R. A. Mackenzie*).
- 5 MOTOR CAR (FURTHER AMENDMENT) BILL—(*Hon. F. J. Granter*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 6 ASSOCIATIONS INCORPORATION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- ø7 COMPANIES (CONSEQUENTIAL AMENDMENTS) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- ø8 COMPANIES (APPLICATION OF LAWS) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- ø9 COMPANIES (ADMINISTRATION) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 10 FREEDOM OF INFORMATION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 11 PORT OF GEELONG AUTHORITY BILL—(*from Assembly—Hon. D. G. Crozier*)—Second reading—*Resumption of debate.* (*Hon. R. A. Mackenzie*).
- 12 PUBLIC TRUSTEE (AMENDMENT) BILL—(*from Assembly—Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. Joan Cocksedge*).
- 13 PORT OF PORTLAND AUTHORITY BILL—(*from Assembly—Hon. D. G. Crozier*)—Second reading—*Resumption of debate.* (*Hon. R. A. Mackenzie*).
- 14 LEGAL PROFESSION PRACTICE (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 15 WORKS AND SERVICES APPROPRIATION BILL—(*from Assembly—Hon. Glyn Jenkins*)—Second reading—*Resumption of debate.* (*Hon. R. A. Mackenzie*).
- 16 GIFT DUTY (AMENDMENT) BILL—(*from Assembly—Hon. Glyn Jenkins*)—Second reading—*Resumption of debate.* (*Hon. C. J. Kennedy*).
- *17 ENVIRONMENT PROTECTION (LICENCE FEES) BILL (No. 2)—(*from Assembly—Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. Evan Walker*).
- *18 MOTOR CAR (AMENDMENT) BILL—(*from Assembly—Hon. F. J. Granter*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 19 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(*Hon. Glyn Jenkins*)—*Resumption of debate.* (*Hon. D. R. White*).
- 20 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(*Hon. Glyn Jenkins*)—*Resumption of debate.* (*Hon. D. R. White*).

ø Cognate Bills—Second readings moved and to be debated concurrently pursuant to Order of the House on 19 November 1981.

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(*Hon. G. A. Sgro*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. H. M. Hamilton*).
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. H. R. Ward*).
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. H. R. Ward*).
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(*Hon. R. A. Mackenzie*)—Second reading—*Resumption of debate.* (*Hon. W. V. Houghton*).
- 13 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.
- 15 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
- 16 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 17 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 18 TEACHER EDUCATION—FINAL REPORT OF COMMITTEE OF VICTORIAN ENQUIRY—To be considered.
- 19 OMBUDSMAN'S REPORT, 1980-81—To be considered.
- 20 CONSERVATION OF ENERGY RESOURCES—MOTION URGING ENCOURAGEMENT OF APPROPRIATE BUILDING TECHNIQUES AND INTRODUCTION OF INCENTIVES (*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 21 WILDLIFE (SPRING TRAPS) BILL—(*Hon. R. A. Mackenzie*)—Second reading—*Resumption of debate.* (*Hon. W. V. Houghton*).
- 22 CONSUMER AFFAIRS DIRECTOR'S REPORT, 1980-81—To be considered.
- 23 EQUAL OPPORTUNITY COMMISSIONER'S REPORT, 1980-81—To be considered.
- 24 RURAL FINANCE COMMISSION REPORT, 1980-81—To be considered.

- 25 STATE ELECTRICITY COMMISSION REPORT, 1980-81—To be considered.
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- *27 COUNTRY FIRE AUTHORITY REPORT, 1979-80—To be considered.
- *28 FORESTS (MOUNT BULLER ALPINE RESERVE) (AMENDMENT) REGULATIONS 1981 (S.R. No. 467/1981)—To be considered.
- *29 VICTORIA GRANTS COMMISSION REPORT, 1980-81—To be considered.

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

* * *

Mr President takes the Chair at a Quarter past Twelve o'clock

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State's road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act* 1958 to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. D. R. WHITE—To move, That he have leave to bring in a Bill to prohibit the retailing of Motor Fuel from Depot Sites, to ensure the Supply of Motor Fuel to Franchisees, to regulate the entering into, renewing, assigning and terminating of Franchise Agreements, to establish the Gas and Fuel Corporation as Petroleum Pricing Agency and for other purposes.
- 7 The Hon. D. R. WHITE—To move, That this House calls on the Government to require the Melbourne and Metropolitan Board of Works to make more efficient use of the Board's financial assets to overcome the sewerage backlog.
- 8 The Hon. B. A. CHAMBERLAIN—To move, That this Houses expresses its concern at the stealthy growth of control of the Victorian A.L.P. by an extremist faction known as the Socialist Left, which is committed to policies repugnant to Victorians and to industrial policies which would be severely detrimental to the economic interests of this State.

** Notifications to which an asterisk (*) is prefixed appear for the first time.*

GOVERNMENT BUSINESS

Orders of the Day

- *1 LAND TAX (AMENDMENT) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading.
- *2 SERPELL JOINT SCHOOLS BILL—(from Assembly—Hon. A. J. Hunt)—Second reading.
- *3 POLICE REGULATION (AMENDMENT) BILL—(from Assembly—Hon. F. J. Granter)—Second reading.
- *4 STAMPS (FURTHER AMENDMENT) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading.
- 5 ASSOCIATIONS INCORPORATION BILL—(Hon. Haddon Storey)—To be further considered in Committee.
- ø6 COMPANIES (CONSEQUENTIAL AMENDMENTS) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- ø7 COMPANIES (APPLICATION OF LAWS) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- ø8 COMPANIES (ADMINISTRATION) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 9 LEGAL PROFESSION PRACTICE (AMENDMENT) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 10 ENVIRONMENT PROTECTION (LICENCE FEES) BILL (No. 2)—(from Assembly—Hon. W. V. Houghton)—Second reading—*Resumption of debate.* (Hon. Evan Walker).
- 11 MOTOR CAR (AMENDMENT) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).
- 12 WORKS AND SERVICES APPROPRIATION BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- 13 FREEDOM OF INFORMATION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 14 PORT OF GEELONG AUTHORITY BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- 15 PORT OF PORTLAND AUTHORITY BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- 16 GIFT DUTY (AMENDMENT) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—*Resumption of debate.* (Hon. C. J. Kennedy).
- 17 VICTORIAN WATER AND SEWERAGE AUTHORITIES ASSOCIATION BILL—(Hon. Glyn Jenkins)—Second reading—*Resumption of debate.* (Hon. D. R. White).
- 18 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—*Resumption of debate.* (Hon. D. R. White).
- 19 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—*Resumption of debate.* (Hon. D. R. White).

ø Cognate Bills—Second readings moved and to be debated concurrently pursuant to Order of the House on 19 November 1981.

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(*Hon. G. A. Sgro*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. H. M. Hamilton*).
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. H. R. Ward*).
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. H. R. Ward*).
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(*Hon. R. A. Mackenzie*)—Second reading—*Resumption of debate.* (*Hon. W. V. Houghton*).
- 13 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.
- 15 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
- 16 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 17 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 18 TEACHER EDUCATION—FINAL REPORT OF COMMITTEE OF VICTORIAN ENQUIRY—To be considered.
- 19 OMBUDSMAN'S REPORT, 1980-81—To be considered.
- 20 CONSERVATION OF ENERGY RESOURCES—MOTION URGING ENCOURAGEMENT OF APPROPRIATE BUILDING TECHNIQUES AND INTRODUCTION OF INCENTIVES (*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 21 WILDLIFE (SPRING TRAPS) BILL—(*Hon. R. A. Mackenzie*)—Second reading—*Resumption of debate.* (*Hon. W. V. Houghton*).
- 22 CONSUMER AFFAIRS DIRECTOR'S REPORT, 1980-81—To be considered.
- 23 EQUAL OPPORTUNITY COMMISSIONER'S REPORT, 1980-81—To be considered.
- 24 RURAL FINANCE COMMISSION REPORT, 1980-81—To be considered.

- 25 STATE ELECTRICITY COMMISSION REPORT, 1980-81—To be considered.
- 26 NATIONAL PARKS ACT—MINISTER'S NOTICE OF CONSENT TO RENEWAL OF MINING LEASE IN BOGONG NATIONAL PARK DATED 9 NOVEMBER 1981—To be considered.
- 27 COUNTRY FIRE AUTHORITY REPORT, 1979-80—To be considered.
- 28 FORESTS (MOUNT BULLER ALPINE RESERVE) (AMENDMENT) REGULATIONS 1981 (S.R. No. 467/1981)—To be considered.
- 29 VICTORIA GRANTS COMMISSION REPORT, 1980-81—To be considered.
- *30 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1980-81—To be considered.
- *31 HEALTH ADVISORY COUNCIL REPORT, 1980-81—To be considered.

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TUESDAY, 8 DECEMBER
GOVERNMENT BUSINESS

Order of the Day

- *1 PAY-ROLL TAX (AMENDMENT) BILL—(from Assembly—Hon. Glyn Jenkins)—
Second reading—Resumption of debate. (Hon. D. E. Kent).

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

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CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

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ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

* * *

Mr President takes the Chair at One o'clock

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

Notice of Motion

*1 The Hon. A. J. HUNT—To move—

(a) That Standing Orders 311 to 331 inclusive be repealed, and that the following be adopted as Standing Orders of the Legislative Council:

311. When the Council is in possession of a Bill and its contents have been explained, if the President is of opinion that the Bill is a private Bill, he shall forthwith declare such an opinion to the Council: Provided that if he forms such a view at any later time prior to the second reading question being decided, he shall not be precluded from then declaring such opinion.

312. Where a private Bill has not been ordered to be dealt with as a public Bill, the President shall, where applicable, cause to be published in one or more newspapers, including one circulating generally in Victoria, a statement of the general nature and objects of the Bill; and, where any such advertisement has been published, no further debate on the Bill shall be permitted until a report is made by the President pursuant to Standing Order 314 or, where no objections are notified pursuant to Standing Order 313, until the expiration of the time provided therein.

313. Written details of objections by any person or body directly and adversely affected by any provisions of a Bill to which Standing Order 312 applies shall be received by the Clerk up to the twenty-first day after the publication of a statement pursuant to that Standing Order, and any objections so received shall be notified to the Council by the Clerk during formal business at the next sitting, and thereupon lie on the Table.

314. Objections received by the Clerk within the specified time shall be considered by a panel appointed by the President of not less than three temporary Chairmen of Committees and a report made to the President as to whether, in the opinion of such panel, any such objection appears to raise matters which would justify the appointment of a select committee to examine the proposals in the Bill; and the recommendation of that panel shall thereupon be reported by the President to the Council.

315. Unless the Council expresses the view that fees should be dispensed with, before any private Bill (other than a private Bill which has been ordered to be dealt with as a public Bill) is read a second time, a sum of \$1000 shall be paid into the Treasury for the public uses of the State to meet the expenses involved in the passage of the Bill, and a receipt for that payment shall be produced by the Member having charge of the Bill.

** Notifications to which an asterisk (*) is prefixed appear for the first time.*

316. The promoters of any private Bill for which fees under Standing Order 315 have been paid shall also be liable for the expenses of—

(a) its printing and circulation;

(b) the publication of any statement pursuant to Standing Order 312; and

(c) any select committee appointed to examine its proposals—
and the sum of such amounts shall be paid into the Treasury for the public uses of the State.

317. Subject only to the provisions of Standing Orders 311 ~~and 316~~ 316, the proceedings on a private Bill shall be governed by the Standing Orders relating to public Bills.

and

(b) That the expression “, not being a petition for a private Bill, or relating to a private Bill before the Council,” in Standing Order 258 be omitted.

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State's road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act 1958* to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. D. R. WHITE—To move, That he have leave to bring in a Bill to prohibit the retailing of Motor Fuel from Depot Sites, to ensure the Supply of Motor Fuel to Franchisees, to regulate the entering into, renewing, assigning and terminating of Franchise Agreements, to establish the Gas and Fuel Corporation as Petroleum Pricing Agency and for other purposes.
- 7 The Hon. D. R. WHITE—To move, That this House calls on the Government to require the Melbourne and Metropolitan Board of Works to make more efficient use of the Board's financial assets to overcome the sewerage backlog.

GOVERNMENT BUSINESS

Orders of the Day

- 1 POLICE REGULATION (AMENDMENT) BILL—(from Assembly—Hon. F. J. Granter)
—Second reading.
- 2 STAMPS (FURTHER AMENDMENT) BILL—(from Assembly—Hon. Glyn Jenkins)
—Second reading.
- *†3 CREDIT BILL—(from Assembly—Hon. Haddon Storey)—Second reading.
- *†4 GOODS (SALES AND LEASES) BILL—(from Assembly—Hon. Haddon Storey)—
Second reading.
- *†5 CHATTEL SECURITIES BILL—(from Assembly—Hon. Haddon Storey)—Second
reading.
- *6 CO-OPERATION BILL—(from Assembly—Hon. Haddon Storey)—Second reading.
- *7 HEALTH (CONSULTATIVE COUNCIL ON MATERNAL AND PERINATAL MORTALITY AND
MORBIDITY) BILL—(Hon. W. V. Houghton)—Second reading.
- 8 PORT OF PORTLAND AUTHORITY BILL—(from Assembly—Hon. D. G. Crozier)—
Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- *9 MOTOR CAR (MASS AND DIMENSION LIMITS) (AMENDMENT) BILL—(from
Assembly—Hon. Glyn Jenkins)—Second reading—*Resumption of debate.*
(Hon. G. A. S. Butler).
- 10 FREEDOM OF INFORMATION BILL—(Hon. Haddon Storey)—Second reading—
Resumption of debate. (Hon. W. A. Landeryou).
- 11 WORKS AND SERVICES APPROPRIATION BILL—(from Assembly—Hon. Glyn
Jenkins)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- *12 FRIENDLY SOCIETIES (AMENDMENT) BILL—(from Assembly—Hon. Haddon
Storey)—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).
- *13 LIQUOR CONTROL (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)
—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).
- 14 VICTORIAN WATER AND SEWERAGE AUTHORITIES ASSOCIATION BILL—(Hon. Glyn
Jenkins)—Second reading—*Resumption of debate.* (Hon. D. R. White).
- 15 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC
BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—
(Hon. Glyn Jenkins)—*Resumption of debate.* (Hon. D. R. White).
- 16 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT
—Motion to take note of the Report—(Hon. Glyn Jenkins)—*Resumption
of debate.* (Hon. D. R. White).

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(Hon. G. A. Sgro)—Second
reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(Hon. W. A. Landeryou)—Second
reading—*Resumption of debate.* (Hon. H. M. Hamilton).
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(Hon. W. A. Landeryou)—Second
reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)
—Second reading.
- 5 ELECTORAL COMMISSION BILL—(Hon. W. A. Landeryou)—Second reading—
Resumption of debate. (Hon. H. R. Ward).

† Cognate Bills—Second readings to be moved and debated concurrently pursuant to Order of the House on 2 December 1981.

- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. H. R. Ward*).
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(*Hon. R. A. Mackenzie*)—Second reading—*Resumption of debate.* (*Hon. W. V. Houghton*).
- 13 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.
- 15 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
- 16 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 17 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 18 TEACHER EDUCATION—FINAL REPORT OF COMMITTEE OF VICTORIAN ENQUIRY—To be considered.
- 19 CONSERVATION OF ENERGY RESOURCES—MOTION URGING ENCOURAGEMENT OF APPROPRIATE BUILDING TECHNIQUES AND INTRODUCTION OF INCENTIVES (*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 20 WILDLIFE (SPRING TRAPS) BILL—(*Hon. R. A. Mackenzie*)—Second reading—*Resumption of debate.* (*Hon. W. V. Houghton*).
- 21 CONSUMER AFFAIRS DIRECTOR'S REPORT, 1980-81—To be considered.
- 22 EQUAL OPPORTUNITY COMMISSIONER'S REPORT, 1980-81—To be considered
- 23 RURAL FINANCE COMMISSION REPORT, 1980-81—To be considered.
- 24 STATE ELECTRICITY COMMISSION REPORT, 1980-81—To be considered.
- 25 NATIONAL PARKS ACT—MINISTER'S NOTICE OF CONSENT TO RENEWAL OF MINING LEASE IN BOGONG NATIONAL PARK DATED 9 NOVEMBER 1981—To be considered.
- 26 COUNTRY FIRE AUTHORITY REPORT, 1979-80—To be considered.
- 27 FORESTS (MOUNT BULLER ALPINE RESERVE) (AMENDMENT) REGULATIONS 1981 (S.R. No. 467/1981)—To be considered.
- 28 VICTORIA GRANTS COMMISSION REPORT, 1980-81—To be considered
- 29 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1980-81—To be considered.
- 30 HEALTH ADVISORY COUNCIL REPORT, 1980-81—To be considered.
- *31 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1978-79—To be considered.
- *32 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1978-79—To be considered.
- *33 MELBOURNE AND METROPOLITAN TRAMWAYS BOARD REPORT, 1980-81—To be considered.

- *34 DEPARTMENT OF MINERALS AND ENERGY REPORT, 1980—To be considered.
- *35 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT, 1980-81—To be considered.

* * *

TUESDAY, 8 DECEMBER GOVERNMENT BUSINESS

Orders of the Day

- 1 PAY-ROLL TAX (AMENDMENT) BILL—(from Assembly—Hon. Glyn Jenkins)—
Second reading—Resumption of debate. (Hon. D. E. Kent).
- 2 LAND TAX (AMENDMENT) BILL—(from Assembly—Hon. Glyn Jenkins)—Second
reading—Resumption of debate. (Hon. D. E. Kent).

GENERAL BUSINESS

Order of the Day

- *1 VICTORIAN A.L.P.—MOTION EXPRESSING CONCERN AT GROWTH OF CONTROL BY
SOCIALIST LEFT FACTION (Hon. B. A. Chamberlain)—Resumption of debate.
(Hon. W. A. Landeryou).

A. R. B. McDONNELL

Clerk of the Legislative Council

FRED S. GRIMWADE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

* * *

MINUTES OF THE PROCEEDINGS

Nos. 27, 28 and 29

No. 27—Tuesday, 1 December 1981

- 1 The President took the Chair and read the Prayer.
- 2 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR—The Honourable A. J. Hunt presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz.:
 - Tourist Railways Act.*
 - Workers Compensation (Insurers Guarantee and Compensation Supplementation Fund) Act.*
 - Victorian College of the Arts (Amendment) Act.*
 - Stamps (Transfer Duty Refund) Act.*
 - Workers Compensation (Amendment) Act.*
 - Local Authorities Superannuation (Amendment) Act.*
 - Forests (Amendment) Act.*
 - Marine (Amendment) Act.*
 - Port of Melbourne Authority (Borrowing Powers) Act.*
 - Probate Duty Act.*
 - Melbourne University (Amendment) Act.*
 - Juries (Amendment) Act.*
- 3 PAY-ROLL TAX (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Pay-roll Tax Act 1971’*” and desiring the concurrence of the Council therein. On the motion of the Honourable Glyn Jenkins, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 MINISTERIAL STATEMENT—DIRECTOR-GENERAL OF EDUCATION—The Honourable A. J. Hunt made a Ministerial Statement regarding the appointment of the Director-General of Education.
- 5 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Geelong Waterworks and Sewerage Trust—Accounts and statements for the year 1980–81 (two papers).
 - Health Advisory Council—Report for the year 1980–81.
 - Police Service Board—Determinations Nos. 348 and 354.
 - Statutory Rules under the following Acts of Parliament:
 - Cemeteries Act 1958—No. 484.
 - Co-operation Act 1958—No. 485.
 - Industrial Training Act 1975—No. 479.
 - Motor Boating Act 1961—No. 482.
 - Public Service Act 1974—PSD Nos. 161, 162, and 166 to 169.
 - Second-hand Dealers Act 1958—No. 487.
 - Town and Country Planning Act 1961—
 - Bairnsdale—Town of Bairnsdale Planning Scheme—Amendment No. 34, 1980.
 - Ballarat—City of Ballarat Planning Scheme—Amendment No. 63.

Town and Country Planning Act 1961 (*continued*)

Cranbourne—Shire of Cranbourne (Western Port) Planning Scheme—Amendment No. 18.

Eppalock Planning Scheme (Shire of McIvor)—Amendment No. 8.

Horsham—City of Horsham Planning Scheme 1973—Amendment No. 51, 1979.

Knox—City of Knox Planning Scheme 1965—Amendments No. 222, 1979; No. 229, Part A, 1981; and Nos. 237 and 241.

Korumburra—Shire of Korumburra Planning Scheme—Amendment No. 17, 1981.

Lake Tyers to Cape Howe Coastal Planning Scheme—Amendment No. 6.

Mornington—Shire of Mornington Planning Scheme 1959—Amendments Nos. 145 and 146.

Phillip Island Planning Scheme—Amendment No. 10.

Rosedale—Shire of Rosedale Planning Scheme—Amendments Nos. 18 and 19, 1980; and No. 25, 1981.

Tambo—Shire of Tambo (Lakes Entrance) Planning Scheme—Amendment No. 34.

Woorayl—Shire of Woorayl Planning Scheme—Amendment No. 50, 1980.

The Honourable Evan Walker moved, That the Report and Accounts tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

6 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of the Notices of Motion, General Business, be postponed until later this day.

7 VICTORIAN WATER AND SEWERAGE AUTHORITIES ASSOCIATION BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.

The Honourable W. A. Landeryou (for the Honourable D. R. White) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

8 PAY-ROLL TAX (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.

The Honourable D. E. Kent moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

9 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 and 3, be postponed until later this day.

10 PUBLIC ACCOUNT (INVESTMENT POWERS) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable R. A. Mackenzie moved, as an 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 the Government establishes a proper investment policy for funds in the Public Account allowing temporary financial accommodation for expenditure programmes which would generate employment opportunities”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 27

The Hon. W. R. Baxter
 H. G. Baylor
 C. Bubb
 B. A. Chamberlain
 D. G. Crozier
 B. P. Dunn
 D. M. Evans
 Dr K. J. Foley
 F. J. Granter
 J. V. C. Guest
 H. M. Hamilton
 V. T. Hauser
 D. K. Hayward
 W. V. Houghton
 Dr R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles
 R. Lawson (*Teller*)
 R. J. Long
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 N. F. Stacey
 Haddon Storey
 H. R. Ward
 K. I. M. Wright (*Teller*)

NOES, 12

The Hon. G. A. S. Butler
 Joan Coxsedge
 R. J. Eddy
 C. J. Kennedy
 D. E. Kent
 W. A. Landeryou
 R. A. Mackenzie
 G. A. Sgro (*Teller*)
 I. B. Trayling (*Teller*)
 Evan Walker
 J. M. Walton
 D. R. White

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 11 MOTOR CAR (FURTHER AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 12 POLICE REGULATION (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Police Regulation Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 13 ASSOCIATIONS INCORPORATION BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable B. A. Chamberlain reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

- 14 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 7 to 11 inclusive, be postponed until later this day.

- 15 PUBLIC TRUSTEE (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 16 EDUCATION (COUNCILS) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 17 POST-SECONDARY EDUCATION (AMENDMENT) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 28

The Hon. W. R. Baxter
H. G. Baylor
P. D. Block
C. Bubb
W. M. Campbell
B. A. Chamberlain
D. G. Crozier
B. P. Dunn
D. M. Evans
F. J. Granter
J. V. C. Guest
H. M. Hamilton
V. T. Hauser

NOES, 12

The Hon. G. A. S. Butler
Joan Coxsedge
R. J. Eddy
C. J. Kennedy
D. E. Kent
W. A. Landeryou
R. A. Mackenzie
G. A. Sgro
I. B. Trayling (*Teller*)
Evan Walker
J. M. Walton (*Teller*)
D. R. White

D. K. Hayward
 W. V. Houghton
 Dr R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles
 R. Lawson
 R. J. Long (*Teller*)
 J. W. S. Radford (*Teller*)
 N. B. Reid
 N. F. Stacey
 Haddon Storey
 J. A. Taylor
 H. R. Ward
 K. I. M. Wright

And so it was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

And having continued to sit until after Twelve midnight—

WEDNESDAY, 2 DECEMBER

The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

18 STAMPS (FURTHER AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Stamps Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Glyn Jenkins, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

19 LAND TAX (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Land Tax Act 1958'*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Glyn Jenkins, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

20 SERPELL JOINT SCHOOLS BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to ratify validate approve and otherwise give effect to an Agreement between the Minister of Education for and on behalf of the State of Victoria, the Roman Catholic Trusts Corporation for the Diocese of Melbourne, the Mayor, Councillors and Citizens of the City of Doncaster and Templestowe and Serpell Community Project Proprietary Limited with respect to the Establishment Ownership and Operation of a building for the use of State School No. 5168 Serpell Primary School and of a Catholic Primary School at Templestowe Victoria and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable A. J. Hunt, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 21 ADJOURNMENT—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until this day at Twelve o'clock noon.

Question—put and resolved in the affirmative.

And then the Council, at thirty-one minutes past Twelve o'clock in the morning, adjourned until this day at Twelve o'clock noon.

A. R. B. McDONNELL
Clerk of the Legislative Council

No. 28—Wednesday, 2 December 1981

- 1 The President took the Chair and read the Prayer.
- 2 CREDIT BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act relating to the provision of credit and the regulation of contracts providing credit and of matters connected with the provision of credit, to make provision for the licensing of certain persons and for other matters, to repeal the 'Money Lenders Act 1958', to amend the 'Hire-Purchase Act 1959', to amend certain other Acts and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 3 GOODS (SALES AND LEASES) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act relating to Conditions and Warranties in certain Sales and Leases, to amend the 'Goods Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 4 CHATTEL SECURITIES BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make Provision relating to Chattel Securities and for that Purpose to amend the 'Instruments Act 1958', the 'Transport Regulation Act 1958' and the 'Motor Car Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 5 COGNATE BILLS—The Honourable Haddon Storey moved, by leave, That this House authorizes and requires the Honourable the President to permit the second readings of the Credit Bill, the Goods (Sales and Leases) Bill and the Chattel Securities Bill to be moved and debated concurrently.
Question—put and resolved in the affirmative.
- 6 ADJOURNMENT—MOTION UNDER STANDING ORDER No. 53—The Honourable D. R. White moved, That the Council do now adjourn, and said he proposed to speak to the subject of "The failure of the Government to disclose its negotiations to dismiss members of the Drilling Branch of the Department of Minerals and

Energy and hand over to private interests an important public service vital to the State"; and six other Honourable Members having risen in their places and required the motion to be proposed—

Debate ensued.

Question—put.

The Council divided.

AYES, 10

The Hon. G. A. S. Butler
Joan Coxsedge (*Teller*)
R. J. Eddy (*Teller*)
C. J. Kennedy
D. E. Kent
W. A. Landeryou
R. A. Mackenzie
G. A. Sgro
Evan Walker
D. R. White

NOES, 27

The Hon. W. R. Baxter
H. G. Baylor
P. D. Block
C. Bubb
W. M. Campbell
B. A. Chamberlain
B. P. Dunn
D. M. Evans
Dr K. J. Foley
F. J. Granter
J. V. C. Guest
H. M. Hamilton
V. T. Hauser
D. K. Hayward
W. V. Houghton
A. J. Hunt
Glyn Jenkins
R. Lawson
R. J. Long
J. W. S. Radford
N. B. Reid (*Teller*)
D. N. Saltmarsh (*Teller*)
N. F. Stacey
Haddon Storey
J. A. Taylor
H. R. Ward
K. I. M. Wright

And so it passed in the negative.

7 HEALTH (CONSULTATIVE COUNCIL ON MATERNAL AND PERINATAL MORTALITY AND MORBIDITY) BILL—On the motion (by leave without notice) of the Honourable W. V. Houghton, leave was given to bring in a Bill to amend the *Health Act* 1958 to establish a Consultative Council on Maternal and Perinatal Mortality and Morbidity and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

8 PETITIONS—

STATE ELECTRICITY COMMISSION—The Honourable G. A. Sgro presented a Petition from certain citizens of Victoria praying that the House take immediate action to reject the recently-announced State Electricity Commission tariff increases and to institute a wide-ranging inquiry into the management and policies of the Commission.

Ordered to lie on the Table.

* * * *

Petitions (*continued*):

DAYLIGHT SAVING—The Honourable K. I. M. Wright presented a Petition from certain citizens of Victoria praying that a referendum on daylight saving be held in conjunction with the next State elections.

Ordered to lie on the Table.

- 9 STANDING ORDERS COMMITTEE—PRIVATE BILL PROCEDURE—The Honourable W. M. Campbell, on behalf of the Honourable the President (Chairman), presented a Report from the Standing Orders Committee upon Private Bill Procedure.

Ordered to lie on the Table and to be printed.

- 10 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Co-operative Housing Societies—Report of the Registrar for the year 1978–79.

Co-operative Societies—Report of the Registrar for the year 1978–79.

Melbourne and Metropolitan Tramways Board—Report and statement of accounts for the year 1980–81.

Minerals and Energy—Report of the Department for the year 1980.

State Development—Report of the Department of State Development, Decentralization and Tourism for the year 1980–81.

The Honourable Evan Walker moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 11 POSTPONEMENT OF NOTICES OF MOTION AND ORDER OF THE DAY—Ordered—That the consideration of the Notices of Motion, General Business, and Order of the Day, Government Business, No. 1, be postponed until later this day.

- 12 SERPELL JOINT SCHOOLS BILL—This Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 13 LAND TAX (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.

The Honourable W. A. Landeryou (for the Honourable D. E. Kent) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 14 VICTORIAN A.L.P.—The Honourable B. A. Chamberlain moved, That this House expresses its concern at the stealthy growth of control of the Victorian A.L.P. by an extremist faction known as the Socialist Left, which is committed to policies repugnant to Victorians and to industrial policies which would be severely detrimental to the economic interests of this State.

Debate ensued.

The Honourable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered, after debate—That the debate be adjourned until Tuesday next.

- 15 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 and 4, be postponed until later this day.
- 16 ASSOCIATIONS INCORPORATION BILL—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the Deputy President left the Chair.
- House in Committee.
- The President resumed the Chair; and the Honourable V. T. Hauser having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
- Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 17 COMPANIES (CONSEQUENTIAL AMENDMENTS) BILL, COMPANIES (APPLICATION OF LAWS) BILL AND COMPANIES (ADMINISTRATION) BILL—The Order of the Day having been read for the resumption of the debate on the question, That these Bills be now read a second time (pursuant to the resolution of the Council on 19 November 1981)—
- Debate resumed.
- And the debate being concluded—
- 18 COMPANIES (CONSEQUENTIAL AMENDMENTS) BILL—
- Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.
- House in Committee.
- The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
- Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 19 COMPANIES (APPLICATION OF LAWS) BILL AND COMPANIES (ADMINISTRATION) BILL—
- The Honourable Haddon Storey moved, by leave, That these Bills be now read a second time.
- Question—put and resolved in the affirmative.
- Bills read a second time and, by leave, read a third time and passed.
- Ordered—That the Bills be transmitted to the Assembly with Messages desiring their concurrence therein.
- 20 CO-OPERATION BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to re-enact with Amendments the Law relating to the Formation, Registration and Management of Co-operative Societies and Purposes connected therewith*" and desiring the concurrence of the Council therein.
- On the motion of the Honourable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 21 LEGAL PROFESSION PRACTICE (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a

second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 22 ENVIRONMENT PROTECTION (LICENCE FEES) BILL (No. 2)—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable D. M. Evans moved, as an 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 guarantee is given that there will be instituted a full inquiry into the appropriateness of current administrative procedures within the Environment Protection Authority to ensure that the proposed new fees will be effectively applied”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 19

The Hon. H. G. Baylor
C. Bubb
W. M. Campbell
B. A. Chamberlain
F. J. Granter
J. V. C. Guest
V. T. Hauser
D. K. Hayward
W. V. Houghton
Dr R. W. Howard
Glyn Jenkins
R. Lawson
R. J. Long (*Teller*)
J. W. S. Radford
N. B. Reid
D. N. Saltmarsh
N. F. Stacey (*Teller*)
Haddon Storey
H. R. Ward

NOES, 11

The Hon. W. R. Baxter
G. A. S. Butler
B. P. Dunn
D. M. Evans (*Teller*)
C. J. Kennedy
D. E. Kent
R. A. Mackenzie
G. A. Sgro
Evan Walker
J. M. Walton
D. R. White (*Teller*)

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy President resumed the Chair; and the Honourable V. T. Hauser having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed,

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 23 MOTOR CAR (MASS AND DIMENSION LIMITS) (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Motor Car (Mass and Dimension Limits) Act 1981’*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Glyn Jenkins, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

The Order of the Day for the second reading of this Bill having been read, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.

The Honourable G. A. S. Butler moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 24 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 12 and 13, be postponed until later this day.

- 25 PORT OF GEELONG AUTHORITY BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable R. A. Mackenzie moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to increase the number of Commissioners of the proposed Port of Geelong Authority to five, of which—

(a) three shall be appointed by the Governor in Council, including—(i) one to be appointed from a panel of names nominated by the Geelong Chamber of Commerce; and (ii) one to be appointed from a panel of names nominated by the Geelong Trades Hall Council; and

(b) two shall be elected by the ratepayers of the City of Geelong, the City of Geelong West, the Shire of Corio and the Shire of Bellarine”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 24

The Hon. W. R. Baxter
H. G. Baylor (*Teller*)
P. D. Block
C. Bubb
W. M. Campbell
B. A. Chamberlain
B. P. Dunn
D. M. Evans
F. J. Granter
V. T. Hauser
W. V. Houghton
Dr R. W. Howard
A. J. Hunt
Glyn Jenkins

NOES, 11

The Hon. G. A. S. Butler
Joan Coxsedge
R. J. Eddy
C. J. Kennedy (*Teller*)
D. E. Kent (*Teller*)
W. A. Landeryou
R. A. Mackenzie
G. A. Sgro
I. B. Trayling
J. M. Walton
D. R. White

R. I. Knowles
 R. Lawson
 R. J. Long
 J. W. S. Radford
 D. N. Saltmarsh
 N. F. Stacey
 Haddon Storey
 J. A. Taylor
 H. R. Ward (*Teller*)
 K. I. M. Wright

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 26 FRIENDLY SOCIETIES (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Friendly Societies Act 1958' to increase the maximum payment which may be made pursuant to section 5 (3) and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable A. J. Hunt (for the Honourable Haddon Storey), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 27 GEELONG WATERWORKS AND SEWERAGE (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Geelong Waterworks and Sewerage Act 1958'*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Glyn Jenkins, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 28 LIQUOR CONTROL (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Liquor Control Act 1968' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable A. J. Hunt (for the Honourable Haddon Storey), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 29 COUNTRY FIRE AUTHORITY (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same without amendment.

- 30 MOTOR CAR (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

31 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 15, be postponed until later this day.

32 GIFT DUTY (AMENDMENT) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable C. J. Kennedy moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted so as to maintain existing general exemptions and include provisions to exempt transfer of—

(a) the family home into joint ownership with a *de jure* or *de facto* spouse; and

(b) the family farm between full-time farmers and members of their immediate families”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 23

The Hon. W. R. Baxter
 H. G. Baylor
 P. D. Block (*Teller*)
 W. M. Campbell
 B. A. Chamberlain
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 V. T. Hauser
 W. V. Houghton
 Dr R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles (*Teller*)
 R. Lawson
 R. J. Long
 J. W. S. Radford
 D. N. Saltmarsh
 N. F. Stacey
 Haddon Storey
 J. A. Taylor
 H. R. Ward
 K. I. M. Wright

NOES, 11

The Hon. G. A. S. Butler
 Joan Cocksedge
 R. J. Eddy
 C. J. Kennedy
 D. E. Kent
 W. A. Landeryou
 R. A. Mackenzie (*Teller*)
 G. A. Sgro (*Teller*)
 I. B. Trayling
 J. M. Walton
 D. R. White

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 33 GEELONG WATERWORKS AND SEWERAGE (AMENDMENT) BILL—This Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 34 FRIENDLY SOCIETIES (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.

The Honourable R. J. Eddy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 35 LIQUOR CONTROL (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.

The Honourable R. J. Eddy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 36 ADJOURNMENT—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at a quarter to One o'clock.

Question—put and resolved in the affirmative.

The Honourable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirty-nine minutes past Ten o'clock, adjourned until tomorrow at a quarter to One o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

No. 29—Thursday, 3 December 1981

- 1 The President took the Chair and read the Prayer.
- 2 PRESENTATION OF ADDRESS TO HIS EXCELLENCY THE GOVERNOR—The President reported that, accompanied by Honourable Members, he had this day waited upon His Excellency the Governor and had presented to him the Address of the Legislative Council, adopted on 29 October 1981 in reply to His Excellency the Governor's speech at the opening of Parliament, and that His Excellency the Governor had been pleased to make the following reply:

MR PRESIDENT AND HONOURABLE MEMBERS OF THE LEGISLATIVE COUNCIL:

In the name and on behalf of Her Majesty The Queen I thank you for your expressions of loyalty to our Most Gracious Sovereign contained in the address you have just presented to me.

I fully rely on your wisdom in deliberating upon the important measures to be brought under your consideration and I earnestly hope that the results of your labours will be conducive to the advancement and prosperity of this State.

- 3 HISTORIC BUILDINGS BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to consolidate and amend the law with respect to the Preservation of Buildings, Works and Objects of historic or architectural Importance, to amend the 'Town and Country Planning Act 1961' and the 'Local Government Act 1958', and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable A. J. Hunt, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 4 PAPER—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:

National Parks—Report of the Director for the year 1980–81.

The Honourable Evan Walker moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 5 STANDING ORDERS—The Honourable A. J. Hunt moved—

(a) That Standing Orders 311 to 331 inclusive be repealed, and that the following be adopted as Standing Orders of the Legislative Council:

311. When the Council is in possession of a Bill and its contents have been explained, if the President is of opinion that the Bill is a private Bill, he shall forthwith declare such an opinion to the Council: Provided that if he forms such a view at any later time prior to the second reading question being decided, he shall not be precluded from then declaring such opinion.

312. Where a private Bill has not been ordered to be dealt with as a public Bill, the President shall, where applicable, cause to be published in one or more newspapers, including one circulating generally in Victoria, a statement of the general nature and objects of the Bill; and, where any such advertisement has been published, no further debate on the Bill shall be permitted until a report is made by the President pursuant to Standing Order 314 or, where no objections are notified pursuant to Standing Order 313, until the expiration of the time provided therein.

313. Written details of objections by any person or body directly and adversely affected by any provisions of a Bill to which Standing Order 312 applies shall be received by the Clerk up to the twenty-first day after the publication of a statement pursuant to that Standing Order, and any objections so received shall be notified to the Council by the Clerk during formal business at the next sitting, and thereupon lie on the Table.

314. Objections received by the Clerk within the specified time shall be considered by a panel appointed by the President of not less than three temporary Chairmen of Committees and a report made to the President as to whether, in the opinion of such panel, any such objection appears to raise matters which would justify the appointment of a select committee to examine the proposals in the Bill; and the recommendation of that panel shall thereupon be reported by the President to the Council.

315. Unless the Council expresses the view that fees should be dispensed with, before any private Bill (other than a private Bill which has been ordered to be dealt with as a public Bill) is read a second time, a sum of \$1000 shall be paid into the Treasury for the public uses of the State to meet the expenses involved in the passage of the Bill, and a receipt for that payment shall be produced by the Member having charge of the Bill.

316. The promoters of any private Bill for which fees under Standing Order 315 have been paid shall also be liable for the expenses of—

(a) its printing and circulation;

(b) the publication of any statement pursuant to Standing Order 312; and

(c) any select committee appointed to examine its proposals—and the sum of such amounts shall be paid into the Treasury for the public uses of the State.

317. Subject only to the provisions of Standing Orders 311 to 316, the proceedings on a private Bill shall be governed by the Standing Orders relating to public Bills.

and

(b) That the expression “, not being a petition for a private Bill, or relating to a private Bill before the Council,” in Standing Order 258 be omitted.

The Honourable W. M. Campbell moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

6 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of the Notices of Motion, General Business, be postponed until later this day.

7 POLICE REGULATION (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable F. J. Granter moved, That this Bill be now read a second time.

The Honourable R. J. Eddy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

8 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

9 CREDIT BILL, GOODS (SALES AND LEASES) BILL AND CHATTEL SECURITIES BILL—The Order of the Day having been read for the second reading of these Bills (pursuant to the resolution of the Council on 2 December), the Honourable Haddon Storey moved, That these Bills be now read a second time.

The Honourable D. R. White moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

10 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 6 and 7, be postponed until later this day.

11 PORT OF PORTLAND AUTHORITY BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable R. A. Mackenzie moved, as an amendment, That all the words after "That" be omitted with the view of inserting in place thereof "this Bill be withdrawn and re-drafted to increase the number of Commissioners of the proposed Port of Portland Authority to five, of which—

- (a) three shall be appointed by the Governor in Council, including—(i) one to be appointed from a panel of names nominated by recognized business organizations in the Portland area; and (ii) one to be appointed from a panel of names nominated by the South Western Trades and Labour Council; and
- (b) two shall be elected by the ratepayers of the Town of Portland and the Shire of Portland".

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 26

The Hon. W. R. Baxter
 H. G. Baylor
 P. D. Block
 C. Bubb
 W. M. Campbell
 B. A. Chamberlain
 (Teller)
 D. G. Crozier
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 H. M. Hamilton
 V. T. Hauser
 D. K. Hayward
 W. V. Houghton
 Glyn Jenkins
 R. I. Knowles
 R. Lawson
 R. J. Long
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 N. F. Stacey
 Haddon Storey
 J. A. Taylor (Teller)
 H. R. Ward
 K. I. M. Wright

NOES, 11

The Hon. G. A. S. Butler
 Joan Coxsedge
 R. J. Eddy
 C. J. Kennedy
 D. E. Kent
 R. A. Mackenzie
 G. A. Sgro
 I. B. Trayling (Teller)
 Evan Walker
 J. M. Walton (Teller)
 D. R. White

And so it was resolved in the affirmative—Amendment negated.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy President resumed the Chair; and the Honourable V. T. Hauser having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 12 MOTOR CAR (MASS AND DIMENSION LIMITS) (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 13 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 10 to 12 inclusive, be postponed until later this day.
- 14 LIQUOR CONTROL (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 15 WORKS AND SERVICES APPROPRIATION BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—
Debate resumed.
The Honourable R. A. Mackenzie moved, as an 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 the methods of raising funds for works and services are restructured by establishing a Victorian Development Fund to ensure the level of works and services expenditure in 1981–82 is at least maintained in real terms”.
Motion, by leave, withdrawn.
Debate continued.
Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.
House in Committee.
The President resumed the Chair; and the Honourable W. M. Campbell reported that the Committee had made progress in the Bill, and asked leave to sit again.
Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.
- 16 BUILDING INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Building Industry Long Service Leave Act 1975’ and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honourable A. J. Hunt (for the Honourable Haddon Storey), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 17 SALE STATION RELOCATION AND DEVELOPMENT BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to authorize the Relocation of the Sale Railway Station, the development of the said railway station land, and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable A. J. Hunt (for the Honourable Glyn Jenkins), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 18 RAILWAYS (BORROWING POWERS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Railways Act 1958’ to enable the Victorian Railways Board to borrow moneys, to make a consequential amendment to the ‘Public Account Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable A. J. Hunt (for the Honourable Glyn Jenkins), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 19 SALE STATION RELOCATION AND DEVELOPMENT BILL—This Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 20 RAILWAYS (BORROWING POWERS) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable A. J. Hunt (for the Honourable Glyn Jenkins) moved, That this Bill be now read a second time.

The Honourable R. J. Eddy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 21 BUILDING INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable A. J. Hunt (for the Honourable Haddon Storey) moved, That this Bill be now read a second time.

The Honourable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 22 ADJOURNMENT—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until Tuesday next at a quarter to Two o’clock.

Question—put and resolved in the affirmative.

The Honourable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at twenty-six minutes past Six o’clock, adjourned until Tuesday next at a quarter to Two o’clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

Mr President takes the Chair at Two o'clock

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State's road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act* 1958 to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. D. R. WHITE—To move, That he have leave to bring in a Bill to prohibit the retailing of Motor Fuel from Depot Sites, to ensure the Supply of Motor Fuel to Franchisees, to regulate the entering into, renewing, assigning and terminating of Franchise Agreements, to establish the Gas and Fuel Corporation as Petroleum Pricing Agency and for other purposes.
- 7 The Hon. D. R. WHITE—To move, That this House calls on the Government to require the Melbourne and Metropolitan Board of Works to make more efficient use of the Board's financial assets to overcome the sewerage backlog.
- *8 The Hon. K. I. M. WRIGHT—To move, That this House expresses its deep concern at the cost of extension of State Electricity Commission supply to new subscribers, both individuals and industries, and calls on the Minister to intervene to establish more equitable and just guidelines for the assessment of such costs.

GOVERNMENT BUSINESS

Orders of the Day

- 1 STAMPS (FURTHER AMENDMENT) BILL—(from Assembly—Hon. Glyn Jenkins)
—Second reading.

** Notifications to which an asterisk (*) is prefixed appear for the first time.*

- 2
- *2 HISTORIC BUILDINGS BILL—(from Assembly—Hon. A. J. Hunt)—Second reading.
- 3 CO-OPERATION BILL—(from Assembly—Hon. Haddon Storey)—Second reading.
- *4 STANDING ORDERS—MOTION TO ADOPT REVISED STANDING ORDERS RE PRIVATE BILL PROCEDURE (Hon. A. J. Hunt)—Resumption of debate. (Hon. W. M. Campbell).
- 5 POLICE REGULATION (AMENDMENT) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- †6 CREDIT BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. D. R. White).
- †7 GOODS (SALES AND LEASES) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. D. R. White).
- †8 CHATTEL SECURITIES BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. D. R. White).
- 9 WORKS AND SERVICES APPROPRIATION BILL—(from Assembly—Hon. Glyn Jenkins)—To be further considered in Committee.
- 10 PAY-ROLL TAX (AMENDMENT) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—Resumption of debate. (Hon. D. E. Kent).
- 11 LAND TAX (AMENDMENT) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—Resumption of debate. (Hon. D. E. Kent).
- 12 FREEDOM OF INFORMATION BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 13 FRIENDLY SOCIETIES (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- *14 BUILDING INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. R. A. Mackenzie).
- *15 RAILWAYS (BORROWING POWERS) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- 16 VICTORIAN WATER AND SEWERAGE AUTHORITIES ASSOCIATION BILL—(Hon. Glyn Jenkins)—Second reading—Resumption of debate. (Hon. D. R. White).
- 17 HEALTH (CONSULTATIVE COUNCIL ON MATERNAL AND PERINATAL MORTALITY AND MORBIDITY) BILL—(Hon. W. V. Houghton)—Second reading.
- 18 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—Resumption of debate. (Hon. D. R. White).
- 19 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—Resumption of debate. (Hon. D. R. White).

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(Hon. G. A. Sgro)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(Hon. W. A. Landeryou)—Second reading—Resumption of debate. (Hon. H. M. Hamilton).
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(Hon. W. A. Landeryou)—Second reading.

† Cognate Bills—Second readings moved and to be debated concurrently pursuant to Order of the House on 2 December 1981.

- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. H. R. Ward*).
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. H. R. Ward*).
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(*Hon. R. A. Mackenzie*)—Second reading—*Resumption of debate.* (*Hon. W. V. Houghton*).
- 13 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.
- 15 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
- 16 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 17 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 18 TEACHER EDUCATION—FINAL REPORT OF COMMITTEE OF VICTORIAN ENQUIRY—To be considered.
- 19 CONSERVATION OF ENERGY RESOURCES—MOTION URGING ENCOURAGEMENT OF APPROPRIATE BUILDING TECHNIQUES AND INTRODUCTION OF INCENTIVES (*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 20 WILDLIFE (SPRING TRAPS) BILL—(*Hon. R. A. Mackenzie*)—Second reading—*Resumption of debate.* (*Hon. W. V. Houghton*).
- 21 NATIONAL PARKS ACT—MINISTER'S NOTICE OF CONSENT TO RENEWAL OF MINING LEASE IN BOGONG NATIONAL PARK DATED 9 NOVEMBER 1981—To be considered.
- 22 COUNTRY FIRE AUTHORITY REPORT, 1979-80—To be considered.
- 23 FORESTS (MOUNT BULLER ALPINE RESERVE) (AMENDMENT) REGULATIONS 1981 (S.R. No. 467/1981)—To be considered.
- 24 VICTORIA GRANTS COMMISSION REPORT, 1980-81—To be considered.
- 25 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1980-81—To be considered.
- 26 HEALTH ADVISORY COUNCIL REPORT, 1980-81—To be considered.
- 27 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1978-79—To be considered.
- 28 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1978-79—To be considered.
- 29 MELBOURNE AND METROPOLITAN TRAMWAYS BOARD REPORT, 1980-81—To be considered.

- 30 DEPARTMENT OF MINERALS AND ENERGY REPORT, 1980—To be considered.
- 31 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT, 1980–81—To be considered.
- 32 VICTORIAN A.L.P.—MOTION EXPRESSING CONCERN AT GROWTH OF CONTROL BY SOCIALIST LEFT FACTION (*Hon. B. A. Chamberlain*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- *33 NATIONAL PARKS SERVICE REPORT, 1980–81—To be considered.

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedg, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

* * *

Mr President takes the Chair at Two o'clock

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

Notice of Motion

- *1 The Hon. HADDON STOREY—To move, That he have leave to bring in a Bill to make Provision with respect to the Arbitration of certain Disputes, to repeal the *Arbitration Act 1958*, to amend the *Legal Profession Practice Act 1958*, to make certain consequential Amendments to various other Acts and for other purposes.

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State's road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act 1958* to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. D. R. WHITE—To move, That he have leave to bring in a Bill to prohibit the retailing of Motor Fuel from Depot Sites, to ensure the Supply of Motor Fuel to Franchisees, to regulate the entering into, renewing, assigning and terminating of Franchise Agreements, to establish the Gas and Fuel Corporation as Petroleum Pricing Agency and for other purposes.
- 7 The Hon. D. R. WHITE—To move, That this House calls on the Government to require the Melbourne and Metropolitan Board of Works to make more efficient use of the Board's financial assets to overcome the sewerage backlog.

* Notifications to which an asterisk (*) is prefixed appear for the first time.

- 8 The Hon. K. I. M. WRIGHT—To move, That this House expresses its deep concern at the cost of extension of State Electricity Commission supply to new subscribers, both individuals and industries, and calls on the Minister to intervene to establish more equitable and just guidelines for the assessment of such costs.

GOVERNMENT BUSINESS

Orders of the Day

- 1 HISTORIC BUILDINGS BILL—(from Assembly—Hon. A. J. Hunt)—Second reading.
- 2 CO-OPERATION BILL—(from Assembly—Hon. Haddon Storey)—Second reading.
- 3 RAILWAYS (BORROWING POWERS) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- †4 CREDIT BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. D. R. White).
- †5 GOODS (SALES AND LEASES) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. D. R. White).
- †6 CHATTEL SECURITIES BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. D. R. White).
- 7 STAMPS (FURTHER AMENDMENT) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—Resumption of debate. (Hon. G. A. Sgro).
- *8 HOSPITALS SUPERANNUATION (GENERAL AMENDMENT) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. J. M. Walton).
- 9 HEALTH (CONSULTATIVE COUNCIL ON MATERNAL AND PERINATAL MORTALITY AND MORBIDITY) BILL—(Hon. W. V. Houghton)—Second reading.
- 10 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—Resumption of debate. (Hon. D. R. White).
- 11 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—Resumption of debate. (Hon. D. R. White).

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(Hon. G. A. Sgro)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(Hon. W. A. Landeryou)—Second reading—Resumption of debate. (Hon. H. M. Hamilton).
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(Hon. W. A. Landeryou)—Second reading—Resumption of debate. (Hon. H. R. Ward).
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(Hon. W. A. Landeryou)—Second reading.

† Cognate Bills—Second readings moved and to be debated concurrently pursuant to Order of the House on 2 December 1981.

- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. H. R. Ward*).
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(*Hon. R. A. Mackenzie*)—Second reading—*Resumption of debate.* (*Hon. W. V. Houghton*).
- 13 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.
- 15 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
- 16 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 17 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 18 TEACHER EDUCATION—FINAL REPORT OF COMMITTEE OF VICTORIAN ENQUIRY—To be considered.
- 19 CONSERVATION OF ENERGY RESOURCES—MOTION URGING ENCOURAGEMENT OF APPROPRIATE BUILDING TECHNIQUES AND INTRODUCTION OF INCENTIVES (*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 20 WILDLIFE (SPRING TRAPS) BILL—(*Hon. R. A. Mackenzie*)—Second reading—*Resumption of debate.* (*Hon. W. V. Houghton*).
- 21 COUNTRY FIRE AUTHORITY REPORT, 1979-80—To be considered.
- 22 FORESTS (MOUNT BULLER ALPINE RESERVE) (AMENDMENT) REGULATIONS 1981 (S.R. No. 467/1981)—To be considered.
- 23 VICTORIA GRANTS COMMISSION REPORT, 1980-81—To be considered.
- 24 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1980-81—To be considered.
- 25 HEALTH ADVISORY COUNCIL REPORT, 1980-81—To be considered.
- 26 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1978-79—To be considered.
- 27 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1978-79—To be considered.
- 28 MELBOURNE AND METROPOLITAN TRAMWAYS BOARD REPORT, 1980-81—To be considered.
- 29 DEPARTMENT OF MINERALS AND ENERGY REPORT, 1980—To be considered.
- 30 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT, 1980-81—To be considered.
- 31 VICTORIAN A.L.P.—MOTION EXPRESSING CONCERN AT GROWTH OF CONTROL BY SOCIALIST LEFT FACTION (*Hon. B. A. Chamberlain*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 32 NATIONAL PARKS SERVICE REPORT, 1980-81—To be considered.
- *33 HOSPITALS SUPERANNUATION BOARD REPORT, 1980-81—To be considered.

- *34 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1980-81—To be considered.
- *35 PLANNING APPEALS BOARD REGULATIONS 1981 (S.R. No. 488/1981)—To be considered.
- *36 VICTORIAN BROWN COAL COUNCIL REPORT, 1980-81—To be considered.
- *37 VICTORIAN EGG MARKETING BOARD REPORT, 1980-81—To be considered.

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**THURSDAY, 10 DECEMBER
GOVERNMENT BUSINESS**

Order of the Day

- *1 MEAT CONTROL BILL—(*from Assembly—Hon. W. V. Houghton*)—Second reading
—*Resumption of debate. (Hon. D. E. Kent).*

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

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Mr President takes the Chair at Eleven o'clock

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State's road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act 1958* to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. D. R. WHITE—To move, That he have leave to bring in a Bill to prohibit the retailing of Motor Fuel from Depot Sites, to ensure the Supply of Motor Fuel to Franchisees, to regulate the entering into, renewing, assigning and terminating of Franchise Agreements, to establish the Gas and Fuel Corporation as Petroleum Pricing Agency and for other purposes.
- 7 The Hon. D. R. WHITE—To move, That this House calls on the Government to require the Melbourne and Metropolitan Board of Works to make more efficient use of the Board's financial assets to overcome the sewerage backlog.
- *8 The Hon. H. G. BAYLOR—To move, That this House deplores and condemns the deliberate disruption of postal services presently occurring and calls upon those concerned to restore full services without delay to avoid further unnecessary hardship and inconvenience to Victorian citizens and businesses.
- *9 The Hon. R. J. EDDY—To move, That the Council take note of the Report of the Ombudsman for the year 1980-81.

** Notifications to which an asterisk (*) is prefixed appear for the first time.*

GOVERNMENT BUSINESS

Orders of the Day

- *1 COMMERCIAL ARBITRATION BILL—(*Hon. Haddon Storey*)—Second reading.
- 2 HISTORIC BUILDINGS BILL—(*from Assembly—Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. Evan Walker*).
- 3 CO-OPERATION BILL—(*from Assembly—Hon. F. J. Granter*)—Second reading—*Resumption of debate.* (*Hon. C. J. Kennedy*).
- 4 RAILWAYS (BORROWING POWERS) BILL—(*from Assembly—Hon. Glyn Jenkins*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 5 STAMPS (FURTHER AMENDMENT) BILL—(*from Assembly—Hon. Glyn Jenkins*)—Second reading—*Resumption of debate.* (*Hon. G. A. Sgro*).
- 6 HOSPITALS SUPERANNUATION (GENERAL AMENDMENT) BILL—(*from Assembly—Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. J. M. Walton*).
- *7 CEMETERIES (GUARANTEES) BILL—(*from Assembly—Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- *8 HEALTH (CONSULTATIVE COUNCIL ON MATERNAL AND PERINATAL MORTALITY AND MORBIDITY) BILL (No. 2)—(*from Assembly—Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 9 MEAT CONTROL BILL—(*from Assembly—Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. D. E. Kent*).
- *10 DRUGS, POISONS AND CONTROLLED SUBSTANCES BILL—(*from Assembly—Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- *11 E.D.P. IN VICTORIAN PUBLIC SECTOR—PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE REPORT—To be considered.
- 12 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(*Hon. Glyn Jenkins*)—*Resumption of debate.* (*Hon. D. R. White*).
- 13 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(*Hon. Glyn Jenkins*)—*Resumption of debate.* (*Hon. D. R. White*).

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(*Hon. G. A. Sgro*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. H. M. Hamilton*).
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. H. R. Ward*).
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.

- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. H. R. Ward*).
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(*Hon. R. A. Mackenzie*)—Second reading—*Resumption of debate.* (*Hon. W. V. Houghton*).
- 13 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.
- 15 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
- 16 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 17 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 18 TEACHER EDUCATION—FINAL REPORT OF COMMITTEE OF VICTORIAN ENQUIRY—To be considered.
- 19 CONSERVATION OF ENERGY RESOURCES—MOTION URGING ENCOURAGEMENT OF APPROPRIATE BUILDING TECHNIQUES AND INTRODUCTION OF INCENTIVES (*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 20 WILDLIFE (SPRING TRAPS) BILL—(*Hon. R. A. Mackenzie*)—Second reading—*Resumption of debate.* (*Hon. W. V. Houghton*).
- 21 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1980-81—To be considered.
- 22 HEALTH ADVISORY COUNCIL REPORT, 1980-81—To be considered.
- 23 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1978-79—To be considered.
- 24 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1978-79—To be considered.
- 25 MELBOURNE AND METROPOLITAN TRAMWAYS BOARD REPORT, 1980-81—To be considered.
- 26 DEPARTMENT OF MINERALS AND ENERGY REPORT, 1980—To be considered.
- 27 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT, 1980-81—To be considered.
- 28 VICTORIAN A.L.P.—MOTION EXPRESSING CONCERN AT GROWTH OF CONTROL BY SOCIALIST LEFT FACTION (*Hon. B. A. Chamberlain*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 29 NATIONAL PARKS SERVICE REPORT, 1980-81—To be considered.
- 30 HOSPITALS SUPERANNUATION BOARD REPORT, 1980-81—To be considered.
- 31 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1980-81—To be considered.
- 32 PLANNING APPEALS BOARD REGULATIONS 1981 (S.R. No. 488/1981)—To be considered.

- 33 VICTORIAN BROWN COAL COUNCIL REPORT, 1980-81—To be considered.
- 34 VICTORIAN EGG MARKETING BOARD REPORT, 1980-81—To be considered.
- *35 CONSUMER AFFAIRS COUNCIL REPORT, 1980-81—To be considered.
- *36 GREYHOUND RACING CONTROL BOARD REPORT, 1980-81—To be considered.
- *37 VICTORIAN DEVELOPMENT CORPORATION REPORT, 1980-81—To be considered.
- *38 VICTORIAN FISHING INDUSTRY COUNCIL REPORT, 1980-81—To be considered.
- *39 S.E.C. SUPPLY TO NEW SUBSCRIBERS—MOTION FOR EQUITABLE AND JUST GUIDELINES AS TO COSTS (*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. D. R. White*).

* * *

TUESDAY, 15 DECEMBER
GOVERNMENT BUSINESS

Order of the Day

- *1 BUSINESS FRANCHISE (AMENDMENT) BILL—(*from Assembly—Hon. Glyn Jenkins*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedg, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

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Mr President takes the Chair at a Quarter past Eleven o'clock

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State's road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act* 1958 to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. D. R. WHITE—To move, That he have leave to bring in a Bill to prohibit the retailing of Motor Fuel from Depot Sites, to ensure the Supply of Motor Fuel to Franchisees, to regulate the entering into, renewing, assigning and terminating of Franchise Agreements, to establish the Gas and Fuel Corporation as Petroleum Pricing Agency and for other purposes.
- 7 The Hon. D. R. WHITE—To move, That this House calls on the Government to require the Melbourne and Metropolitan Board of Works to make more efficient use of the Board's financial assets to overcome the sewerage backlog.
- 8 The Hon. R. J. EDDY—To move, That the Council take note of the Report of the Ombudsman for the year 1980-81.

GOVERNMENT BUSINESS

Orders of the Day

- 1 COMMERCIAL ARBITRATION BILL—(*Hon. Haddon Storey*)—Second reading.
- 2 HISTORIC BUILDINGS BILL—(*from Assembly—Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. Evan Walker*).

** Notifications to which an asterisk (*) is prefixed appear for the first time.*

- 3 CO-OPERATION BILL—(from Assembly—Hon. F. J. Granter)—Second reading—*Resumption of debate.* (Hon. C. J. Kennedy).
- 4 HOSPITALS SUPERANNUATION (GENERAL AMENDMENT) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—*Resumption of debate.* (Hon. J. M. Walton).
- *5 EMPLOYMENT AND TRAINING (PAY-ROLL TAX REBATE) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).
- *6 MOTOR ACCIDENTS (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. Joan Coxsedge).
- 7 DRUGS, POISONS AND CONTROLLED SUBSTANCES BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).
- 8 E.D.P. IN VICTORIAN PUBLIC SECTOR—PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE REPORT—To be considered.
- 9 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—*Resumption of debate.* (Hon. D. R. White).
- 10 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—*Resumption of debate.* (Hon. D. R. White).

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(Hon. G. A. Sgro)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. H. M. Hamilton).
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. H. R. Ward).
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(Hon. W. A. Landeryou)—Second reading.
- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(Hon. W. A. Landeryou)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(Hon. W. A. Landeryou)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(Hon. Evan Walker)—Second reading—*Resumption of debate.* (Hon. H. R. Ward).
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(Hon. R. A. Mackenzie)—Second reading—*Resumption of debate.* (Hon. W. V. Houghton).
- 13 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.

- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.
- 15 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
- 16 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 17 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 18 TEACHER EDUCATION—FINAL REPORT OF COMMITTEE OF VICTORIAN ENQUIRY—To be considered.
- 19 CONSERVATION OF ENERGY RESOURCES—MOTION URGING ENCOURAGEMENT OF APPROPRIATE BUILDING TECHNIQUES AND INTRODUCTION OF INCENTIVES (*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 20 WILDLIFE (SPRING TRAPS) BILL—(*Hon. R. A. Mackenzie*)—Second reading—*Resumption of debate.* (*Hon. W. V. Houghton*).
- 21 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1978-79—To be considered.
- 22 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1978-79—To be considered.
- 23 MELBOURNE AND METROPOLITAN TRAMWAYS BOARD REPORT, 1980-81—To be considered.
- 24 DEPARTMENT OF MINERALS AND ENERGY REPORT, 1980—To be considered.
- 25 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT, 1980-81—To be considered.
- 26 VICTORIAN A.L.P.—MOTION EXPRESSING CONCERN AT GROWTH OF CONTROL BY SOCIALIST LEFT FACTION (*Hon. B. A. Chamberlain*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 27 NATIONAL PARKS SERVICE REPORT, 1980-81—To be considered.
- 28 HOSPITALS SUPERANNUATION BOARD REPORT, 1980-81—To be considered.
- 29 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1980-81—To be considered.
- 30 PLANNING APPEALS BOARD REGULATIONS 1981 (S.R. No. 488/1981)—To be considered.
- 31 VICTORIAN BROWN COAL COUNCIL REPORT, 1980-81—To be considered.
- 32 VICTORIAN EGG MARKETING BOARD REPORT, 1980-81—To be considered.
- 33 CONSUMER AFFAIRS COUNCIL REPORT, 1980-81—To be considered.
- 34 GREYHOUND RACING CONTROL BOARD REPORT, 1980-81—To be considered.
- 35 VICTORIAN DEVELOPMENT CORPORATION REPORT, 1980-81—To be considered.
- 36 VICTORIAN FISHING INDUSTRY COUNCIL REPORT, 1980-81—To be considered.
- 37 S.E.C. SUPPLY TO NEW SUBSCRIBERS—MOTION FOR EQUITABLE AND JUST GUIDELINES AS TO COSTS (*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. D. R. White*).
- *38 COMMUNITY WELFARE SERVICES DEPARTMENT REPORT, 1979-80—To be considered.
- *39 LEGAL AID COMMISSION REPORT—PERIOD ENDED 30 JUNE 1981—To be considered.

TUESDAY, 15 DECEMBER
GOVERNMENT BUSINESS

Orders of the Day

- 1 BUSINESS FRANCHISE (AMENDMENT) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- *2 SUPERANNUATION (LUMP SUM BENEFITS) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- *3 MEDICAL PRACTITIONERS (AMENDMENT) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- *4 VICTORIA STATE EMERGENCY SERVICE BILL—(from Assembly—Hon. F. J. Granter)—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

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CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

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PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

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MINUTES OF THE PROCEEDINGS

Nos. 30, 31, 32 and 33

No. 30—Tuesday, 8 December 1981

- 1 The President took the Chair and read the Prayer.
- 2 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR—The Honourable A. J. Hunt presented Messages from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz.:
 - Foreign Judgments (Amendment) Act.*
 - Motor Car (Amendment) Act.*
 - Environment Protection (Licence Fees) Act.*
 - Public Account (Investment Powers) Act.*
 - Public Trustee (Amendment) Act.*
 - Gift Duty (Amendment) Act.*
 - Liquor Control (Amendment) Act.*
 - Motor Car (Mass and Dimension Limits) (Amendment) Act.*
 - Country Fire Authority (Amendment) Act.*
 - Property Law (Delivery by Agent) Act.*
 - Geelong Waterworks and Sewerage (Amendment) Act.*
 - Supreme Court (Funds in Court) Act.*
 - Penalty Interest Rates Act.*
 - Law Reform Act.*
 - Port of Portland Authority Act.*
- 3 MESSAGES FROM THE ASSEMBLY—The President announced the receipt of Messages from the Assembly returning the following Bills and acquainting the Council that they have agreed to the same without amendment:
 - Supreme Court (Funds in Court) Bill.
 - Foreign Judgments (Amendment) Bill.
 - Penalty Interest Rates Bill.
 - Property Law (Delivery by Agent) Bill.
 - Coroners (Amendment) Bill.
 - Listing of Debtors Bill.
 - Magistrates (Summary Proceedings) (Traffic Courts) Bill.
 - Law Reform Bill.
 - Crown Reservations (Revocation and Excision) Bill.
 - Summary Offences (False Reports to Police) Bill.
 - Wildlife (Fees) Bill.
- 4 MEAT CONTROL BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Abattoir and Meat Inspection Act 1973’ and the ‘Health Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 5 SOIL CONSERVATION AND LAND UTILIZATION (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with an amendment and desiring the concurrence of the Council therein.

Ordered—That the amendment be now taken into consideration.

And the said amendment was read and is as follows:

Clause 11, omit this clause.

On the motion of the Honourable W. V. Houghton, and after debate, the Council agreed to the amendment made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

- 6 CHELSEA LANDS BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with an amendment and desiring the concurrence of the Council therein.

Ordered—That the amendment be now taken into consideration.

And the said amendment was read and is as follows:

Schedule Six, in the scale endorsed on the plan, omit “100” and insert “80”.

On the motion of the Honourable W. V. Houghton, and after debate, the Council agreed to the amendment made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

- 7 PETITION—STATE ELECTRICITY COMMISSION—The Honourable D. R. White presented a Petition from certain citizens of Victoria praying that the House take immediate action to reject the recently-announced State Electricity Commission tariff increases and to institute a wide-ranging inquiry into the management and policies of the Commission.

Ordered to lie on the Table.

8 PAPERS—

POLICE—The Honourable F. J. Granter presented, by command of His Excellency the Governor:

Victoria Police Force—Report for the year 1980.

Ordered to lie on the Table.

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The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Hospitals Superannuation Board—Report for the year 1980–81.

State Employees Retirement Benefits Board—Report for the year 1980–81.

Statutory Rules under the following Acts of Parliament:

Business Franchise (Tobacco) Act 1974—No. 492.

County Court Act 1958—No. 480.

Forests Act 1958—No. 486.

Motor Boating Act 1961—No. 481.

Planning Appeals Board Act 1980—No. 488.

Victorian Brown Coal Council—Report for the year 1980–81.

Victorian Egg Marketing Board—Report for the year ended 4 July 1981.

The Honourable Evan Walker moved, That the Reports and Statutory Rule No. 488 be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 9 POSTPONEMENT OF NOTICES OF MOTION AND ORDERS OF THE DAY—Ordered, after debate—That the consideration of the Notices of Motion, General Business, and Orders of the Day, Government Business, Nos. 1 to 3 inclusive, be postponed until later this day.
- 10 MEAT CONTROL BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable W. V. Houghton moved, That this Bill be now read a second time.

The Honourable D. E. Kent moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Thursday next.

- 11 STANDING ORDERS—PRIVATE BILL PROCEDURE—The Order of the Day having been read for the resumption of the debate on the question, That Standing Orders 311 to 331 be repealed and that certain other Standing Orders relating to private Bills and a consequential amendment be adopted (for motion see page 137 *ante*)—

Debate resumed.

Question—put and resolved in the affirmative.

- 12 POSTPONEMENT OF ORDERS OF THE DAY—Ordered, after debate—That the consideration of Orders of the Day, Government Business, Nos. 5 to 15 inclusive, be postponed until later this day.

- 13 VICTORIAN WATER AND SEWERAGE AUTHORITIES ASSOCIATION BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 14 STAMPS (FURTHER AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.

The Honourable R. J. Eddy (for the Honourable G. A. Sgro) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 15 BUILDING INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable W. R. Baxter moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 16 POLICE REGULATION (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 17 FRIENDLY SOCIETIES (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 18 FREEDOM OF INFORMATION BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to the Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable V. T. Hauser having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered, after debate—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 19 HOSPITALS SUPERANNUATION (GENERAL AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Hospitals Superannuation Act 1965' and the 'Hospitals Superannuation (Amendment) Act 1980' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Glyn Jenkins (for the Honourable W. V. Houghton), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 20 PAY-ROLL TAX (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 21 LAND TAX (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 22 BUILDING INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

The Honourable Haddon Storey moved, by leave, That it be an instruction to the Committee that they have power to consider new clauses relating to the assessment of the period of service of certain Loy Yang workers and payments by the State Electricity Commission to the Building Industry Long Service Leave Board.

Question—put and resolved in the affirmative.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 23 WORKS AND SERVICES APPROPRIATION BILL—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 24 BUILDING INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 25 HOSPITALS SUPERANNUATION (GENERAL AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins (for the Honourable W. V. Houghton) moved, That this Bill be now read a second time.

The Honourable R. J. Eddy (for the Honourable J. M. Walton) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 26 WORKS AND SERVICES APPROPRIATION BILL—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time, after debate, and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 27 ADJOURNMENT—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at a quarter to Two o'clock.

Question—put and resolved in the affirmative.

The Honourable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirteen minutes past Ten o'clock, adjourned until tomorrow at a quarter to Two o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

No. 31—Wednesday, 9 December 1981

- 1 The President took the Chair and read the Prayer.
- 2 **DRUGS, POISONS AND CONTROLLED SUBSTANCES BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to re-enact with Amendments the Law relating to Drugs, Poisons and Controlled Substances, to amend the ‘Health Act 1958’ and the ‘Crimes Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable A. J. Hunt (for the Honourable W. V. Houghton), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 3 **ADJOURNMENT—MOTION UNDER STANDING ORDER No. 53**—The Honourable R. A. Mackenzie moved, That the Council do now adjourn, and said he proposed to speak to the subject of “The failure of the Government to require the Chiropractors and Osteopaths Registration Board to register all chiropractors and osteopaths eligible for registration under the Act”; and six other Honourable Members having risen in their places and required the motion to be proposed—

Debate ensued.

Question—put.

The Council divided.

AYES, 12

The Hon. G. A. S. Butler
 Joan Coxsedge
 R. J. Eddy
 C. J. Kennedy
 D. E. Kent
 W. A. Landeryou
 R. A. Mackenzie
 G. A. Sgro
 I. B. Trayling
 Evan Walker
 J. M. Walton (*Teller*)
 D. R. White (*Teller*)

NOES, 28

The Hon. W. R. Baxter
 H. G. Baylor
 P. D. Block
 C. Bubb
 B. A. Chamberlain
 D. G. Crozier
 B. P. Dunn
 D. M. Evans
 Dr K. J. Foley
 F. J. Granter
 J. V. C. Guest
 H. M. Hamilton (*Teller*)
 V. T. Hauser (*Teller*)
 D. K. Hayward
 W. V. Houghton
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles
 R. Lawson
 R. J. Long
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 N. F. Stacey
 Haddon Storey
 J. A. Taylor
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative.

- 4 PETITION—PULPWOOD HARVESTING, OTWAY RANGES—The Honourable R. A. Mackenzie presented a Petition from certain citizens of Victoria praying that a full Environmental Effects Statement be made on and a full inquiry be held into proposed pulpwood harvesting in the Otway Ranges.

Ordered to lie on the Table.

- 5 PAPERS—

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE—The Honourable D. K. Hayward presented a Report from the Public Accounts and Expenditure Review Committee upon the Current and Future Use of EDP Facilities and Techniques in the Victorian Public Sector, together with Appendices, Minutes of Evidence and Submissions.

Ordered to lie on the Table, and the Report and Appendices to be printed.

The Honourable Glyn Jenkins moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Consumer Affairs Council—Report for the year 1980–81.

Education Act 1958—Resumption of land at Wangaratta—Certificates of the Minister of Education (four papers).

Greyhound Racing Control Board—Report for the year ended 31 July 1981.

Victorian Development Corporation—Report for the year 1980–81.

Victorian Fishing Industry Council—Report for the year 1980–81.

The Honourable Evan Walker moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 6 COMMERCIAL ARBITRATION BILL—On the motion of the Honourable A. J. Hunt (for the Honourable Haddon Storey), leave was given to bring in a Bill to make Provision with respect to the Arbitration of certain Disputes, to repeal the *Arbitration Act* 1958, to amend the *Legal Profession Practice Act* 1958, to make certain consequential Amendments to various other Acts and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 7 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 to 7 inclusive, be postponed until later this day.

- 8 STATE ELECTRICITY COMMISSION SUPPLY COSTS—The Honourable K. I. M. Wright moved, That this House expresses its deep concern at the cost of extension of State Electricity Commission supply to new subscribers, both individuals and industries, and calls on the Minister to intervene to establish more equitable and just guidelines for the assessment of such costs.

Debate ensued.

The Honourable D. R. White moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 9 CEMETERIES (GUARANTEES) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Cemeteries Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable F. J. Granter (for the Honourable W. V. Houghton), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 10 HOSPITALS AND CHARITIES (BORROWING POWERS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Hospitals and Charities Act 1958’ with respect to the Borrowing Powers of certain institutions*” and desiring the concurrence of the Council therein.

On the motion of the Honourable F. J. Granter (for the Honourable W. V. Houghton), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 11 HEALTH (CONSULTATIVE COUNCIL ON MATERNAL AND PERINATAL MORTALITY AND MORBIDITY) BILL (No. 2)—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Health Act 1958’ to establish a Consultative Council on Maternal and Perinatal Mortality and Morbidity and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable F. J. Granter (for the Honourable W. V. Houghton), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 12 HISTORIC BUILDINGS BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable A. J. Hunt moved, That this Bill be now read a second time.

The Honourable W. A. Landeryou (for the Honourable Evan Walker) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until later this day.

- 13 CO-OPERATION BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable F. J. Granter moved, That this Bill be now read a second time.

The Honourable C. J. Kennedy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until later this day.

- 14 DRUGS, POISONS AND CONTROLLED SUBSTANCES BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable A. J. Hunt (for the Honourable W. V. Houghton) moved, That this Bill be now read a second time.

The Honourable R. J. Eddy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.

- 15 CEMETERIES (GUARANTEES) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable F. J. Granter (for the Honourable W. V. Houghton) moved, That this Bill be now read a second time.

The Honourable R. J. Eddy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until the next day of meeting.

- 16 TRUSTEE (AUTHORIZED INVESTMENTS) BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same without amendment.
- 17 HOSPITALS AND CHARITIES (BORROWING POWERS) BILL—This Bill was, according to Order, read a second time and, by leave, read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 18 HEALTH (CONSULTATIVE COUNCIL ON MATERNAL AND PERINATAL MORTALITY AND MORBIDITY) BILL (No. 2)—The Order of the Day having been read for the second reading of this Bill, the Honourable W. V. Houghton moved, That this Bill be now read a second time.
The Honourable R. J. Eddy (for the Honourable W. A. Landeryou) moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until later this day.
- 19 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 3, be postponed until later this day.
- 20 CREDIT BILL, GOODS (SALES AND LEASES) BILL AND CHATTEL SECURITIES BILL—The Order of the Day having been read for the resumption of the debate on the question, That these Bills be now read a second time (pursuant to the resolution of the Council on 2 December 1981)—
Debate resumed.
Question—put.
The Council divided.

AYES, 25

The Hon. W. R. Baxter
H. G. Baylor
P. D. Block
C. Bubbs
B. A. Chamberlain
D. G. Crozier
B. P. Dunn
D. M. Evans
J. V. C. Guest
H. M. Hamilton
D. K. Hayward (*Teller*)
W. V. Houghton
Dr R. W. Howard
A. J. Hunt
Glyn Jenkins
R. I. Knowles
R. Lawson
R. J. Long
J. W. S. Radford
N. B. Reid
N. F. Stacey
Haddon Storey
J. A. Taylor
H. R. Ward (*Teller*)
K. I. M. Wright

NOES, 11

The Hon. G. A. S. Butler
Joan Coxsedg (*Teller*)
R. J. Eddy (*Teller*)
C. J. Kennedy
D. E. Kent
W. A. Landeryou
R. A. Mackenzie
I. B. Trayling
Evan Walker
J. M. Walton
D. R. White

And so it was resolved in the affirmative.

And the Bills having been read a second time—

- 21 CREDIT BILL—This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable P. D. Block having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 22 GOODS (SALES AND LEASES) BILL AND CHATTEL SECURITIES BILL—The Honourable Haddon Storey moved, by leave, that these Bills be now read a third time.

Question—put and resolved in the affirmative—Bills read a third time and passed.

Ordered—That Messages be sent to the Assembly acquainting them that the Council have agreed to the Bills without amendment.

- 23 BUSINESS FRANCHISE (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Business Franchise (Tobacco) Act 1974' and the 'Business Franchise (Petroleum Products) Act 1979' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Haddon Storey (for the Honourable Glyn Jenkins), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 24 STATE EMPLOYÉES RETIREMENT BENEFITS (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'State Employées Retirement Benefits Act 1979' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Haddon Storey (for the Honourable Glyn Jenkins), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 25 PORT OF GEELONG AUTHORITY BILL—The President announced the receipt of a Message from the Assembly transmitting a communication from the Clerk of the Parliaments (pursuant to Joint Standing Order No. 21), calling attention to certain clerical errors in this Bill, and acquainting the Council that they have agreed that such errors be corrected—

By the insertion of "*Geelong Waterworks and Sewerage Act 1958*" instead of "*Geelong Waterworks and Sewerage Trust Act 1958*" in the Long Title;

By the insertion of "*Grain Handling Improvement Authorities Act 1979*" instead of "*Grain Handling Improvement Authority Act 1979*" in the Long Title;

By the insertion of "*Geelong Waterworks and Sewerage Act 1958*" instead of "*Geelong Waterworks and Sewerage Trust Act 1958*" in the Schedule, page 11, item 53; and

By the insertion of "*Grain Handling Improvement Authorities Act 1979*" instead of "*Grain Handling Improvement Authority Act 1979*" in the Schedule, page 12, item 62—

and desiring the concurrence of the Council therein.

On the motion of the Honourable Haddon Storey, the Council concurred with the Assembly in the correction of the clerical errors discovered in this Bill and ordered that a Message be sent to the Assembly acquainting them therewith.

26 MOTOR CAR (FURTHER AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same without amendment.

27 BUSINESS FRANCHISE (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.

The Honourable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

28 STATE EMPLOYÉ'S RETIREMENT BENEFITS (AMENDMENT) BILL—This Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

29 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 7 and 8, be postponed until later this day.

30 HEALTH (CONSULTATIVE COUNCIL ON MATERNAL AND PERINATAL MORTALITY AND MORBIDITY) BILL—DISCHARGE OF ORDER OF THE DAY—The Honourable W. V. Houghton moved, by leave, That the Order of the Day for the second reading of this Bill be read and discharged.

Question—put and resolved in the affirmative.

Ordered—That the Bill be withdrawn.

31 ADJOURNMENT—The Honourable Haddon Storey moved, That the Council, at its rising, adjourn until tomorrow at a quarter to Eleven o'clock.

Question—put and resolved in the affirmative.

And then the Council, at thirty-eight minutes past Eleven o'clock, adjourned until tomorrow at a quarter to Eleven o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

No. 32—Thursday, 10 December 1981

1 The President took the Chair and read the Prayer.

2 MEDICAL PRACTITIONERS (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Medical Practitioners Act 1970' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 3 ALCOHOLICS AND DRUG-DEPENDENT PERSONS (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Alcoholics and Drug-dependent Persons Act 1968’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 4 HISTORIC SHIPWRECKS BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make Provision for the Protection of Certain Shipwrecks and Relics of Historic Significance*” and desiring the concurrence of the Council therein.

On the motion of the Honourable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

5 PAPERS—

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE—The Honourable N. F. Stacey presented the following Reports from the Public Accounts and Expenditure Review Committee:

(a) Final Report on the Auditor-General’s Reports for 1978–79; and

(b) Report on the Expenditure from the Advance to the Treasurer 1979–80.

Ordered to lie on the Table and to be printed.

* * * *

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Community Welfare Services—Report of the Department for the year 1979–80 (two papers).

Legal Aid Commission—Report for the period ended 30 June 1981.

Statutory Rule under the County Court Act 1958—No. 489.

The Honourable R. J. Eddy moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 6 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of the Notices of Motion, General Business, be postponed until later this day.

- 7 ALCOHOLICS AND DRUG-DEPENDENT PERSONS (AMENDMENT) BILL—This Bill was, according to Order, read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 8 HISTORIC SHIPWRECKS BILL—This Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 9 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 3 inclusive, be postponed until later this day.
- 10 RAILWAYS (BORROWING POWERS) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—
Debate resumed.
The Honourable W. A. Landeryou (for the Honourable R. J. Eddy) moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until later this day.
- 11 MEDICAL PRACTITIONERS (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable W. V. Houghton moved, That this Bill be now read a second time.
The Honourable W. A. Landeryou moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until Tuesday next.
- 12 RAILWAYS (BORROWING POWERS) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 13 STAMPS (FURTHER AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, read a third time and passed.
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 14 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 6 and 7, be postponed until later this day.
- 15 HEALTH (CONSULTATIVE COUNCIL ON MATERNAL AND PERINATAL MORTALITY AND MORBIDITY) BILL (No. 2)—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—
Debate resumed.
The Honourable D. E. Kent (for the Honourable W. A. Landeryou) moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until later this day.

- 16 MEAT CONTROL BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 17 SUPERANNUATION (LUMP SUM BENEFITS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to repeal the 'Married Women's Superannuation Fund Act 1968', to amend the 'Superannuation Act 1958', the 'Police Regulation Act 1958', the 'Superannuation Benefits Act 1977', the 'Superannuation Act 1975' and the 'Pensions Supplementation Act 1966', to make Provision for the Payment of Superannuation Benefits to Married Women and to Part-time Officers and Employés of the Public Service and for other purposes'*" and desiring the concurrence of the Council therein.

On the motion of the Honourable W. V. Houghton (for the Honourable Glyn Jenkins), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 18 HEALTH (CONSULTATIVE COUNCIL ON MATERNAL AND PERINATAL MORTALITY AND MORBIDITY) BILL (No. 2)—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 19 SUPERANNUATION (LUMP SUM BENEFITS) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable A. J. Hunt (for the Honourable Glyn Jenkins) moved, That this Bill be now read a second time.

The Honourable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 20 CEMETERIES (GUARANTEES) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 21 EMPLOYMENT AND TRAINING (PAY-ROLL TAX REBATE) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Employment and Training Act 1981', to provide for a rebate on pay-roll tax paid in respect of first-year apprentices and for other purposes'*" and desiring the concurrence of the Council therein.

On the motion of the Honourable A. J. Hunt (for the Honourable Glyn Jenkins), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

The Order of the Day having been read for the second reading of this Bill, the Honourable A. J. Hunt moved, That this Bill be now read a second time.

The Honourable R. J. Eddy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 22 POSTAL SERVICES DISRUPTION—The Honourable H. G. Baylor moved, That this House deplores and condemns the deliberate disruption of postal services presently occurring and calls upon those concerned to restore full services without delay to avoid further unnecessary hardship and inconvenience to Victorian citizens and businesses.

Debate ensued.

Question—put and resolved in the affirmative.

- 23 VICTORIA STATE EMERGENCY SERVICE BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for the Constitution of a Victoria State Emergency Service, to prescribe the Functions thereof, to provide for the Payment of Compensation to Members thereof injured in the Performance of Activities as such and to certain other Persons, and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 24 HISTORIC BUILDINGS BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable R. A. Mackenzie (for the Honourable Evan Walker) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 25 MOTOR ACCIDENTS (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Motor Accidents Act 1973' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 26 VICTORIA STATE EMERGENCY SERVICE BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable F. J. Granter moved, That this Bill be now read a second time.

The Honourable R. J. Eddy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 27 MOTOR ACCIDENTS (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.

The Honourable Joan Coxside moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered, after debate—That the debate be adjourned until the next day of meeting.

28 ADJOURNMENT—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at Eleven o'clock.

Question—put and resolved in the affirmative.

The Honourable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at forty-five minutes past Six o'clock, adjourned until tomorrow at Eleven o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

No. 33—Friday, 11 December 1981

1 The President took the Chair and read the Prayer.

2 EMPLOYMENT AND TRAINING BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to establish a Ministry of Employment and Training, to make provision with respect to the functions of the Ministry and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable A. J. Hunt, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

3 RACING (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Racing Act 1958' and the 'Lotteries Gaming and Betting Act 1966', in relation to Greyhound Racing and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

4 EDUCATION SERVICE BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to establish the Education Service, to repeal the 'Teaching Service Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable A. J. Hunt, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

5 PAPERS—

DRAINAGE OF LAND—The Honourable Glyn Jenkins moved, by leave, That there be laid before this House a copy of the Review by the Ministry of Water Resources of the Drainage of Land Act (Part I).

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable Glyn Jenkins and ordered to lie on the Table and to be printed.

The Honourable D. R. White moved, That the Report be taken into consideration later this day.

Question—put and resolved in the affirmative.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Education—Report of the Minister of Education and the Assistant Minister of Education for the year 1979–80.

Explosives—Reports of the Chief Inspector for the years 1979 and 1980 (two papers).

Inflammable Liquids—Reports of the Chief Inspector for the years 1979 and 1980 (two papers).

Liquefied Gases—Report of the Chief Inspector for the year 1980.

Melbourne and Metropolitan Board of Works—Statements of accounts, together with particulars of rates made, for the year 1980–81.

Teacher Housing Authority—Report for the year 1980–81.

Victorian Institute of Secondary Education—Report for the year 1980.

The Honourable Evan Walker moved, That the Report of the Minister and Assistant Minister of Education, the Accounts of the Melbourne and Metropolitan Board of Works, and the Reports of the Teacher Housing Authority and Victorian Institute of Secondary Education be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

6 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of the Notices of Motion, General Business, be postponed until later this day.

7 COMMERCIAL ARBITRATION BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.

The Honourable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

8 RACING (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable F. J. Granter moved, That this Bill be now read a second time.

The Honourable R. J. Eddy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

9 EMPLOYMENT AND TRAINING BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable A. J. Hunt moved, That this Bill be now read a second time.

The Honourable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

10 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 and 3, be postponed until later this day.

11 HOSPITALS SUPERANNUATION (GENERAL AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 12 HISTORIC BUILDINGS BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable Evan Walker moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be not proceeded with until—

- (a) the Historic Buildings Preservation Council, the National Trust of Australia (Victoria) and all other groups which have demonstrated a concern for Victoria’s heritage have been consulted; and
- (b) due consideration has been given to the inclusion in the Bill of precincts, gardens, mines and sites of archaeological, scientific, engineering, cultural and urban significance”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 22

The Hon. W. R. Baxter
 H. G. Baylor
 P. D. Block
 C. Bubb
 W. M. Campbell
 B. A. Chamberlain
 F. J. Granter
 J. V. C. Guest
 H. M. Hamilton
 V. T. Hauser
 D. K. Hayward
 W. V. Houghton
 Dr R. W. Howard
 (Teller)
 A. J. Hunt
 Glyn Jenkins
 R. Lawson
 R. J. Long
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 N. F. Stacey
 H. R. Ward (Teller)

NOES, 11

The Hon. G. A. S. Butler
 Joan Coxside
 R. J. Eddy
 C. J. Kennedy
 D. E. Kent
 R. A. Mackenzie (Teller)
 G. A. Sgro (Teller)
 I. B. Trayling
 Evan Walker
 J. M. Walton
 D. R. White

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative.

Bill read a second time and, by leave, read a third time, after debate, and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 13 PENSIONERS RATES REMISSION BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make further provision with respect to the payment of certain Rates and Charges, to amend 1958*”, the ‘*Melbourne and Metropolitan Board of Works Act 1958*’, the ‘*Mildura the ‘Geelong Waterworks and Sewerage Act 1958*’, the ‘*Local Government Act*

Irrigation and Water Trusts Act 1958, the *'Sewerage Districts Act 1958'* and the *'Water Act 1958'* and for other purposes" and desiring the concurrence of the Council therein.

On the motion of the Honourable Glyn Jenkins, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 14 WORKERS COMPENSATION (ACTIONS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Workers Compensation Act 1958' in relation to Proceedings under the Act and at Common Law and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Glyn Jenkins (for the Honourable W. V. Houghton), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 15 INDUSTRIAL TRAINING (FURTHER AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend further the 'Industrial Training Act 1975' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable A. J. Hunt, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 16 DIETITIANS BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to re-enact and amend the Law relating to Dietitians and the Practice of Dietetics, and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Glyn Jenkins (for the Honourable W. V. Houghton), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 17 PENSIONERS RATES REMISSION BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.

Debate ensued.

The Honourable W. R. Baxter (for the Honourable K. I. M. Wright) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 18 BUILDING INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendments made in such Bill by the Council.

- 19 SUPERANNUATION BENEFITS BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make provision with respect to retirement benefits for certain contributors who are retrenched, to amend the 'Superannuation Benefits Act 1977' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Glyn Jenkins (for the Honourable A. J. Hunt), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 20 WORKERS COMPENSATION (ACTIONS) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins (for the Honourable W. V. Houghton) moved, That this Bill be now read a second time. The Honourable Evan Walker (for the Honourable G. A. S. Butler) moved, That the debate be now adjourned. Question—That the debate be now adjourned—put and resolved in the affirmative. Ordered—That the debate be adjourned until Tuesday next.
- 21 INDUSTRIAL TRAINING (FURTHER AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins (for the Honourable A. J. Hunt) moved, That this Bill be now read a second time. The Honourable Evan Walker (for the Honourable W. A. Landeryou) moved, That the debate be now adjourned. Question—That the debate be now adjourned—put and resolved in the affirmative. Ordered—That the debate be adjourned until Tuesday next.
- 22 DIETITIANS BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins (for the Honourable W. V. Houghton) moved, That this Bill be now read a second time. The Honourable C. J. Kennedy moved, That the debate be now adjourned. Question—That the debate be now adjourned—put and resolved in the affirmative. Ordered—That the debate be adjourned until Tuesday next.
- 23 TATTERSALL CONSULTATIONS (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Tattersall Consultations Act 1958' with respect to the Sale of Tickets to Minors and for other purposes*" and desiring the concurrence of the Council therein. On the motion of the Honourable Glyn Jenkins, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 24 SUPERANNUATION BENEFITS BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins (for the Honourable A. J. Hunt) moved, That this Bill be now read a second time. The Honourable Evan Walker moved, That the debate be now adjourned. Question—That the debate be now adjourned—put and resolved in the affirmative. Ordered—That the debate be adjourned until Tuesday next.
- 25 TATTERSALL CONSULTATIONS (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time. The Honourable R. J. Eddy moved, That the debate be now adjourned. Question—That the debate be now adjourned—put and resolved in the affirmative. Ordered—That the debate be adjourned until Tuesday next.
- 26 ADJOURNMENT—The Honourable F. J. Granter moved, That the Council, at its rising, adjourn until Tuesday next at a quarter to Two o'clock. Question—put and resolved in the affirmative. The Honourable F. J. Granter moved, That the House do now adjourn. Debate ensued. Question—put and resolved in the affirmative.

And then the Council, at one minute past Five o'clock, adjourned until Tuesday next at a quarter to Two o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

Mr President takes the Chair at Two o'clock

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State's road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act 1958* to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. D. R. WHITE—To move, That he have leave to bring in a Bill to prohibit the retailing of Motor Fuel from Depot Sites, to ensure the Supply of Motor Fuel to Franchisees, to regulate the entering into, renewing, assigning and terminating of Franchise Agreements, to establish the Gas and Fuel Corporation as Petroleum Pricing Agency and for other purposes.
- 7 The Hon. D. R. WHITE—To move, That this House calls on the Government to require the Melbourne and Metropolitan Board of Works to make more efficient use of the Board's financial assets to overcome the sewerage backlog.
- 8 The Hon. R. J. EDDY—To move, That the Council take note of the Report of the Ombudsman for the year 1980-81.

GOVERNMENT BUSINESS

Orders of the Day

- *1 EDUCATION SERVICE BILL—(from Assembly—Hon. A. J. Hunt)—Second reading.
- 2 COMMERCIAL ARBITRATION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).

* Notifications to which an asterisk (*) is prefixed appear for the first time.

- 3 SUPERANNUATION (LUMP SUM BENEFITS) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—Resumption of debate. (Hon. R. A. Mackenzie).
- 4 BUSINESS FRANCHISE (AMENDMENT) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 5 MEDICAL PRACTITIONERS (AMENDMENT) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 6 CO-OPERATION BILL—(from Assembly—Hon. F. J. Granter)—Second reading—Resumption of debate. (Hon. C. J. Kennedy).
- 7 VICTORIA STATE EMERGENCY SERVICE BILL—(from Assembly—Hon. F. J. Granter)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- 8 EMPLOYMENT AND TRAINING (PAY-ROLL TAX REBATE) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—Resumption of debate. (Hon. G. A. S. Butler).
- 9 MOTOR ACCIDENTS (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. Joan Coxsedge).
- 10 DRUGS, POISONS AND CONTROLLED SUBSTANCES BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- *11 EMPLOYMENT AND TRAINING BILL—(from Assembly—Hon. A. J. Hunt)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- *12 RACING (AMENDMENT) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- *13 PENSIONERS RATES REMISSION BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—Resumption of debate. (Hon. K. I. M. Wright).
- *14 WORKERS COMPENSATION (ACTIONS) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. G. A. S. Butler).
- *15 INDUSTRIAL TRAINING (FURTHER AMENDMENT) BILL—(from Assembly—Hon. A. J. Hunt)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- *16 DIETITIANS BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. C. J. Kennedy).
- *17 SUPERANNUATION BENEFITS BILL—(from Assembly—Hon. A. J. Hunt)—Second reading—Resumption of debate. (Hon. Evan Walker).
- *18 TATTERSALL CONSULTATIONS (AMENDMENT) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- 19 E.D.P. IN VICTORIAN PUBLIC SECTOR—PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE REPORT—To be considered.
- 20 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—Resumption of debate. (Hon. D. R. White).
- 21 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—Resumption of debate. (Hon. D. R. White).

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(Hon. G. A. Sgro)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(Hon. W. A. Landeryou)—Second reading—Resumption of debate. (Hon. H. M. Hamilton).

- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. H. R. Ward).
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(Hon. W. A. Landeryou)—Second reading.
- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(Hon. W. A. Landeryou)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(Hon. W. A. Landeryou)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(Hon. Evan Walker)—Second reading—*Resumption of debate.* (Hon. H. R. Ward).
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(Hon. R. A. Mackenzie)—Second reading—*Resumption of debate.* (Hon. W. V. Houghton).
- 13 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.
- 15 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
- 16 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 17 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (Hon. D. M. Evans)—*Resumption of debate.* (Hon. F. J. Granter).
- 18 TEACHER EDUCATION—FINAL REPORT OF COMMITTEE OF VICTORIAN ENQUIRY—To be considered.
- 19 CONSERVATION OF ENERGY RESOURCES—MOTION URGING ENCOURAGEMENT OF APPROPRIATE BUILDING TECHNIQUES AND INTRODUCTION OF INCENTIVES (Hon. R. Lawson)—*Resumption of debate.* (Hon. Evan Walker).
- 20 WILDLIFE (SPRING TRAPS) BILL—(Hon. R. A. Mackenzie)—Second reading—*Resumption of debate.* (Hon. W. V. Houghton).
- 21 VICTORIAN A.L.P.—MOTION EXPRESSING CONCERN AT GROWTH OF CONTROL BY SOCIALIST LEFT FACTION (Hon. B. A. Chamberlain)—*Resumption of debate.* (Hon. W. A. Landeryou).
- 22 NATIONAL PARKS SERVICE REPORT, 1980-81—To be considered.
- 23 HOSPITALS SUPERANNUATION BOARD REPORT, 1980-81—To be considered.
- 24 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1980-81—To be considered.
- 25 PLANNING APPEALS BOARD REGULATIONS 1981 (S.R. No. 488/1981)—To be considered.
- 26 VICTORIAN BROWN COAL COUNCIL REPORT, 1980-81—To be considered.
- 27 VICTORIAN EGG MARKETING BOARD REPORT, 1980-81—To be considered.
- 28 CONSUMER AFFAIRS COUNCIL REPORT, 1980-81—To be considered.

- 29 GREYHOUND RACING CONTROL BOARD REPORT, 1980-81—To be considered.
- 30 VICTORIAN DEVELOPMENT CORPORATION REPORT, 1980-81—To be considered.
- 31 VICTORIAN FISHING INDUSTRY COUNCIL REPORT, 1980-81—To be considered.
- 32 S.E.C. SUPPLY TO NEW SUBSCRIBERS—MOTION FOR EQUITABLE AND JUST GUIDELINES AS TO COSTS (*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. D. R. White*).
- 33 COMMUNITY WELFARE SERVICES DEPARTMENT REPORT, 1979-80—To be considered.
- 34 LEGAL AID COMMISSION REPORT—PERIOD ENDED 30 JUNE 1981—To be considered.
- *35 DRAINAGE OF LAND ACT REVIEW (PART I)—To be considered.
- *36 EDUCATION—MINISTER'S REPORT, 1979-80—To be considered.
- *37 MELBOURNE AND METROPOLITAN BOARD OF WORKS ACCOUNTS, 1980-81—To be considered.
- *38 TEACHER HOUSING AUTHORITY REPORT, 1980-81—To be considered.
- *39 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1980—To be considered.

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

* * *

Mr President takes the Chair at a Quarter past Eleven o'clock

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State's road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act* 1958 to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. D. R. WHITE—To move, That he have leave to bring in a Bill to prohibit the retailing of Motor Fuel from Depot Sites, to ensure the Supply of Motor Fuel to Franchisees, to regulate the entering into, renewing, assigning and terminating of Franchise Agreements, to establish the Gas and Fuel Corporation as Petroleum Pricing Agency and for other purposes.
- 7 The Hon. D. R. WHITE—To move, That this House calls on the Government to require the Melbourne and Metropolitan Board of Works to make more efficient use of the Board's financial assets to overcome the sewerage backlog.
- 8 The Hon. R. J. EDDY—To move, That the Council take note of the Report of the Ombudsman for the year 1980-81.

GOVERNMENT BUSINESS

Orders of the Day

- *1 MOTOR CAR (DRIVERS' LICENCES) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading.
- *2 BUILDING CONTROL BILL—(from Assembly—Hon. D. G. Crozier)—Second reading.

* Notifications to which an asterisk (*) is prefixed appear for the first time.

- 3 PENSIONERS RATES REMISSION BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—Resumption of debate. (Hon. K. I. M. Wright).
- 4 TATTERSALL CONSULTATIONS (AMENDMENT) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- 5 EMPLOYMENT AND TRAINING BILL—(from Assembly—Hon. A. J. Hunt)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 6 EMPLOYMENT AND TRAINING (PAY-ROLL TAX REBATE) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—Resumption of debate. (Hon. G. A. S. Butler).
- 7 EDUCATION SERVICE BILL—(from Assembly—Hon. A. J. Hunt)—Second reading—Resumption of debate. (Hon. Evan Walker).
- 8 WORKERS COMPENSATION (ACTIONS) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. G. A. S. Butler).
- 9 DIETITIANS BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. C. J. Kennedy).
- 10 INDUSTRIAL TRAINING (FURTHER AMENDMENT) BILL—(from Assembly—Hon. A. J. Hunt)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 11 DRUGS, POISONS AND CONTROLLED SUBSTANCES BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- 12 SUPERANNUATION BENEFITS BILL—(from Assembly—Hon. A. J. Hunt)—Second reading—Resumption of debate. (Hon. Evan Walker).
- 13 E.D.P. IN VICTORIAN PUBLIC SECTOR—PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE REPORT—To be considered.
- 14 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—Resumption of debate. (Hon. D. R. White).
- 15 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—Resumption of debate. (Hon. D. R. White).

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(Hon. G. A. Sgro)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(Hon. W. A. Landeryou)—Second reading—Resumption of debate. (Hon. H. M. Hamilton).
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(Hon. W. A. Landeryou)—Second reading—Resumption of debate. (Hon. H. R. Ward).
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- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(Hon. W. A. Landeryou)—Second reading.

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- 10 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(Hon. Evan Walker)—Second reading—*Resumption of debate.* (Hon. H. R. Ward).
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(Hon. R. A. Mackenzie)—Second reading—*Resumption of debate.* (Hon. W. V. Houghton).
- 13 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
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- 16 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 17 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (Hon. D. M. Evans)—*Resumption of debate.* (Hon. F. J. Granter).
- 18 TEACHER EDUCATION—FINAL REPORT OF COMMITTEE OF VICTORIAN ENQUIRY—To be considered.
- 19 CONSERVATION OF ENERGY RESOURCES—MOTION URGING ENCOURAGEMENT OF APPROPRIATE BUILDING TECHNIQUES AND INTRODUCTION OF INCENTIVES (Hon. R. Lawson)—*Resumption of debate.* (Hon. Evan Walker).
- 20 WILDLIFE (SPRING TRAPS) BILL—(Hon. R. A. Mackenzie)—Second reading—*Resumption of debate.* (Hon. W. V. Houghton).
- 21 VICTORIAN A.L.P.—MOTION EXPRESSING CONCERN AT GROWTH OF CONTROL BY SOCIALIST LEFT FACTION (Hon. B. A. Chamberlain)—*Resumption of debate.* (Hon. W. A. Landeryou).
- 22 HOSPITALS SUPERANNUATION BOARD REPORT, 1980-81—To be considered.
- 23 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1980-81—To be considered.
- 24 PLANNING APPEALS BOARD REGULATIONS 1981 (S.R. No. 488/1981)—To be considered.
- 25 VICTORIAN BROWN COAL COUNCIL REPORT, 1980-81—To be considered.
- 26 VICTORIAN EGG MARKETING BOARD REPORT, 1980-81—To be considered.
- 27 CONSUMER AFFAIRS COUNCIL REPORT, 1980-81—To be considered.
- 28 GREYHOUND RACING CONTROL BOARD REPORT, 1980-81—To be considered.
- 29 VICTORIAN DEVELOPMENT CORPORATION REPORT, 1980-81—To be considered.
- 30 VICTORIAN FISHING INDUSTRY COUNCIL REPORT, 1980-81—To be considered .
- 31 S.E.C. SUPPLY TO NEW SUBSCRIBERS—MOTION FOR EQUITABLE AND JUST GUIDELINES AS TO COSTS (Hon. K. I. M. Wright)—*Resumption of debate.* (Hon. D. R. White).
- 32 COMMUNITY WELFARE SERVICES DEPARTMENT REPORT, 1979-80—To be considered.
- 33 LEGAL AID COMMISSION REPORT—PERIOD ENDED 30 JUNE 1981—To be considered.
- 34 DRAINAGE OF LAND ACT REVIEW (PART I)—To be considered.
- 35 EDUCATION—MINISTERS' REPORT, 1979-80—To be considered.
- 36 MELBOURNE AND METROPOLITAN BOARD OF WORKS ACCOUNTS, 1980-81—To be considered.

- 37 TEACHER HOUSING AUTHORITY REPORT, 1980-81—To be considered.
- 38 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1980—To be considered.
- *39 VICTORIAN COUNCIL OF THE ARTS REPORT, 1980-81—To be considered.
- *40 BUILDING SOCIETIES REGISTRAR'S REPORT, 1979-80—To be considered.
- *41 INSTITUTE OF EDUCATIONAL ADMINISTRATION REPORT, 1980-81—To be considered.
- *42 FORESTS COMMISSION REPORT, 1980-81—To be considered.
- *43 HEALTH COMMISSION REPORT, 1980-81—To be considered.
- *44 LAW REFORM COMMISSIONER'S REPORT, 1980-81—To be considered.
- *45 MELBOURNE UNIVERSITY COUNCIL REPORT, 1980—To be considered.
- *46 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1980-81—To be considered.
- *47 VICTORIAN SOLAR ENERGY COUNCIL REPORT—PERIOD ENDED 30 JUNE 1981—To be considered.

* * *

TUESDAY, 22 DECEMBER
GOVERNMENT BUSINESS

Order of the Day

- 1 COMMERCIAL ARBITRATION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. W. A. Landeryou).*

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedg, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

* * *

Mr President takes the Chair at Two o'clock

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State's road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act* 1958 to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. D. R. WHITE—To move, That he have leave to bring in a Bill to prohibit the retailing of Motor Fuel from Depot Sites, to ensure the Supply of Motor Fuel to Franchisees, to regulate the entering into, renewing, assigning and terminating of Franchise Agreements, to establish the Gas and Fuel Corporation as Petroleum Pricing Agency and for other purposes.
- 7 The Hon. D. R. WHITE—To move, That this House calls on the Government to require the Melbourne and Metropolitan Board of Works to make more efficient use of the Board's financial assets to overcome the sewerage backlog.
- 8 The Hon. R. J. EDDY—To move, That the Council take note of the Report of the Ombudsman for the year 1980-81.

GOVERNMENT BUSINESS

Orders of the Day

- *1 LOTTERIES GAMING AND BETTING (AMENDMENT) BILL—(from Assembly—Hon. F. J. Granter)—Second reading.
- *2 WATER AND SEWERAGE AUTHORITIES (FINANCIAL) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—*Resumption of debate.* (Hon. D. R. White).

* Notifications to which an asterisk (*) is prefixed appear for the first time.

- 3 MOTOR CAR (DRIVERS' LICENCES) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—*Resumption of debate.* (Hon. J. M. Walton).
- *4 DRIED FRUITS (AMENDMENT) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—*Resumption of debate.* (Hon. D. E. Kent).
- *5 FUEL PRICES REGULATION BILL—(from Assembly—Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. D. R. White).
- *6 FILM VICTORIA BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—*Resumption of debate.* (Hon. Evan Walker).
- 7 BUILDING CONTROL BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- *8 FUTURE STRUCTURES FOR URBAN WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—To be considered.
- 9 E.D.P. IN VICTORIAN PUBLIC SECTOR—PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE REPORT—To be considered.
- 10 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—*Resumption of debate.* (Hon. D. R. White).
- 11 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—*Resumption of debate.* (Hon. D. R. White).

GENERAL BUSINESS

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- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(Hon. G. A. Sgro)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. H. M. Hamilton).
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. H. R. Ward).
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(Hon. W. A. Landeryou)—Second reading.
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- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(Hon. W. A. Landeryou)—Second reading.
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- 10 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
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- 20 WILDLIFE (SPRING TRAPS) BILL—(*Hon. R. A. Mackenzie*)—Second reading—*Resumption of debate.* (*Hon. W. V. Houghton*).
- 21 VICTORIAN A.L.P.—MOTION EXPRESSING CONCERN AT GROWTH OF CONTROL BY SOCIALIST LEFT FACTION (*Hon. B. A. Chamberlain*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
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- 40 MELBOURNE UNIVERSITY COUNCIL REPORT, 1980—To be considered.
- 41 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1980–81—To be considered.
- 42 VICTORIAN SOLAR ENERGY COUNCIL REPORT—PERIOD ENDED 30 JUNE 1981—To be considered.
- *43 RAILWAY CONSTRUCTION AND PROPERTY BOARD REPORT, 1980–81—To be considered.
- *44 STATE SUPERANNUATION BOARD REPORT, 1980–81—To be considered.
- *45 VICTORIAN BROWN COAL RESOURCE—MINISTERIAL STATEMENT—To be considered.

TUESDAY, 22 DECEMBER
GOVERNMENT BUSINESS

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- 1 COMMERCIAL ARBITRATION BILL—(*Hon. Haddon Storey*)—Second reading—
Resumption of debate. (Hon. W. A. Landeryou).

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
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SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

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MINUTES OF THE PROCEEDINGS

Nos. 34, 35 and 36

No. 34—Tuesday, 15 December 1981

- 1 The President took the Chair and read the Prayer.
- 2 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR—The Honourable A. J. Hunt presented Messages from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz.:

Serpell Joint Schools Act.

Sale Station Relocation and Development Act.

Coroners (Amendment) Act.

Listing of Debtors Act.

Magistrates (Summary Proceedings) (Traffic Courts) Act.

Crown Reservations (Revocation and Excision) Act.

Summary Offences (False Reports to Police) Act.

Wildlife (Fees) Act.

Soil Conservation and Land Utilization (Amendment) Act.

Chelsea Lands Act.

Police Regulation (Amendment) Act.

Pay-roll Tax (Amendment) Act.

Land Tax (Amendment) Act.

Works and Services Appropriation Act.

Chattel Securities Act.

Goods (Sales and Leases) Act.

Friendly Societies (Amendment) Act.

Trustee (Authorized Investments) Act.

Hospitals and Charities (Borrowing Powers) Act.

Motor Car (Further Amendment) Act.

Alcoholics and Drug-dependent Persons (Amendment) Act.

State Employees Retirement Benefits (Amendment) Act.

3 PAPERS—

RICHMOND COUNCIL—The Honourable D. G. Crozier presented, by command of His Excellency the Governor—

Council Elections of the City of Richmond—Interim Report of Board of Inquiry.

Ordered to lie on the Table.

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RAFFLES AND BINGO PERMITS BOARD—The Honourable A. J. Hunt moved, by leave, That there be laid before this House a copy of the Report of the Raffles and Bingo Permits Board for the year 1980–81.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable A. J. Hunt and ordered to lie on the Table.

* * * *

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Arts—Report of the Victorian Council of the Arts for the year 1980–81.

Building Societies—Report of the Registrar for the year 1979–80.

Education—Report of the Institute of Educational Administration for the year 1980–81.

Forests Commission—Report for the year 1980–81.

Health Commission—Report for the year 1980–81.

Law Reform Commissioner—Report for the year 1980–81.

Melbourne University—Report of the Council, together with Statutes and Regulations allowed by His Excellency the Governor, for the year 1980 (eleven papers).

National Parks Advisory Council—Report for the year 1980–81.

Police Service Board—Determination No. 355.

Statutory Rules under the following Acts of Parliament:

Fisheries Act 1968—No. 491.

Marine Act 1958—No. 493.

Public Service Act 1974—No. 490; PSD No. 186.

Victorian Solar Energy Council—Report and accounts for the period ended 30 June 1981.

The Honourable W. A. Landeryou moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

4 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of the Notices of Motion, General Business, be postponed until later this day.

5 EDUCATION SERVICE BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable A. J. Hunt moved, That this Bill be now read a second time.

The Honourable Evan Walker moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

6 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until Tuesday next.

7 SUPERANNUATION (LUMP SUM BENEFITS) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable R. A. Mackenzie moved, as an 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 all employee organizations with members affected by changes in superannuation arrangements are consulted and an actuarial costing of the change in benefits is made available to Parliament”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put and resolved in the affirmative. Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

8 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 4 to 6 inclusive, be postponed until later this day.

- 9 VICTORIA STATE EMERGENCY SERVICE BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 10 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 8, be postponed until later this day.

- 11 MOTOR ACCIDENTS (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time, after debate, and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 12 CO-OPERATION BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy President resumed the Chair; and the Honourable R. J. Long reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 13 BUSINESS FRANCHISE (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 14 MEDICAL PRACTITIONERS (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 15 CO-OPERATION BILL—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable V. T. Hauser having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

16 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 10 and 11, be postponed until later this day.

17 RACING (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable B. A. Chamberlain having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

18 WRONGS (PUBLIC CONTRACTS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to enable the Recovery of Loss or Damage arising out of the Breach of certain Contracts and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable A. J. Hunt, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

19 MOTOR CAR (DRIVERS' LICENCES) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend Part III. of the 'Motor Car Act 1958' with respect to the Licensing of Drivers and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Glyn Jenkins, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

20 WRONGS (PUBLIC CONTRACTS) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable A. J. Hunt moved, That this Bill be now read a second time.

Debate ensued.

Question—put.

The Council divided.

AYES, 26

The Hon. W. R. Baxter
H. G. Baylor
C. Bubb
W. M. Campbell
B. A. Chamberlain
D. G. Crozier
B. P. Dunn
D. M. Evans
F. J. Granter
J. V. C. Guest
H. M. Hamilton
V. T. Hauser
D. K. Hayward
W. V. Houghton
Dr R. W. Howard
A. J. Hunt
Glyn Jenkins

NOES, 11

The Hon. G. A. S. Butler
Joan Coxsedg
R. J. Eddy
C. J. Kennedy (*Teller*)
D. E. Kent (*Teller*)
W. A. Landeryou
R. A. Mackenzie
G. A. Sgro
Evan Walker
J. M. Walton
D. R. White

R. I. Knowles
 R. Lawson (*Teller*)
 R. J. Long (*Teller*)
 J. W. S. Radford
 N. B. Reid
 N. F. Stacey
 J. A. Taylor
 H. R. Ward
 K. I. M. Wright

And so it was resolved in the affirmative—Bill read a second time and, by leave, read a third time, after debate, and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 21 BUILDING CONTROL BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to consolidate and amend and make further Provision for the Law relating to Building, to provide for the better Regulation of Building, to establish a Division of Building Control, a Building Control Technical Advisory Council, a Building Control Accreditation Authority, a Plumbers Gasfitters and Drainers Registration Board, a Building Qualifications Board and Building Referees Boards, to amend the ‘Health Act 1958’, the ‘Housing Act 1958’, the ‘Labour and Industry Act 1958’, the ‘Local Government Act 1958’ and other Acts and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 22 ADJOURNMENT—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at Eleven o’clock.

Question—put and resolved in the affirmative.

The Honourable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

And the Council having continued to sit until after Twelve midnight—

WEDNESDAY, 16 DECEMBER

Debate continued.

Question—put and resolved in the affirmative.

And then the Council, at five minutes past Twelve o’clock in the morning, adjourned until this day at Eleven o’clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

No. 35—Wednesday, 16 December 1981

- 1 The President took the Chair and read the Prayer.

- 2 WATER AND SEWERAGE AUTHORITIES (FINANCIAL) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Water Act 1958’, the ‘Sewerage Districts Act 1958’, the ‘Latrobe Valley Act 1958’, the ‘Geelong Water Works and Sewerage Act 1958’, the ‘Mildura Irrigation and Water Trusts Act 1958’ and the ‘Dandenong Valley Authority Act 1963’*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Glyn Jenkins, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

3 PAPERS—

PUBLIC BODIES REVIEW COMMITTEE—WATER MANAGEMENT—The Honourable Dr K. J. Foley presented a Report from the Public Bodies Review Committee on Future Structures for Water Management—Final Recommendations on Regional and Local Structures for Urban Services, together with Appendices, and Minutes of Evidence with Index.

Ordered to lie on the Table, and the Report and Appendices to be printed.

The Honourable Glyn Jenkins moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE—1981 ACTIVITIES—The Honourable D. K. Hayward presented a Report from the Public Accounts and Expenditure Review Committee on the 1981 activities of the Committee.

Ordered to lie on the Table and to be printed.

* * * *

RAILWAYS STATUS REPORTS—The Honourable Glyn Jenkins moved, by leave, That there be laid before this House copies of the Railway Construction and Property Board Status Reports for—

(a) Box Hill Transport Centre as at June 1981 and October 1981;

(b) Werribee Central Area Redevelopment as at November 1981; and

(c) Frankston Transport Centre as at November 1981.

Question—put and resolved in the affirmative.

The said Reports were thereupon presented by the Honourable Glyn Jenkins and ordered to lie on the Table.

* * * *

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Railway Construction and Property Board—Report for the year 1980–81.

State Superannuation Board—Report for the year 1980–81.

The Honourable Evan Walker moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

4 **POSTPONEMENT OF NOTICES OF MOTION**—Ordered—That the consideration of the Notices of Motion, General Business, be postponed until later this day.

5 **MOTOR CAR (DRIVERS' LICENCES) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.

The Honourable W. A. Landeryou (for the Honourable J. M. Walton) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

6 **WATER AND SEWERAGE AUTHORITIES (FINANCIAL) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.

The Honourable W. A. Landeryou (for the Honourable D. R. White) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 7 BUILDING CONTROL BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable D. G. Crozier moved, That this Bill be now read a second time.

The Honourable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

The Honourable D. G. Crozier moved, That the debate be adjourned until the next day of meeting.

Debate ensued.

Question—put.

The Council divided.

AYES, 27

The Hon. W. R. Baxter
 H. G. Baylor
 P. D. Block
 C. Bubb
 B. A. Chamberlain
 D. G. Crozier
 B. P. Dunn
 D. M. Evans
 Dr K. J. Foley
 F. J. Granter
 J. V. C. Guest
 H. M. Hamilton
 V. T. Hauser
 D. K. Hayward
 W. V. Houghton
 Dr R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles
 R. Lawson
 R. J. Long
 J. W. S. Radford (*Teller*)
 N. B. Reid (*Teller*)
 D. N. Saltmarsh
 J. A. Taylor
 H. R. Ward
 K. I. M. Wright

NOES, 12

The Hon. G. A. S. Butler
 Joan Cocksedge (*Teller*)
 R. J. Eddy (*Teller*)
 C. J. Kennedy
 D. E. Kent
 W. A. Landeryou
 R. A. Mackenzie
 G. A. Sgro
 I. B. Trayling
 Evan Walker
 J. M. Walton
 D. R. White

And so it was resolved in the affirmative.

- 8 FUEL PRICES REGULATION BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act with respect to the Regulation of Prices for certain Fuel and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. G. Crozier (for the Honourable Haddon Storey), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 9 PENSIONERS RATES REMISSION BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 10 FUEL PRICES REGULATION BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable A. J. Hunt (for the Honourable Haddon Storey) moved, That this Bill be now read a second time.

The Honourable D. R. White moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 11 TATTERSALL CONSULTATIONS (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 12 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 5 to 7 inclusive, be postponed until later this day.

- 13 WORKERS COMPENSATION (ACTIONS) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 14 DIETITIANS BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable C. J. Kennedy moved, as an 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 the Government provides the House with a statement of nutritional policy for Victoria and details of a plan to put that policy into effect”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 27

The Hon. W. R. Baxter
H. G. Baylor
P. D. Block
C. Bubb
B. A. Chamberlain
D. G. Crozier
B. P. Dunn
D. M. Evans
Dr K. J. Foley
F. J. Granter
H. M. Hamilton
V. T. Hauser

NOES, 12

The Hon. G. A. S. Butler
Joan Coxsedge
R. J. Eddy
C. J. Kennedy (*Teller*)
D. E. Kent (*Teller*)
W. A. Landeryou
R. A. Mackenzie
G. A. Sgro
I. B. Trayling
Evan Walker
J. M. Walton
D. R. White

D. K. Hayward
 W. V. Houghton
 Dr R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles
 R. Lawson
 R. J. Long
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 N. F. Stacey (*Teller*)
 J. A. Taylor (*Teller*)
 H. R. Ward
 K. I. M. Wright

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 15 MINISTERIAL STATEMENT—BROWN COAL RESOURCE—The Honourable D. G. Crozier made a Ministerial Statement concerning the future use of the Victorian brown coal resource.

The Honourable W. A. Landeryou moved, That the statement be taken into consideration later this day.

Question—put and resolved in the affirmative.

- 16 INDUSTRIAL TRAINING (FURTHER AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 17 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 11 and 12, be postponed until later this day.

- 18 EMPLOYMENT AND TRAINING BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable B. A. Chamberlain having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 19 EMPLOYMENT AND TRAINING (PAY-ROLL TAX REBATE) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 20 SUPERANNUATION BENEFITS BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable B. A. Chamberlain reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 21 EDUCATION SERVICE BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable Evan Walker moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to provide a new industrial relations structure and processes in full accord with the Report of the Ministerial Working Party on Industrial Relations in the Victorian Teaching Service”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 23

The Hon. H. G. Baylor
 P. D. Block
 C. Bubb
 W. M. Campbell
 B. A. Chamberlain
 D. G. Crozier
 F. J. Granter
 J. V. C. Guest
 H. M. Hamilton
 V. T. Hauser
 D. K. Hayward
 W. V. Houghton
 Dr R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles
 R. Lawson
 R. J. Long
 N. B. Reid (*Teller*)
 D. N. Saltmarsh
 N. F. Stacey
 J. A. Taylor (*Teller*)
 H. R. Ward

NOES, 16

The Hon. W. R. Baxter
 G. A. S. Butler
 Joan Coxsedge
 B. P. Dunn
 R. J. Eddy
 D. M. Evans
 C. J. Kennedy
 D. E. Kent
 W. A. Landeryou
 R. A. Mackenzie (*Teller*)
 G. A. Sgro (*Teller*)
 I. B. Trayling
 Evan Walker
 J. M. Walton
 D. R. White
 K. I. M. Wright

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put.

The Council divided.

AYES, 28

The Hon. W. R. Baxter
 H. G. Baylor
 P. D. Block
 C. Bubb
 W. M. Campbell
 B. A. Chamberlain
 D. G. Crozier
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 H. M. Hamilton
 V. T. Hauser
 D. K. Hayward
 W. V. Houghton
 Dr R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles
 R. Lawson
 R. J. Long
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh (*Teller*)
 N. F. Stacey (*Teller*)
 J. A. Taylor
 H. R. Ward
 K. I. M. Wright

NOES, 12

The Hon. G. A. S. Butler
 Joan Coxsedg
 R. J. Eddy
 C. J. Kennedy
 D. E. Kent
 W. A. Landeryou
 R. A. Mackenzie
 G. A. Sgro
 I. B. Trayling
 Evan Walker
 J. M. Walton (*Teller*)
 D. R. White (*Teller*)

And so it was resolved in the affirmative—Bill read a second time and committed to a Committee of the Whole.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

22 SUPERANNUATION BENEFITS BILL—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 23 DRUGS, POISONS AND CONTROLLED SUBSTANCES BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time, and after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 24 FILM VICTORIA BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to establish a Body Corporate by the Name of Film Victoria, to abolish the Victorian Film Corporation, to repeal the 'Victorian Film Corporation Act 1976' and certain other Enactments and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Glyn Jenkins, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 25 DRIED FRUITS (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Dried Fruits Act 1958' with respect to the Constitution and Functions of the Victorian Dried Fruits Board and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

The Order of the Day for the second reading of this Bill having been read, the Honourable W. V. Houghton moved, That this Bill be now read a second time.

The Honourable R. J. Eddy (for the Honourable D. E. Kent) moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 26 LOTTERIES GAMING AND BETTING (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Lotteries Gaming and Betting Act 1966' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 27 FILM VICTORIA BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.

The Honourable Evan Walker moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 28 ADJOURNMENT—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at a quarter to Two o'clock,

Question—put and resolved in the affirmative.

-The Honourable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at Twelve midnight, adjourned until this day of a quarter to Two o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

No. 36—Thursday, 17 December 1981

- 1 The President took the Chair and read the Prayer.
- 2 RAILWAYS (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Railways Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honourable Glyn Jenkins, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 3 EDUCATIONAL GRANTS (CONTINUATION) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Educational Grants Act 1973’*” and desiring the concurrence of the Council therein.
On the motion of the Honourable A. J. Hunt, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 VICTORIAN ECONOMIC DEVELOPMENT CORPORATION (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Victorian Economic Development Corporation Act 1981’ and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honourable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 5 CO-OPERATION BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendments made in such Bill by the Council.
- 6 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
Friendly Societies and Benefit Associations—Report of the Government Statist for the year 1979–80.
Geelong Performing Arts Centre Trust—Report for the period ended 30 June 1981.
The Honourable W. A. Landeryou moved, That the Reports be taken into consideration on the next day of meeting.
Question—put and resolved in the affirmative.
- 7 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of the Notices of Motion, General Business, be postponed until later this day.

- 8 LOTTERIES GAMING AND BETTING (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable F. J. Granter moved, That this Bill be now read a second time.
The Honourable R. J. Eddy moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until later this day.
- 9 RAILWAYS (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins moved, That this Bill be now read a second time.
The Honourable D. R. White (for the Honourable G. A. S. Butler) moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until later this day.
- 10 EDUCATIONAL GRANTS (CONTINUATION) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable A. J. Hunt moved, That this Bill be now read a second time.
The Honourable W. A. Landeryou (for the Honourable Evan Walker) moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until later this day.
- 11 VICTORIAN ECONOMIC DEVELOPMENT CORPORATION (AMENDMENT) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable D. G. Crozier moved, That this Bill be now read a second time.
Debate ensued.
The Honourable B. P. Dunn moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and resolved in the affirmative.
Ordered—That the debate be adjourned until later this day.
- 12 WATER AND SEWERAGE AUTHORITIES (FINANCIAL) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—
Debate resumed.
The Honourable D. R. White moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to provide for the establishment of a Central Financial Management and Borrowing Agency for local water and sewerage authorities to increase the efficiency with which the existing financial resources of the industry are utilized and to facilitate borrowing”.
Debate ensued.
Question—That the words proposed to be omitted stand part of the question—put.
The Council divided.

AYES, 21

The Hon. H. G. Baylor
P. D. Block
C. Bubb
W. M. Campbell
B. A. Chamberlain
F. J. Granter
J. V. C. Guest

NOES, 15

The Hon. W. R. Baxter
G. A. S. Butler
Joan Coxsedg
B. P. Dunn
R. J. Eddy
D. M. Evans (*Teller*)
C. J. Kennedy

H. M. Hamilton
 V. T. Hauser
 D. K. Hayward
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles
 R. Lawson
 R. J. Long (*Teller*)
 J. W. S. Radford (*Teller*)
 N. B. Reid
 D. N. Saltmarsh
 N. F. Stacey
 J. A. Taylor
 H. R. Ward

D. E. Kent
 W. A. Landeryou
 R. A. Mackenzie
 G. A. Sgro
 Evan Walker
 J. M. Walton
 D. R. White (*Teller*)
 K. I. M. Wright

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put.

The Council divided.

AYES, 32

The Hon. H. G. Baylor
 P. D. Block
 C. Bubb
 G. A. S. Butler
 W. M. Campbell
 B. A. Chamberlain
 Joan Coxsedge
 R. J. Eddy
 F. J. Granter
 J. V. C. Guest
 H. M. Hamilton
 V. T. Hauser
 D. K. Hayward
 A. J. Hunt
 Glyn Jenkins
 C. J. Kennedy
 D. E. Kent
 R. I. Knowles (*Teller*)
 W. A. Landeryou
 R. Lawson (*Teller*)
 R. J. Long
 R. A. Mackenzie
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 G. A. Sgro
 N. F. Stacey
 J. A. Taylor
 Evan Walker
 J. M. Walton
 H. R. Ward
 D. R. White

NOES, 4

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans (*Teller*)
 K. I. M. Wright (*Teller*)

And so it was resolved in the affirmative—Bill read a second time and committed to a Committee of the Whole.

House in Committee.

The President resumed the Chair; and the Honourable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 13 INDUSTRIAL SAFETY, HEALTH AND WELFARE BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for the Safety, Health and Welfare of Persons employed or engaged in Industry, for the Safety of Persons affected by Industry, to repeal certain provisions of the 'Labour and Industry Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 14 MOTOR CAR (DRIVERS' LICENCES) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable B. A. Chamberlain having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 15 PETROLEUM RETAIL SELLING SITES BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act with respect to the Rights and Liabilities of Persons occupying Land for the purpose of selling Motor Fuel by Retail and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Glyn Jenkins (for the Honourable D. G. Crozier), the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

The Order of the Day having been read for the second reading of this Bill, the Honourable Glyn Jenkins (for the Honourable D. G. Crozier) moved, That this Bill be now read a second time.

The Honourable D. R. White moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 16 INDUSTRIAL SAFETY, HEALTH AND WELFARE BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable D. G. Crozier moved, That this Bill be now read a second time.

The Honourable G. A. Sgro moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 17 ASSOCIATIONS INCORPORATION BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with amendments and desiring the concurrence of the Council therein.

Ordered—That the amendments be now taken into consideration.

And the said amendments were read and are as follows:

- 1 Clause 4, lines 34 and 35, omit "who is a member of the association and".
- 2 Clause 25, lines 4 and 5, omit "who is a member of the incorporated association".
- 3 Clause 27, sub-clause (2), paragraph (b), omit this paragraph.
- 4 Clause 30, sub-clause (4), page 24, line 6, omit "the public officer or".

On the motion of the Honourable A. J. Hunt, and after debate, the Council agreed to the amendments made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

- 18 VICTORIAN ECONOMIC DEVELOPMENT CORPORATION (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 19 EDUCATIONAL GRANTS (CONTINUATION) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable Evan Walker moved, as an amendment, That all the words after "That" be omitted with the view of inserting in place thereof "this Bill be withdrawn and re-drafted to provide for the establishment of a State Board of Education to examine and determine the needs of schools and students in Government and non-Government education and to recommend to the Government of Victoria on a continuous public basis the level of expenditure necessary to meet the requirements of Victoria's school children on the basis of needs and priorities, educational experimentation and regionalization".

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put and resolved in the affirmative. Amendment negatived.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 20 ADJOURNMENT—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until Tuesday next at Two o'clock.

Question—put and resolved in the affirmative.

The Honourable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at forty-five minutes past Six o'clock, adjourned until Tuesday next at Two o'clock.

A. R. B. McDONNELL
Clerk of the Legislative Council

...the ... of ...

Mr President takes the Chair at a Quarter past Two o'clock

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. K. I. M. WRIGHT—To move, That this House expresses its concern at the deterioration of the State's road system, particularly in rural areas, and calls on the Government to allocate a greater share of available funds to rural roads.
- 3 The Hon. EVAN WALKER—To move, That there be a Select Committee of eight Members appointed to investigate and report on the need to extend the provisions of the *Landlord and Tenant Act 1958* to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of the electoral law of the State of Victoria with respect to the election of Members to the Legislative Council and to make recommendations for desirable amendments thereto; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 5 The Hon. R. J. EDDY—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 6 The Hon. D. R. WHITE—To move, That he have leave to bring in a Bill to prohibit the retailing of Motor Fuel from Depot Sites, to ensure the Supply of Motor Fuel to Franchisees, to regulate the entering into, renewing, assigning and terminating of Franchise Agreements, to establish the Gas and Fuel Corporation as Petroleum Pricing Agency and for other purposes.
- 7 The Hon. D. R. WHITE—To move, That this House calls on the Government to require the Melbourne and Metropolitan Board of Works to make more efficient use of the Board's financial assets to overcome the sewerage backlog.
- 8 The Hon. R. J. EDDY—To move, That the Council take note of the Report of the Ombudsman for the year 1980-81.

GOVERNMENT BUSINESS

Orders of the Day

- 1 LOTTERIES GAMING AND BETTING (AMENDMENT) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).
- 2 DRIED FRUITS (AMENDMENT) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—*Resumption of debate.* (Hon. D. E. Kent).

** Notifications to which an asterisk (*) is prefixed appear for the first time.*

- 3 FUEL PRICES REGULATION BILL—(from Assembly—Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. D. R. White).
- 4 FILM VICTORIA BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—*Resumption of debate.* (Hon. Evan Walker).
- 5 BUILDING CONTROL BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- 6 FUTURE STRUCTURES FOR URBAN WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—To be considered.
- *7 RAILWAYS (AMENDMENT) BILL—(from Assembly—Hon. Glyn Jenkins)—Second reading—*Resumption of debate.* (Hon. G. A. S. Butler).
- *8 INDUSTRIAL SAFETY, HEALTH AND WELFARE BILL—(from Assembly—Hon. F. J. Granter)—Second reading—*Resumption of debate.* (Hon. G. A. Sgro).
- *9 PETROLEUM RETAIL SELLING SITES BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—*Resumption of debate.* (Hon. D. R. White).
- 10 COMMERCIAL ARBITRATION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 11 E.D.P. IN VICTORIAN PUBLIC SECTOR—PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE REPORT—To be considered.
- 12 DRAFT PROPOSALS ON FUTURE STRUCTURES FOR WATER MANAGEMENT—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—*Resumption of debate.* (Hon. D. R. White).
- 13 ECONOMIC IMPACT OF PUBLIC BODIES—PUBLIC BODIES REVIEW COMMITTEE REPORT—Motion to take note of the Report—(Hon. Glyn Jenkins)—*Resumption of debate.* (Hon. D. R. White).

GENERAL BUSINESS

Orders of the Day

- 1 PUBLIC SERVICE (EMPLOYMENT OF ALIENS) BILL—(Hon. G. A. Sgro)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- 2 CONSTITUTION (COUNCIL POWERS) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. H. M. Hamilton).
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 ELECTORAL COMMISSION BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. H. R. Ward).
- 6 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(Hon. W. A. Landeryou)—Second reading.
- 7 LOCAL GOVERNMENT (EQUALITY OF REPRESENTATION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 8 LOCAL GOVERNMENT (REMOVAL OF UNAUTHORIZED TRADERS) BILL—(Hon. W. A. Landeryou)—Second reading.
- 9 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(Hon. W. A. Landeryou)—Second reading.
- 10 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 11 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(Hon. Evan Walker)—Second reading—*Resumption of debate.* (Hon. H. R. Ward).
- 12 REFUSAL OF MEDICAL TREATMENT BILL—(Hon. R. A. Mackenzie)—Second reading—*Resumption of debate.* (Hon. W. V. Houghton).

- 13 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPLICATION FOR REGISTRATION AS PRIMARY SCHOOL—To be considered.
- 14 CANAAN COLLEGE, THOONA—DECISION OF 7 SEPTEMBER 1981 ON APPEAL AGAINST CANCELLATION OF REGISTRATION AS JUNIOR-SECONDARY SCHOOL—To be considered.
- 15 ADMINISTRATION OF EDUCATION—MINISTERIAL STATEMENT AND CONSULTANT'S REPORT—To be considered.
- 16 TERTIARY COLLEGE STAFFING AND SUPERANNUATION ISSUES—MINISTERIAL STATEMENT—To be considered.
- 17 WELFARE HOUSING—MOTION FOR INCREASED GOVERNMENT FUNDING (*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 18 TEACHER EDUCATION—FINAL REPORT OF COMMITTEE OF VICTORIAN ENQUIRY—To be considered.
- 19 CONSERVATION OF ENERGY RESOURCES—MOTION URGING ENCOURAGEMENT OF APPROPRIATE BUILDING TECHNIQUES AND INTRODUCTION OF INCENTIVES (*Hon. R. Lawson*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 20 WILDLIFE (SPRING TRAPS) BILL—(*Hon. R. A. Mackenzie*)—Second reading—*Resumption of debate.* (*Hon. W. V. Houghton*).
- 21 VICTORIAN A.L.P.—MOTION EXPRESSING CONCERN AT GROWTH OF CONTROL BY SOCIALIST LEFT FACTION (*Hon. B. A. Chamberlain*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 22 S.E.C. SUPPLY TO NEW SUBSCRIBERS—MOTION FOR EQUITABLE AND JUST GUIDELINES AS TO COSTS (*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. D. R. White*).
- 23 COMMUNITY WELFARE SERVICES DEPARTMENT REPORT, 1979-80—To be considered.
- 24 LEGAL AID COMMISSION REPORT—PERIOD ENDED 30 JUNE 1981—To be considered.
- 25 DRAINAGE OF LAND ACT REVIEW (PART I)—To be considered.
- 26 EDUCATION—MINISTERS' REPORT, 1979-80—To be considered.
- 27 MELBOURNE AND METROPOLITAN BOARD OF WORKS ACCOUNTS, 1980-81—To be considered.
- 28 TEACHER HOUSING AUTHORITY REPORT, 1980-81—To be considered.
- 29 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1980—To be considered.
- 30 VICTORIAN COUNCIL OF THE ARTS REPORT, 1980-81—To be considered.
- 31 BUILDING SOCIETIES REGISTRAR'S REPORT, 1979-80—To be considered.
- 32 INSTITUTE OF EDUCATIONAL ADMINISTRATION REPORT, 1980-81—To be considered.
- 33 FORESTS COMMISSION REPORT, 1980-81—To be considered.
- 34 HEALTH COMMISSION REPORT, 1980-81—To be considered.
- 35 LAW REFORM COMMISSIONER'S REPORT, 1980-81—To be considered.
- 36 MELBOURNE UNIVERSITY COUNCIL REPORT, 1980—To be considered.
- 37 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1980-81—To be considered.
- 38 VICTORIAN SOLAR ENERGY COUNCIL REPORT—PERIOD ENDED 30 JUNE 1981—To be considered.
- 39 RAILWAY CONSTRUCTION AND PROPERTY BOARD REPORT, 1980-81—To be considered.
- 40 STATE SUPERANNUATION BOARD REPORT, 1980-81—To be considered.
- 41 VICTORIAN BROWN COAL RESOURCE—MINISTERIAL STATEMENT—To be considered.

- *42 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S REPORT, 1979–80—To be considered.
- *43 GEELONG PERFORMING ARTS CENTRE TRUST REPORT—PERIOD ENDED 30 JUNE 1981—To be considered.

A. R. B. McDONNELL
Clerk of the Legislative Council

FRED S. GRIMWADE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honourables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker.

STATUTE LAW REVISION (JOINT)—The Honourables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh.

* * *

MINUTES OF THE PROCEEDINGS

No. 37—Tuesday, 22 December 1981

- 1 The President took the Chair and read the Prayer.
- 2 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR—The Honourable A. J. Hunt presented Messages from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz.:
 - Port of Geelong Authority Act.*
 - Health (Consultative Council on Maternal and Perinatal Mortality and Morbidity) Act.*
 - Cemeteries (Guarantees) Act.*
 - Educational Grants (Continuation) Act.*
 - Stamps (Further Amendment) Act.*
 - Building Industry Long Service Leave (Amendment) Act.*
 - Hospitals Superannuation (General Amendment) Act.*
 - Railways (Borrowing Powers) Act.*
 - Meat Control Act.*
 - Historic Buildings Act.*
 - Credit Act.*
 - Wrongs (Public Contracts) Act.*
 - Medical Practitioners (Amendment) Act.*
 - Racing (Amendment) Act.*
 - Superannuation (Lump Sum Benefits) Act.*
 - Victoria State Emergency Service Act.*
 - Business Franchise (Amendment) Act.*
 - Motor Accidents (Amendment) Act.*
 - Dietitians Act.*
 - Industrial Training (Further Amendment) Act.*
 - Employment and Training Act.*
 - Employment and Training (Pay-roll Tax Rebate) Act.*
 - Motor Car (Drivers' Licences) Act.*
- 3 MESSAGES FROM THE ASSEMBLY—The President announced the receipt of Messages from the Assembly returning the following Bills and acquainting the Council that they have agreed to the same without amendment:
 - Sale of Land (Deposits) Bill.
 - Magistrates' Courts (Amendment) Bill.
 - Bail (Amendment) Bill.
 - Instruments (Enduring Powers of Attorney) Bill.
 - Penalties and Sentences (Amendment) Bill.
- 4 MINISTERIAL STATEMENT—EDUCATION DEPARTMENT APPOINTMENTS—The Honourable A. J. Hunt made a Ministerial Statement regarding appointments to the positions of Executive Director (Personnel and Resources) and Executive Director (Educational Programmes).

- 5 PETITION—PULPWOOD HARVESTING—The Honourable R. A. Mackenzie presented a Petition from certain citizens of Victoria praying that a full Environmental Effects Statement be made on and a full inquiry be held into proposed pulpwood harvesting in the Otway Ranges.

Ordered to lie on the Table.

6 PAPERS—

SUPERANNUATION FUND—The Honourable Glyn Jenkins presented, by command of His Excellency the Governor—

State Superannuation Fund—Report of the Thirteenth Investigation as at 30 June 1980.

Ordered to lie on the Table.

* * * *

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Health Advisory Council—Report for the year 1980–81.

La Trobe University—Report of the Council, together with Statutes approved by the Governor in Council, for the year 1980 (twelve papers).

Metropolitan Fire Brigades Superannuation Board—Report for the year 1980–81.

Statutory Rules under the following Acts of Parliament:

Industrial Relations Act 1979—No. 497.

Marine Act 1958—No. 494.

Public Service Act 1974—PSD Nos. 170, 173 to 185, and 188 to 193.

Trotting Control Board—Report for the year ended 31 July 1981.

The Honourable Evan Walker moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 7 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of the Notices of Motion, General Business, be postponed until later this day.

- 8 LOTTERIES GAMING AND BETTING (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 9 DRIED FRUITS (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable R. J. Long having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

10 FUEL PRICES REGULATION BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

The Honourable D. R. White moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to provide for the creation of a Fair Prices Commission with criteria included in the Bill which will provide guidelines for the Commission in establishing maximum prices for declared products including declared fuel as well as related products”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 24

NOES, 12

The Hon. W. R. Baxter
 H. G. Baylor (*Teller*)
 P. D. Block
 C. Bubb (*Teller*)
 D. G. Crozier
 B. P. Dunn
 D. M. Evans
 Dr K. J. Foley
 F. J. Granter
 J. V. C. Guest
 H. M. Hamilton
 V. T. Hauser
 D. K. Hayward
 Dr R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles
 R. Lawson
 R. J. Long
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 H. R. Ward
 K. I. M. Wright

The Hon. G. A. S. Butler
 Joan Coxsedge
 R. J. Eddy
 C. J. Kennedy (*Teller*)
 D. E. Kent
 W. A. Landeryou
 R. A. Mackenzie
 G. A. Sgro (*Teller*)
 I. B. Trayling
 Evan Walker
 J. M. Walton
 D. R. White

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

11 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 4 to 6 inclusive, be postponed until later this day.

12 RAILWAYS (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 13 INDUSTRIAL SAFETY, HEALTH AND WELFARE BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

The Honourable G. A. Sgro moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to establish an Occupational Health and Safety Commission comprising a Chairman appointed by the Minister and representatives of the Victorian Trades Hall Council, various employer councils and persons with an interest and expertise in occupational health and safety, to—

- (a) monitor the health and safety of people at work;
- (b) make recommendations to the Minister as to standards to be met by employers and regulations and codes of practice for specific industries; and
- (c) formulate a licensing scheme for safety in work places and the substances to be used therein—

such Commission to be remunerated for its services”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 24

The Hon. W. R. Baxter
 H. G. Baylor (*Teller*)
 C. Bubb
 B. A. Chamberlain
 D. G. Crozier
 B. P. Dunn
 D. M. Evans
 Dr K. J. Foley
 F. J. Granter
 J. V. C. Guest
 H. M. Hamilton
 V. T. Hauser (*Teller*)
 D. K. Hayward
 Dr R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles
 R. J. Long
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 N. F. Stacey
 H. R. Ward
 K. I. M. Wright

NOES, 11

The Hon. G. A. S. Butler
 R. J. Eddy
 C. J. Kennedy
 D. E. Kent
 W. A. Landeryou
 R. A. Mackenzie
 G. A. Sgro
 I. B. Trayling (*Teller*)
 Evan Walker
 J. M. Walton (*Teller*)
 D. R. White

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable R. J. Long having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

14 MESSAGES FROM THE ASSEMBLY—The President announced the receipt of Messages from the Assembly—

Returning the following Bills and acquainting agreement to the same without amendment:

Fisheries (Amendment) Bill.

Wildlife (Protection of Whales) Bill.

Constitution (Parliamentary Oaths) Bill.

Small Claims Tribunals (Jurisdiction) Bill.

Legal Profession Practice (Amendment) Bill.

Companies (Consequential Amendments) Bill.

Companies (Application of Laws) Bill.

Companies (Administration) Bill.

Melbourne and Metropolitan Board of Works (Yarra Development) Bill.

Water and Sewerage Authorities (Interest Payments) Bill.

Returning the following Bills and acquainting agreement to the amendments made in such Bills by the Council:

Education Service Bill.

Drugs, Poisons and Controlled Substances Bill.

15 PETROLEUM RETAIL SELLING SITES BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

16 FILM VICTORIA BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable Evan Walker moved, as an amendment, That all the words after "That" be omitted with the view of inserting in place thereof "this Bill be withdrawn and re-drafted to provide for the establishment of an advisory and co-ordinating body in lieu of the corporate body proposed in the Bill and that the existing State organizations concerned with film production and distribution should be retained".

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 20

The Hon. H. G. Baylor

P. D. Block

C. Bubb

B. A. Chamberlain

(Teller)

D. G. Crozier

NOES, 15

The Hon. W. R. Baxter

G. A. S. Butler

Joan Coxsedge (Teller)

B. P. Dunn

R. J. Eddy (Teller)

D. M. Evans

F. J. Granter	C. J. Kennedy
H. M. Hamilton	D. E. Kent
V. T. Hauser	R. A. Mackenzie
D. K. Hayward	G. A. Sgro
W. V. Houghton	I. B. Trayling
Glyn Jenkins	Evan Walker
R. I. Knowles	J. M. Walton
R. Lawson	D. R. White
R. J. Long (<i>Teller</i>)	K. I. M. Wright
J. W. S. Radford	
N. B. Reid	
D. N. Saltmarsh	
N. F. Stacey	
J. A. Taylor	
H. R. Ward	

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable V. T. Hauser having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 17 MESSAGES FROM THE ASSEMBLY—The President announced the receipt of Messages from the Assembly returning the following Bills and acquainting the Council that they have agreed to the same without amendment:

Land (Further Amendment) Bill.

Victorian Water and Sewerage Authorities Association Bill.

- 18 MINES (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Mines Act 1958' and certain other Acts and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 19 BUILDING CONTROL BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

The Honourable W. A. Landeryou moved, That the consideration of this Order of the Day be adjourned until later this day.

Debate ensued.

Question—put.

The Council divided.

AYES, 10

The Hon. G. A. S. Butler
Joan Coxsedg
R. J. Eddy
C. J. Kennedy (*Teller*)
D. E. Kent (*Teller*)

NOES, 25

The Hon. W. R. Baxter
H. G. Baylor
P. D. Block
C. Bubb
B. A. Chamberlain

W. A. Landeryou
R. A. Mackenzie
G. A. Sgro
Evan Walker
D. R. White

D. G. Crozier
B. P. Dunn
D. M. Evans
F. J. Granter
J. V. C. Guest
H. M. Hamilton (*Teller*)
V. T. Hauser (*Teller*)
D. K. Hayward
W. V. Houghton
Dr R. W. Howard
A. J. Hunt
Glyn Jenkins
R. Lawson
R. J. Long
J. W. S. Radford
D. N. Saltmarsh
N. F. Stacey
J. A. Taylor
H. R. Ward
K. I. M. Wright

And so it passed in the negative.

Debate resumed on main question.

The Honourable R. A. Mackenzie moved, as an 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 an adequate opportunity has been given to municipal councils to examine the provisions of the Bill and compare the same with the proposals circulated in 1980".

And the Council having continued to sit until after 12 midnight—

WEDNESDAY, 23 DECEMBER

Debate continued.

Question—That the words proposed to be omitted stand part of the question—
put.

The Council divided.

AYES, 25

The Hon. W. R. Baxter
H. G. Baylor
C. Bubb
B. A. Chamberlain
D. G. Crozier
B. P. Dunn
D. M. Evans
F. J. Granter
J. V. C. Guest
H. M. Hamilton
V. T. Hauser
D. K. Hayward (*Teller*)
W. V. Houghton
Dr R. W. Howard
(*Teller*)
A. J. Hunt
Glyn Jenkins

NOES, 10

The Hon. G. A. S. Butler
Joan Coxsedg
R. J. Eddy
C. J. Kennedy
D. E. Kent
W. A. Landeryou
R. A. Mackenzie (*Teller*)
G. A. Sgro (*Teller*)
Evan Walker
D. R. White

R. Lawson
 R. J. Long
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 N. F. Stacey
 J. A. Taylor
 H. R. Ward
 K. I. M. Wright

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable B. A. Chamberlain having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 20 MESSAGES FROM THE ASSEMBLY—The President announced the receipt of Messages from the Assembly returning the following Bills and acquainting the Council that they have agreed to the same without amendment:

Disposal of Dartmouth Township Bill.
 Wrongs (Defamation) Bill.
 Charities (Amendment) Bill.
 Education (Councils) Bill.
 Post-Secondary Education (Amendment) Bill.

- 21 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Lands—Report of the Department of Crown Lands and Survey for the year 1980–81.
 Victorian Public Offices Corporation—Report and accounts for the year 1980–81.

- 22 ADJOURNMENT—The Honourable A. J. Hunt moved, That the Council, at its rising, adjourn until a day and hour to be fixed by the President, which time of meeting shall be notified to each Honourable Member by telegram or letter.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirty-three minutes past Two o'clock in the morning, adjourned until a day and hour to be fixed by the President, which time of meeting shall be notified to each Honourable Member by telegram or letter.

A. R. B. McDONNELL
Clerk of the Legislative Council

MESSAGES RECEIVED AFTER THE FINAL
ADJOURNMENT OF BOTH HOUSES AND BEFORE
THE PROROGATION

SESSION 1981-82

Messages were received from His Excellency the Governor informing the Council that he had, on the dates mentioned hereunder, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz.:

On 23 December 1981—

Dried Fruits (Amendment) Act

On 5 January 1982—

Associations Incorporation Act

Bail (Amendment) Act

Charities (Amendment) Act

Companies (Administration) Act

Companies (Application of Laws) Act

Companies (Consequential Amendments) Act

Constitution (Parliamentary Oaths) Act

Disposal of Dartmouth Township Act

Education (Councils) Act

Education Service Act

Film Victoria Act

Fisheries (Amendment) Act

Fuel Prices Regulation Act

Industrial Safety, Health and Welfare Act

Instruments (Enduring Powers of Attorney) Act

Land (Further Amendment) Act

Legal Profession Practice (Amendment) Act

Lotteries Gaming and Betting (Amendment) Act

Magistrates' Courts (Amendment) Act

Melbourne and Metropolitan Board of Works (Yarra Development) Act

Penalties and Sentences (Amendment) Act

Pensioners Rates Remission Act

Petroleum Retail Selling Sites Act

Post-Secondary Education (Amendment) Act

Railways (Amendment) Act

Sale of Land (Deposits) Act

Small Claims Tribunals (Jurisdiction) Act

Superannuation Benefits Act

Tattersall Consultations (Amendment) Act

Victorian Economic Development Corporation (Amendment) Act

Victorian Water and Sewerage Authorities Association Act

Water and Sewerage Authorities (Financial) Act

Water and Sewerage Authorities (Interest Payments) Act

Wildlife (Protection of Whales) Act

Workers Compensation (Actions) Act

Wrongs (Defamation) Act

On 12 January 1982—

Building Control Act

Co-operation Act

Drugs, Poisons and Controlled Substances Act

A Message was received from His Excellency the Governor informing the Council that he had, on 22 December 1981, reserved for the signification of Her Majesty's pleasure thereon, the undermentioned Bill presented to him by the Clerk of the Parliaments, viz.:

Historic Shipwrecks Bill

A Message was received from the Lieutenant-Governor as Deputy for the Governor informing the Council that he had, on 19 January 1982, caused the Bill entitled the "Constitution Act 1981", which was reserved for the signification of Her Majesty's pleasure thereon, and which received Her Majesty's Assent on 16 December 1981, to be proclaimed in the *Victoria Government Gazette* (see No. 5 of 19 January 1982).

MESSAGE RECEIVED AFTER THE PROROGATION

A Message was received from His Excellency the Governor informing the Council that he had, on 18 March 1982, caused the Bill entitled the "Historic Shipwrecks Act 1981", which was reserved for the signification of Her Majesty's pleasure thereon, and which received Her Majesty's Assent on 10 February 1982, to be proclaimed in the *Victoria Government Gazette* (see No. 25 of 10 March 1982)



Victoria Government Gazette

No. 14—Wednesday, 17 February 1982

PROROGUING THE PARLIAMENT OF VICTORIA

PROCLAMATION

By His Excellency the Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

Whereas the Parliament of Victoria stands adjourned until such day and hour as may be fixed by the President of the Legislative Council and the Speaker of the Legislative Assembly respectively: Now I, the Governor of the State of Victoria, in the Commonwealth of Australia, do by this my Proclamation prorogue the said Parliament of Victoria until Friday, 26 February 1982.

Given under my Hand and the Seal of the State of Victoria aforesaid, at Melbourne, this twelfth day of February, in the year of Our Lord One thousand nine hundred and eighty-two, and in the thirty-first year of the reign of Her Majesty Elizabeth II, Queen of Australia.

(L.S.)

HENRY WINNEKE

By His Excellency's Command

L. H. S. THOMPSON
Premier

GOD SAVE THE QUEEN!

DISCHARGING MEMBERS OF THE LEGISLATIVE COUNCIL FROM ATTENDANCE AND DISSOLVING THE LEGISLATIVE ASSEMBLY

PROCLAMATION

By His Excellency the Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

Whereas by the Constitution Act it was amongst other things enacted that it should be lawful for the Governor to fix such places within Victoria and, subject to the limitation therein contained, such times for holding the first and every other Session of the Council and Assembly, and to vary and alter the same respectively in such manner as he might think fit; and also from time to time to prorogue the said Council and Assembly, and to dissolve the said Assembly, by Proclamation or otherwise, whenever he should deem it expedient; And whereas the said Council and Assembly, called "The Parliament of Victoria", stand prorogued until Friday, 26 February 1982: And whereas it is expedient to dissolve the Legislative Assembly: Now therefore I, the Governor of the State of Victoria, in the Commonwealth of Australia, in exercise of the power in me vested in this behalf, do by this my Proclamation discharge the Honourable the Members of the Legislative Council from their meeting and attendance on Friday, 26 February 1982: And I do dissolve the Legislative Assembly, such dissolution to take effect on Wednesday, 24 February 1982: And I do hereby declare that I have this day given Order that Writs be issued in due form, and according to law, for the election of Members to be duly returned to serve in the Legislative Assembly: And (with consent of the President of the Legislative Council) for the Periodical Election of Members to be duly returned to serve in the Legislative Council.

Given under my Hand and the Seal of the State of Victoria aforesaid, at Melbourne, this twelfth day of February, in the year of our Lord One thousand nine hundred and eighty-two, and in the thirty-first year of the reign of Her Majesty Elizabeth II, Queen of Australia.

(L.S.)

HENRY WINNEKE

By His Excellency's Command

L. H. S. THOMPSON
Premier

GOD SAVE THE QUEEN!

GENERAL ELECTION

Notice is hereby given that His Excellency the Governor will issue Writs for a General Election of Members to serve in the Legislative Assembly of Victoria, and (with the consent of the President of the Legislative Council) for the Periodical Election of Members to serve in the Legislative Council of Victoria, on the day first hereinafter mentioned, viz.:

Date of Issue of Writs	Thursday, 25 February 1982
Day of Nomination (before or on which nominations are to be made)	Friday, 12 March 1982
Day of Polling	Saturday, 3 April 1982
Return of Writs	Friday, 23 April 1982

By His Excellency's Command

TOM FORRISTAL
Official Secretary

The Governor's Office
Melbourne, 12 February 1982



Victoria Government Gazette

Extraordinary

No. 22—Monday, 1 March 1982

PROCLAMATION

By His Excellency Sir Brian Stewart Murray, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Officer of the Order of Australia, Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

WHEREAS Her Majesty has been graciously pleased, by Commission under Her Royal Sign Manual and Signet bearing date at Her Majesty's Court, at St. James's the 16th day of February, 1982 to appoint me, Brian Stewart Murray, to be Governor in and over the State of Victoria and its Dependencies in the Commonwealth of Australia: Now therefore I, the Governor aforesaid, do hereby proclaim and declare that I have this day taken the prescribed oaths before the Honourable Sir John McIntosh Young, Chief Justice of the Supreme Court of the said State and before the Executive Council thereof, at Parliament House, Spring Street, Melbourne and I have assumed the said office of Governor, in and over the State of Victoria and its Dependencies in the Commonwealth of Australia under and by virtue of Her Majesty's said Commission.

Given under my Hand and the Seal of the State of Victoria, at Melbourne, this first day of March in the year of our Lord One thousand nine hundred and eighty-two, and in the thirty-first year of the reign of Her Majesty Queen Elizabeth II, Queen of Australia.

(L.S.)

B. S. MURRAY

By His Excellency's Command,

L. H. S. THOMPSON,
Premier

GOD SAVE THE QUEEN !

SELECT COMMITTEES

SESSION 1981-82

COMPANY TAKE-OVERS (Joint)—The Honourables R. Lawson, R. A. Mackenzie and J. W. S. Radford. (Appointed 8 September 1981—*See Act No. 7727 s. 44A*).

CONSERVATION OF ENERGY RESOURCES (Joint)—The Honourables V. T. Hauser, J. A. Taylor and I. B. Trayling. (Appointed 8 September 1981—*See Act No. 8851 s. 2*).

HOUSE (Joint)—The Honourables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling. (Appointed 8 September 1981—*See Act No. 7727 s. 45*).

LIBRARY (Joint)—The Honourables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey. (Appointed 8 September 1981—*See Act No. 7727 s. 36*).

PRINTING—The Honourables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. M. Wright. (Appointed 8 September 1981).

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (Joint)—The Honourables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey. (Appointed 8 September 1981—*See Act No. 7727 s. 4*).

PUBLIC BODIES REVIEW (Joint)—The Honourables B. A. Chamberlain, Dr K. J. Foley and D. R. White. (Appointed 8 September 1981—*See Act No. 7727 s. 48A*).

ROAD SAFETY (Joint)—The Honourables B. P. Dunn, H. M. Hamilton and H. A. Thomas. (Appointed 12 June 1979—*See Act No. 9252 s. 2*).

STANDING ORDERS—The Honourables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and Evan Walker. (Appointed 8 September 1981).

STATUTE LAW REVISION (Joint)—The Honourables Joan Coxsedg, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton. (Appointed 8 September 1981—*See Act No. 7727 s. 37*).

SUBORDINATE LEGISLATION (Joint)—The Honourables H. G. Baylor, D. E. Kent and D. N. Saltmarsh. (Appointed 8 September 1981—*See Act No. 7727 s. 41*).

WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 1

Tuesday, 15 September 1981

No. 1.—SOIL CONSERVATION AND LAND UTILIZATION (AMENDMENT) BILL—Clause 11.

After section 39 of the Principal Act there shall be inserted the following section:

“39A. (1) The Minister may by writing under his hand delegate to any person any of his powers under this Act (except this power of delegation) so that the delegated powers may be exercised by the delegate with respect to the matters specified in the instrument of delegation.

(2) A delegation under this section may be revoked at will by the Minister and shall not prevent the exercise by the Minister of any power so delegated.”

—(*Hon. W. V. Houghton*)

Amendment proposed—That the words and expressions after “hand delegate” be omitted with the view of inserting in place thereof “to the Chairman of the Soil Conservation Authority any of his powers under this Act (except this power of delegation).”

—(*Hon. Evan Walker*)

Question—That the words and expressions proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 21

The Hon. H. G. Baylor
P. D. Block
C. Bubb
B. A. Chamberlain
D. G. Crozier
Dr. K. J. Foley
F. J. Granter
J. V. C. Guest
H. M. Hamilton
V. T. Hauser
D. K. Hayward
W. V. Houghton
Dr. R. W. Howard
A. J. Hunt
Glyn Jenkins
R. Lawson
J. W. S. Radford
D. N. Saltmarsh
N. F. Stacey (*Teller*)
Haddon Storey
H. R. Ward (*Teller*)

Noes, 11

The Hon. Joan Coxsedg
B. P. Dunn
D. M. Evans (*Teller*)
C. J. Kennedy
D. E. Kent
W. A. Landeryou
R. A. Mackenzie
G. A. Sgro
Evan Walker
D. R. White (*Teller*)
K. I. M. Wright

And so it was resolved in the affirmative—Amendment negatived.

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WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 2

Tuesday, 6 October 1981

No. 1—LAND (FURTHER AMENDMENT) BILL—Clause 2.

After section 155 of the Principal Act there shall be inserted the following section:

“155A. (1) Where land is leased under an improvement purchase lease, there may, if the Minister thinks fit, be added to the purchase price of the land so leased an amount equal to the value of any improvements of a permanent nature thereon which were carried out by any person other than the lessee.

(2) The amount to be added to the purchase price pursuant to sub-section (1)—

(a) shall be determined by the Minister immediately before the lease is issued; and

(b) shall be payable in full at the time of the payment of the first annual rent under the lease.

(3) The whole or any part of an amount added to the purchase price of any land and paid by a lessee pursuant to this section may, if the Minister thinks fit, be paid to such person as appears to the Minister to be entitled thereto.”.

—(Hon. W. V. Houghton)

Question—That clause 2 stand part of the Bill—put.

Committee divided—The Hon. P. D. Block in the Chair.

Ayes, 21

The Hon. W. R. Baxter
H. G. Baylor
C. Bubb
B. A. Chamberlain
B. P. Dunn
D. M. Evans
F. J. Granter
H. M. Hamilton (*Teller*)
V. T. Hauser
D. K. Hayward
W. V. Houghton
Glyn Jenkins
R. I. Knowles
R. Lawson
J. W. S. Radford
N. B. Reid
D. N. Saltmarsh
N. F. Stacey
Haddon Storey
J. A. Taylor
K. I. M. Wright (*Teller*)

Noes, 7

The Hon. C. J. Kennedy
D. E. Kent (*Teller*)
R. A. Mackenzie (*Teller*)
G. A. Sgro
H. A. Thomas
Evan Walker
D. R. White

And so it was resolved in the affirmative.

By Authority F D Atkinson Government Printer Melbourne

WEEKLY REPORT OF DIVISIONS IN

COMMITTEE OF THE WHOLE COUNCIL

 No. 3

Thursday, 15 October 1981

No. 1.—EDUCATION (AMENDMENT) BILL—Clause 6.

* * *

 (3) After Division 2 of Part I. of the Principal Act there is inserted the following Division:

“DIVISION 2A.—REGIONAL ADMINISTRATION

* * *

 12B. (1) The Governor in Council may appoint a person to be the Director of an education region.

(2) An appointment to the office of Regional Director shall be made after considering the recommendations of a committee appointed by the Director-General for the purpose.

(3) The Governor in Council may at any time remove a Regional Director from office.

 (4) A Regional Director shall not in respect of his office as such be subject to the *Public Service Act 1974* or the *Teaching Service Act 1958* and shall be entitled to such salary and allowances and be employed on such terms and conditions as the Governor in Council from time to time determines.

(5) A person appointed as Regional Director who—

(a) was immediately prior to his appointment a member of the public service or the teaching service; or

(b) having formerly been a member of the public service or the teaching service has been continuously engaged or employed since he ceased to be such in some other office or capacity, being an office or capacity in which he was eligible to be re-appointed, upon the termination of the engagement or employment, to an office in the public service or the teaching service—

shall be eligible to be re-appointed at or before the termination of his appointment as Regional Director to some office in the public service or the teaching service (as the case may be) with a classification and emolument corresponding with or higher than that which he last held in the public service or the teaching service (as the case may be), as if his service as Regional Director and in that other office or capacity (if any) had been service in the public service or the teaching service (as the case may be).

*

*

* ”

—(Hon. A. J. Hunt)

Amendment proposed—That sub-sections (1) to (5) of proposed section 12B of the Principal Act be omitted with the view of inserting in place thereof:

“(1) For the purposes of this Act there may be appointed a person to be the Director of an education region.

(2) Appointment to an office of Regional Director shall be an appointment made subject to the *Public Service Act 1974*.”

—(Hon. B. P. Dunn)

[The Deputy-Chairman decided to test the proposed omission of those sub-sections on the question, That the expression—

“(1) The Governor in Council may appoint a person to be Director of an education region.

(2) An appointment to the office of Regional Director shall be”

—proposed to be omitted stand part of the clause, so as not to preclude an amendment being proposed subsequently in the sub-sections proposed to be omitted.]

Question—That the words and expressions proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. V. T. Hauser in the Chair.

Ayes, 28

The Hon. H. G. Baylor (*Teller*)
 P. D. Block
 C. Bubb
 Joan Coxsedge (*Teller*)
 F. J. Granter
 J. V. C. Guest
 H. M. Hamilton
 D. K. Hayward
 W. V. Houghton
 Dr. R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 D. E. Kent
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 R. A. Mackenzie
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 G. A. Sgro
 N. F. Stacey
 Haddon Storey
 I. B. Trayling
 Evan Walker
 J. M. Walton
 H. R. Ward
 D. R. White

Noes, 3

The Hon. B. P. Dunn
 D. M. Evans (*Teller*)
 K. I. M. Wright (*Teller*)

And so it was resolved in the affirmative—Amendment negatived.

WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 4

Tuesday, 20 October 1981

No. 1.—INDUSTRIAL RELATIONS (SECRET BALLOTS) BILL—Clause 3.

For the heading preceding section 98 of the Principal Act there shall be substituted the following headings and sections:

‘PART XI.—SECRET BALLOTS

98. For the purposes of this Part—

“Industrial action” means—

- (a) a failure or refusal by persons to attend for work or failure or refusal to perform any work at all by persons who attend for work; or
- (b) any action in connexion with an industrial dispute, being—
 - (i) the performance of work in a manner different from that in which it is customarily performed, or the adoption of a practice in relation to work, the result of which is a restriction or limitation on, or a delay in, the performance of the work; or
 - (ii) a ban, limitation or restriction on the performance of work or on acceptance or offering for work—

but does not include the performance of work in a manner, the adoption of a practice, ban, limitation or restriction, or failure or refusal, that is authorized by the employer of the persons concerned.

“Place of work” in relation to any group of employées of an employer, includes any place at which the employées included in that group are required to report (whether in person or by telephone or any other form of communication) for the purpose of being allocated work by the employer or for any other purposes connected with the carrying on of the business of the employer.

99. (1) Where—

- (a) an industrial association is a party to or concerned in an industrial dispute with which the Commission or a Board is empowered to deal (whether or not proceedings in relation to the dispute are before the Commission or such a Board); and
- (b) the Commission thinks that the prevention or settlement of the dispute would or might be encouraged or assisted by ascertaining the views or attitude of the members, or of a section or class of the members, of the industrial association or of a branch of the association in relation to the matter—

the Commission may order that a vote of those members, or of the members included in that section or class, for the purpose of ascertaining their views or attitude in relation to that matter, be taken by secret ballot (with or without provision for absent voting) in accordance with directions given by the Commission.

(2) Where it appears to the Commission—

- (a) that industrial action is being taken or the taking of industrial action is threatened, impending or probable; and
- (b) that the cessation or prevention of the industrial action or the settlement of matters giving rise to the industrial action would or might be encouraged or assisted by ascertaining the views or attitude of the members or of a section or class of the members, of the industrial association concerned, or of a branch of that association in relation to a matter—

the Commission may order that a vote of those members, or of the members included in that section or class, for the purpose of ascertaining their views or attitude in relation to that matter, be taken by secret ballot (with or without provision for absent voting) in accordance with directions given by the Commission.

(3) The powers of the Commission under sub-sections (1) and (2) (including the power to revoke an order made under either of those sub-sections) are exercisable by the Commission in Full Session and not otherwise.

(4) Where—

- (a) the members, or members included in a section or class of the members, of an industrial association or of a branch of an industrial association are directed or requested by the industrial association or by the branch to engage in industrial action; and
- (b) the members to whom that direction is given or that request is made are, or include, persons who are employed by a particular employer at a particular place of work—

such of the persons so employed as wish to do so may, subject to sub-section (5), make application to the Commission for an order by the Commission under sub-section (7).

(5) An application shall not be made under sub-section (4) unless—

- (a) all the applicants are members of the same industrial association employed by the same employer at the same place of work; and
- (b) the number of the applicants is not less than—
 - (i) 250 or a number equal to 5 per centum of the number of members of the industrial association employed by the employer at the place of work, whichever is the lesser number; or
 - (ii) 4, if the lesser number referred to in sub-paragraph (i) is less than 4.

(6) A person shall not join with other persons in making an application under sub-section (4) if the application includes a statement that, to his knowledge, is false or misleading in a material particular.

Penalty: \$1000.

(7) Subject to this section the Commission shall, upon application made to it under sub-section (4), order that a vote of members to whom the application relates for the purpose of ascertaining whether or not they support the industrial action to which the application relates be taken by secret ballot in accordance with directions given by the Commission.

(8) Where the Commission, in considering an application made to it under sub-section (4), forms the view that the cessation or prevention of the industrial action, or the settlement of the matters giving rise to the industrial action, to which

the application relates would not be encouraged or assisted by ascertaining the views or attitudes of the members to whom the application relates, the Commission shall—

- (a) where the Commissioner constitutes the Commission—refer the application to the President for further consideration under this section by the Commission constituted by the President; or
- (b) where the President constitutes the Commission (whether by virtue of a reference under paragraph (a) or otherwise)—refuse to grant the application.

(9) Where the Commission, in considering an application made to it under sub-section (4), forms the view that, by reason that—

- (a) the industrial action to which the application relates has ceased;
- (b) the cessation of the industrial action to which the application relates is imminent; or
- (c) the industrial action to which the application relates is not likely to take place—

the application should be refused, the Commission shall—

- (d) where the Commissioner constitutes the Commission—refer the application to the President for further consideration under this section by the Commission constituted by the President; or
- (e) where the President constitutes the Commission (whether by virtue of a reference under paragraph (d) or otherwise)—refuse to grant the application.

(10) Where more than one application is made to the Commission under sub-section (4) in relation to a particular place of work, the President may assign the applications for consideration by a Commissioner.

(11) Where, in considering an application made to it under sub-section (4), it appears to the Commission that, in the circumstances that have given rise to the making of the application, it would be appropriate to make an order for a secret ballot under sub-section (1) or (2) rather than under sub-section (7), the Commission may make such an order under sub-section (1) or (2) instead of making such an order under sub-section (7).

(12) Directions given by the Commission under sub-section (1), (2) or (7) shall provide for all matters relating to the ballot, including the following matters:

- (a) The question or questions to be put to the vote;
- (b) The eligibility of persons to vote;
- (c) The conduct of the ballot generally.

(13) Before giving a direction under sub-section 12 (c) relating to the conduct of a ballot the Commission shall consult with the registrar or, if the Chief Electoral Officer is to arrange for the conduct of the ballot, with the Chief Electoral Officer.

(14) Where—

- (a) the Commission, upon an application made to it under sub-section (4) has made an order for a secret ballot under sub-section (1), (2) or (7); and
- (b) before the vote is taken, the Commission forms the view that, by reason that—
 - (i) the industrial dispute concerned has been settled or the industrial action concerned has ceased;

(ii) the settlement of the industrial dispute concerned, or the cessation of the industrial action concerned, is imminent; or

(iii) the industrial action concerned is not likely to take place—

the secret ballot should not be proceeded with, the Commission shall revoke the order for the secret ballot.

(15) A reference in this section to members to whom an application under sub-section (4) relates shall be read as a reference to the members of the association, or of the branch, referred to in the application, or such of those members as are included in a particular section or class referred to in the application, who—

- (a) are employed by the employer referred to in the application at the place of work referred to in the application; and
- (b) have been directed or requested by the association or by the branch to engage in the industrial action to which the application relates.

100. (1) For the purposes of this Part a member of the Commission or a person authorized in writing by a member of the Commission or by the registrar may, at any time during working hours—

- (a) enter any building, mine, mine working, ship, vessel, place or premises;
- (b) inspect or view any work, material, machinery, appliance, article, book, paper, document or other thing therein; and
- (c) interview any employé engaged therein.

(2) An employé shall not, in the course of an interview referred to in sub-section (1) (c), make to the person conducting the interview a statement, either orally or in writing, that is false or misleading in a material particular.

Penalty: \$100.

101. For the purposes of this Part, a direction or request to members of an industrial association or of a branch of an industrial association to engage in industrial action that is given or made by or on behalf of—

- (a) the committee of management of the industrial association or of the branch, as the case may be;
- (b) an officer or officers, of the industrial association or of the branch, as the case may be; or
- (c) a member or a group of members of the industrial association or of the branch acting in pursuance of the rules of the association or of the branch, as the case may be—

shall be deemed to be a direction or request given or made by the industrial association or the branch, as the case may be.

102. (1) Where the Commission orders the holding of a secret ballot under section 99 the Commission shall, by order—

- (a) direct the industrial association concerned to make arrangements for the conduct of the ballot by a person approved by the registrar; or
- (b) direct the registrar to make arrangements for the conduct of the ballot— and may give any further directions that it considers necessary for ensuring the secrecy of votes and otherwise for the purposes of the conduct of the ballot or the communication of the result to the Commission.

(2) A direction shall not be given in accordance with sub-section (1) (a) where the order for the holding of the secret ballot was made under section 99 (7).

(3) Where a direction is given in accordance with sub-section (1) (b) the registrar shall—

- (a) conduct the ballot himself;
- (b) direct an officer employed in the registry to conduct the ballot; or
- (c) make arrangements with the Chief Electoral Officer for the conduct of the ballot.

(4) Where a direction is given in accordance with sub-section (1) (a) the Minister is liable to pay to the industrial association the reasonable costs of the conduct of the ballot as assessed by the registrar.

(5) Where the result of a ballot conducted in accordance with an order under section 99 is communicated to the Commission, the Commission shall cause the registrar to inform each of the following persons, by notice in writing, of that result—

- (a) all persons who were eligible to vote in the ballot;
- (b) the industrial association to which those persons belonged, and the employer or employers by whom those persons were employed, when those persons became eligible to vote in the ballot.

(6) Where the Commission forms the view that the results of a ballot conducted in accordance with an order under section 99 (7) show that the majority of the members of an association, or of a branch of an association, who recorded a valid vote in the ballot were not in favour of engaging in the industrial action with which the ballot was concerned, the Commission shall cause the registrar to include in each notice issued under sub-section (5) with respect to that ballot a statement of the view formed by the Commission with respect to that ballot.

103. In any conciliation or arbitration proceedings before the Commission that relate to, or are connected with, a matter in relation to which the views or attitudes of persons have been expressed in a ballot conducted in accordance with an order under section 99 the Commission shall have regard to the result of the ballot.

104. (1) Where a notice under section 102 (5) with respect to a ballot that is issued to a member of an association, or of a branch of an association, includes a statement that the Commission has formed the view that the results of the ballot to which the notice relates show that the majority of the members of the association, or of the branch, who recorded a valid vote in the ballot were not in favour of engaging in the industrial action with which the ballot was concerned, then, notwithstanding any rule or practice of the association or of the branch, that member is not required to obey any direction or request with respect to engaging in, or supporting in any way, that industrial action that is given or made by the association or by the branch.

(2) For the purposes of this section, a direction or request to members of an association, or of a branch of an association, that is given or made by, or on behalf of—

- (a) the committee of management of the association or of the branch, as the case may be;
- (b) an officer or officers of the association or of the branch, as the case may be; or

- (c) a member or a group of members of the association or of the branch acting in pursuance of the rules of the association or of the branch, as the case may be—

shall be deemed to be a direction or request given or made by the industrial association or branch, as the case may be.

105. (1) An industrial association or other person to whom a direction is given under section 102 shall comply with the direction.

(2) An officer of an industrial association, upon being notified by the person conducting a ballot ordered under section 99 that that person requires him to provide or make available to that person a register or list of the members of the industrial association, or of a branch or section of the industrial association, for the purposes of the ballot, shall comply promptly with the requirement, so far as he is able to do so.

(3) A person shall not, in connexion with a ballot ordered under section 99—

- (a) obstruct the taking of the ballot;
- (b) use any form of intimidation to prevent from voting, or to influence the vote of, a person entitled to vote at the ballot;
- (c) threaten, offer or suggest, or use, cause, inflict or procure, any violence, injury, punishment, damage, loss or disadvantage for or on account of, or to induce—

(i) a vote or omission to vote;

(ii) any support of, or opposition to, voting in a particular manner; or

(iii) any promise of a vote or omission to vote or of any such support or opposition; or

(d) counsel or advise a person entitled to vote to refrain from voting.

(4) A person shall not, without lawful authority or excuse, in connexion with a ballot ordered under section 99—

(a) personate another person to secure a ballot paper to which the personator is not entitled or personate another person for the purpose of voting;

(b) destroy, deface, alter, take or otherwise interfere with a ballot paper or envelope;

(c) put or deliver a ballot paper or other paper—

(i) into a ballot box or other ballot receptacle;

(ii) into the post; or

(iii) to a person receiving ballot papers for the purposes of the ballot;

(d) record a vote which he is not entitled to record;

(e) record more than one vote;

(f) forge a ballot paper or envelope or utter a ballot paper or envelope that he knows to be forged;

(g) supply a ballot paper;

(h) obtain or have in his possession a ballot paper;

(i) destroy, take, open or otherwise interfere with a ballot box.

(5) A person shall not, in connexion with a ballot ordered under section 99—

- (a) request, require or induce another person to show a ballot paper to him, or to permit him to see a ballot paper, in such a manner that he can see the vote, while the ballot paper is being marked or after it has been marked; or

- (b) being a person performing duties for the purposes of the ballot, show to another person, or permit another person to have access to, a ballot paper used in the ballot, otherwise than in performance of those duties.

Penalty: \$500 or imprisonment for six months.

106. (1) An industrial association—

- (a) shall not take, or threaten to take, any action having the effect, directly or indirectly, of prejudicing a person in his employment with the intent to deter the person from making application to the Commission for an order under section 99 for the holding of a secret ballot; or
- (b) shall not impose or threaten to impose, a penalty, forfeiture or disability of any kind upon a member of the association by reason of the circumstance that the member—
- (i) has made, or proposes, or has at any time proposed to make, application to the Commission for an order under section 99 for the holding of a secret ballot; or
- (ii) has participated in, or proposes, or has at any time proposed, to participate in, a secret ballot ordered by the Commission under section 99.

(2) A contravention of sub-section (1) is an offence against that sub-section punishable upon conviction—

- (a) where the action constituting the offence has continued for more than a day—by a penalty not exceeding a fine of \$400 for each day during which that action has continued; or
- (b) in any other case—by a penalty not exceeding a fine of \$400.

(3) In any proceedings for an offence against sub-section (1), if all the relevant facts and circumstances, other than the reason or intent of an action alleged in the charge, are proved, it lies upon the person charged to prove that that action was not actuated by that reason or taken with that intent.

(4) For the purposes of this Part, an action taken by—

- (a) the committee of management of an industrial association;
- (b) the committee of management of a branch of an industrial association;
- (c) an officer, employé or agent of an industrial association;
- (d) a group of members of an industrial association;
- (e) a member of an industrial association who performs the function of dealing with an employer on behalf of himself and other members of the association—

shall be deemed to have been taken by the industrial association.

107. (1) An employer shall not dismiss an employé or injure him in his employment, or alter his position to his prejudice, by reason of the circumstances that the employé—

- (a) has made or proposes, or has at any time proposed, to make, application to the Commission for an order under section 99 for the holding of a secret ballot; or
- (b) has participated in or proposes, or has at any time proposed, to participate in, a secret ballot ordered by the Commission under section 99.

Penalty: \$400.

(2) An employer shall not threaten to dismiss an employé, or to injure him in his employment, or to alter his position to his prejudice—

- (a) by reason of the circumstance that the employé has made, or proposes, or has at any time proposed, to make, application to the Commission for an order under section 99, for the holding of a secret ballot; or
- (b) by reason of the circumstance that the employé has participated in, or proposes, or has at any time proposed, to participate in, a secret ballot ordered by the Commission under section 99.

Penalty: \$400.

(3) In any proceedings for an offence against this section, if all the relevant facts and circumstances, other than the reason or intent set out in the charge as being the reason or intent of an action alleged in the charge, are proved, it lies upon the person charged to prove that that action was not actuated by that reason or taken with that intent.

(4) Where an employer is convicted for an offence against this section the court by which the employer is convicted may order that the employé be reimbursed any wages lost by him and may also direct that the employé be reinstated in his old position or in a similar position.’

—(Hon. Haddon Storey)

Question—That clause 3 stand part of the Bill—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 26

The Hon. H. G. Baylor
 P. D. Block (*Teller*)
 C. Bubb (*Teller*)
 B. A. Chamberlain
 D. G. Crozier
 B. P. Dunn
 D. M. Evans
 Dr. K. J. Foley
 F. J. Granter
 J. V. C. Guest
 H. M. Hamilton
 V. T. Hauser
 W. V. Houghton
 Dr. R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles
 R. Lawson
 R. J. Long
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 Haddon Storey
 J. A. Taylor
 H. R. Ward
 K. I. M. Wright

Noes, 10

The Hon. Joan Coxedge
 R. J. Eddy (*Teller*)
 D. E. Kent (*Teller*)
 W. A. Landeryou
 R. A. Mackenzie
 G. A. Sgro
 I. B. Trayling
 Evan Walker
 J. M. Walton
 D. R. White

And so it was resolved in the affirmative.

WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 5

Thursday, 29 October 1981

No. 1.—BUSINESS FRANCHISE (PETROLEUM PRODUCTS) (FEES) BILL—Clause 2.

In section 7 (1A) of the Principal Act—

- (o) for the expression “4·5” (where twice occurring) there shall be substituted the expression “5·4”; and
(b) for the expression “7·1” (where thrice occurring) there shall be substituted the expression “8·6”.

—(*Hon. Glyn Jenkins*)

Question—That clause 2 stand part of the Bill—put.

Committee divided—The Hon. V. T. Hauser in the Chair.

Ayes, 22

The Hon. W. R. Baxter
H. G. Baylor
C. Bubb
B. A. Chamberlain (*Teller*)
D. G. Crozier
B. P. Dunn
D. M. Evans
J. V. C. Guest (*Teller*)
H. M. Hamilton
D. K. Hayward
W. V. Houghton
Dr. R. W. Howard
Glyn Jenkins
R. I. Knowles
R. Lawson
R. J. Long
J. W. S. Radford
N. B. Reid
D. N. Saltmarsh
N. F. Stacey
H. R. Ward
K. I. M. Wright

Noes, 9

The Hon. Joan Coxsedg
R. J. Eddy
C. J. Kennedy
D. E. Kent
R. A. Mackenzie (*Teller*)
G. A. Sgro (*Teller*)
I. B. Trayling
Evan Walker
J. M. Walton

And so it was resolved in the affirmative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 6

Thursday, 12 November 1981

No. 1.—COUNCIL OF ADULT EDUCATION BILL—Clause 2

In this Act, unless inconsistent with the context or subject-matter—

* * * * *

“Member” means a member of the Board.

* * * * *

—(*Hon. A. J. Hunt*)

Amendment proposed—That the following interpretation be inserted to follow the interpretation of “Member”:

“Minister” means the Minister of Education.

—(*Hon. Evan Walker*)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—The Hon. V. T. Hauser in the Chair.

Ayes, 11

The Hon. W. R. Baxter
Joan Cocksedge
R. J. Eddy
D. M. Evans
C. J. Kennedy
W. A. Landeryou
G. A. Sgro
Evan Walker
J. M. Walton (*Teller*)
D. R. White
K. I. M. Wright (*Teller*)

Noes, 20

The Hon. H. G. Baylor
P. D. Block
C. Bubb
D. G. Crozier
J. V. C. Guest
H. M. Hamilton (*Teller*)
D. K. Hayward (*Teller*)
W. V. Houghton
Dr. R. W. Howard
A. J. Hunt
Glyn Jenkins
R. Lawson
R. J. Long
J. W. S. Radford
N. B. Reid
D. N. Saltmarsh
N. F. Stacey
Haddon Storey
J. A. Taylor
H. R. Ward

And so it passed in the negative.

LEGISLATIVE COUNCIL OF VICTORIA
 WEEKLY REPORT OF DIVISIONS IN
 COMMITTEE OF THE WHOLE COUNCIL

No. 7

Wednesday, 18 November 1981

No. 1.—HOME FINANCE (AMENDMENT) BILL—Clause 4.

In section 8 of the Principal Act for sub-section (2) there shall be substituted the following sub-sections:

“(2) Subject to sub-section (3), the Trust shall not grant a loan pursuant to sub-section (1)—

- (a) unless the chairman of the Trust is satisfied by statutory declaration or otherwise that the borrower uses or intends to use the dwelling-house in respect of which the application for the loan is made as a home for himself and his family and dependants; or
- (b) if at the date of the application for the loan the borrower or the wife or husband of the borrower already owns a dwelling-house in Victoria other than the dwelling-house in respect of which the application for the loan is made.

(3) Sub-section (2) shall not apply in respect of the grant of a loan in respect of the purchase of a dwelling-house from the Trust in pursuance of a sale made by the Trust in the exercise of its powers under a mortgage.

(4) A loan granted pursuant to sub-section (1)—

- (a) shall provide for repayment of the loan together with interest, whether directly or by means of an amortisation fund, in a period not exceeding 30 years by regular instalments at intervals not exceeding three months, with adjustments of capital or some provision having the effect of adjustment of capital to enable the calculation of interest at intervals not exceeding three months; and
- (b) shall be subject to such other terms conditions and provisions as the Trust with the approval of the Minister thinks fit.”.

—(Hon. F. J. Granter)

Question—That clause 4 stand part of the Bill—put.

Committee divided—The Hon. P. D. Block in the Chair.

Ayes, 33

The Hon. C. Bubb
 G. A. S. Butler
 B. A. Chamberlain
 Joan Coxsedge
 D. G. Crozier
 R. J. Eddy
 F. J. Granter
 J. V. C. Guest
 H. M. Hamilton
 V. T. Hauser (*Teller*)
 D. K. Hayward
 W. V. Houghton
 Dr. R. W. Howard
 A. J. Hunt
 Glyn Jenkins
 C. J. Kennedy
 D. E. Kent
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 R. J. Long
 R. A. Mackenzie
 J. W. S. Radford
 N. B. Reid
 G. A. Sgro
 N. F. Stacey
 Haddon Storey
 J. A. Taylor
 I. B. Trayling (*Teller*)
 Evan Walker
 J. M. Walton
 H. R. Ward
 D. R. White

Noes, 4

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans (*Teller*)
 K. I. M. Wright (*Teller*)

And so it was resolved in the affirmative.

LEGISLATIVE COUNCIL OF VICTORIA

WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 8

Wednesday, 25 November 1981

No. 1.—FORESTS (AMENDMENT) BILL—Clause 7.

7. In section 52 (1) of the Principal Act after the words "three years" there shall be inserted the expression "or, with the approval of the Governor in Council, not exceeding 20 years".

—(Hon. F. J. Granter)

Amendments proposed—

- (1) That the expression "(1)" be inserted after "7"; and
- (2) That the following sub-clause be inserted at the end of the clause:

'(2) After section 52 (1) of the Principal Act there shall be inserted the following sub-sections:

"(1A) A copy of every licence for a period of more than three years shall be laid before both Houses of Parliament within 14 days after the granting thereof if Parliament is then sitting and if Parliament is not then sitting within 14 days after the next meeting of Parliament and may be disallowed if either House of the Parliament passes a resolution in accordance with sub-section (1B).

(1B) A resolution to disallow a licence pursuant to sub-section (1A) must be passed on or before the twelfth day upon which that House sits after notice of the resolution has been given in that House but the power of either House to pass such a resolution shall not be affected by the prorogation or dissolution of the Parliament or of either House of the Parliament and for the purpose of this section the calculation of days upon which a House has sat shall be made as if there had been no such prorogation or dissolution."

—(Hon. D. E. Kent)

Question—That the proposed amendments be agreed to—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 12

The Hon. G. A. S. Butler
Joan Coxsedge
R. J. Eddy
C. J. Kennedy
D. E. Kent
W. A. Landeryou
R. A. Mackenzie
G. A. Sgro

Noes, 25

The Hon. H. G. Baylor
P. D. Block
C. Bubb
B. A. Chamberlain
D. G. Crozier
B. P. Dunn
D. M. Evans
F. J. Granter

I. B. Trayling (Teller)
 Evan Walker
 J. M. Walton
 D. R. White (Teller)

J. V. C. Guest
 H. M. Hamilton
 V. T. Hauser
 W. V. Houghton
 Dr. R. W. Howard (Teller)
 A. J. Hunt
 Glyn Jenkins
 R. I. Knowles (Teller)
 R. Lawson
 R. J. Long
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 N. F. Stacey
 J. A. Taylor
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 9

Tuesday, 1 December 1981

No. 1—POST-SECONDARY EDUCATION (AMENDMENT) BILL—Clause 2.

After Division 3 of Part II. of the Principal Act there is inserted the following Division:

“DIVISION 3A.—PAYMENTS BY STUDENTS AT POST-SECONDARY EDUCATION INSTITUTIONS

38A. (1) Where the governing body of a post-secondary education institution makes money paid to the institution by a student or a prospective student at the institution by way of a compulsory fee available to an organization of students at the institution, it shall be unlawful for the organization or its governing body to expend that money or any part of it for any purpose other than—

- (a) an academic purpose;
- (b) the provision of amenities for, or services of direct benefit to, the institution or students at the institution; or

* * * * *

—(*Hon. A. J. Hunt*)

Amendment proposed—That paragraph (b) in proposed section 38A. (1) be omitted with the view of inserting in place thereof:

- (b) a purpose related to the welfare of any student, including the provision of amenities or services of benefit to any student; or

—(*Hon. Evan Walker*)

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 26

The Hon. W. R. Baxter
 H. G. Baylor
 P. D. Block
 C. Bubb
 B. A. Chamberlain
 D. G. Crozier
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 H. M. Hamilton
 V. T. Hauser
 D. K. Hayward
 W. V. Houghton
 Dr. R. W. Howard
 Glyn Jenkins
 R. I. Knowles

Noes, 12

The Hon. G. A. S. Butler
 Joan Cossedge
 R. J. Eddy
 C. J. Kennedy
 D. E. Kent
 W. A. Landeryou
 R. A. Mackenzie (*Teller*)
 G. A. Sgro (*Teller*)
 I. B. Trayling
 Evan Walker
 J. M. Walton
 D. R. White

R. Lawson (*Teller*)
 R. J. Long (*Teller*)
 J. W. S. Radford
 N. B. Reid
 N. F. Stacey
 Haddon Storey
 J. A. Taylor
 H. R. Ward
 K. I. M. Wright

And so it was resolved in the affirmative—Amendment negatived.

WEDNESDAY, 2 DECEMBER 1981 (morning)

No. 2—POST-SECONDARY EDUCATION (AMENDMENT) BILL—Clause 2.

After Division 3 of Part II. of the Principal Act there is inserted the following Division:

“DIVISION 3A.—PAYMENTS BY STUDENTS AT POST-SECONDARY EDUCATION INSTITUTIONS
 38A. (1)

* * * * *

(2) Without limiting the generality of sub-section (1), where the governing body of a post-secondary education institution makes money paid to the institution by a student of the institution by way of a compulsory fee available to an organization of students at the institution, it shall be unlawful for the organization to expend the money or any part of it by making a payment to a prescribed person or body.

(3) The Governor in Council may by Order published in the *Government Gazette* declare any person or body who or which carries on activities a substantial proportion of which are in the opinion of the Minister political in nature to be a prescribed person or body.

(4) The Governor in Council may by Order published in the *Government Gazette* vary or revoke any previous Order under sub-section (3).

* * * * *

—(*Hon. A. J. Hunt*)

Amendment proposed—That sub-sections (2) to (4) inclusive of proposed section 38A of the Principal Act be omitted.

—(*Hon. Evan Walker*)

[The Chairman decided to test the proposed omission of these sub-sections on the question, That sub-sections (2) and (3) proposed to be omitted stand part of the clause, so as not to preclude an amendment (foreshadowed by the Hon. J. V. C. Guest) being proposed subsequently in the clause.]

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 25
 The Hon. W. R. Baxter
 H. G. Baylor
 P. D. Block
 C. Bubb
 B. A. Chamberlain
 D. G. Crozier
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest

Noes, 12
 The Hon. G. A. S. Butler
 Joan Coxsedg
 R. J. Eddy
 C. J. Kennedy (*Teller*)
 D. E. Kent (*Teller*)
 W. A. Landeryou
 R. A. Mackenzie
 G. A. Sgro
 I. B. Trayling
 Evan Walker

H. M. Hamilton
V. T. Hauser
D. K. Hayward
W. V. Houghton
Dr. R. W. Howard
A. J. Hunt
Glyn Jenkins
R. I. Knowles
R. Lawson
J. W. S. Radford (*Teller*)
N. B. Reid (*Teller*)
N. F. Stacey
Haddon Storey
H. R. Ward
K. I. M. Wright

J. M. Walton
D. R. White

And so it was resolved in the affirmative—Amendment negatived.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

—
No. 10
—

Tuesday, 8 December 1981

No. 1.—FREEDOM OF INFORMATION BILL—Clause 1.

(1) This Act may be cited as the *Freedom of Information Act* 1981.

(2) The several provisions of this Act shall come into operation on a day or the respective days to be fixed by proclamation or successive proclamations of the Governor in Council published in the *Government Gazette*.

* * * * *

—(Hon. Haddon Storey)

Amendment proposed—That the words “or six months from the day on which it receives the Royal Assent, whichever is the earliest” be added after the word “*Gazette*” in sub-clause (2).

—(Hon. W. A. Landeryou)

Question—That the words proposed to be added be so added—put.

Committee divided—The Hon. V. T. Hauser in the Chair.

Ayes, 11

The Hon. G. A. S. Butler
Joan Coxsedge (*Teller*)
R. J. Eddy (*Teller*)
C. J. Kennedy
D. E. Kent
W. A. Landeryou
R. A. Mackenzie
G. A. Sgro
I. B. Trayling
Evan Walker
D. R. White

Noes, 25

The Hon. W. R. Baxter
H. G. Baylor (*Teller*)
C. Bubb
B. A. Chamberlain
D. G. Crozier
B. P. Dunn
D. M. Evans (*Teller*)
F. J. Granter
J. V. C. Guest
H. M. Hamilton
D. K. Hayward
Dr. R. W. Howard
A. J. Hunt
Glyn Jenkins
R. I. Knowles
R. Lawson
R. J. Long
J. W. S. Radford
N. B. Reid
D. N. Saltmarsh
N. F. Stacey
Haddon Storey
J. A. Taylor
H. R. Ward
K. I. M. Wright

And so it passed in the negative.

No. 2.—FREEDOM OF INFORMATION BILL—Clause 9.

* * * * *

(2) A person is not entitled to obtain access under this Part to a document or a part of a document that became a document of an agency or an official document of a Minister before the date of commencement of this Part unless—

- (a) the document or that part of the document contains information relating to the personal affairs of that person and the document became a document of the agency or an official document of the Minister not earlier than five years before the date of commencement of this Part; or
- (b) the document or that part of the document is a document or a part of a document access to which is reasonably necessary to enable a proper understanding of a document of an agency or an official document of a Minister to which that person has lawfully had access.

* * * * *

—(Hon. Haddon Storey)

Amendment proposed—That sub-clause (2) be omitted with the view of inserting in place thereof—

(a) An applicant for access to records about himself or herself, shall be entitled to receive access subject to this Act to any such record notwithstanding that the record came into existence at any time prior to the date of commencement of this Act.

(b) An applicant for access to a record other than those referred to in sub-section (1) shall be entitled to receive access, subject to this Act, to any such record provided that it came into existence not more than five years prior to the date of commencement of this Act.

(c) Sub-section (2) shall commence twelve months after the date of assent to this Act.

(d) The Public Service Board shall in its report include advice regarding the practicability of extending the period of retrospective access provided under sub-section (2) hereof.

—(Hon. W. A. Landeryou)

Question—That sub-clause (2) be omitted—put.

Committee divided—The Hon. V. T. Hauser in the Chair.

Ayes, 11

The Hon. G. A. S. Butler
Joan Coxsedg
R. J. Eddy
C. J. Kennedy (*Teller*)
D. E. Kent (*Teller*)
W. A. Landeryou
R. A. Mackenzie
G. A. Sgro
I. B. Trayling
Evan Walker
D. R. White

Noes, 25

The Hon. W. R. Baxter
H. G. Baylor
C. Bubb (*Teller*)
B. A. Chamberlain
D. G. Crozier
B. P. Dunn
D. M. Evans
F. J. Granter
J. V. C. Guest
H. M. Hamilton
D. K. Hayward
Dr. R. W. Howard
A. J. Hunt
Glyn Jenkins
R. I. Knowles
R. Lawson
R. J. Long
J. W. S. Radford

N. B. Reid
 D. N. Saltmarsh
 N. F. Stacey
 Haddon Storey
 J. A. Taylor
 H. R. Ward
 K. I. M. Wright (*Teller*)

And so it passed in the negative.

No. 3.—FREEDOM OF INFORMATION BILL—Proposed new clauses A to L (*to follow clause 59*)—

A. (1) An applicant may appeal to the Supreme Court for review of—

- (a) a decision refusing to grant access to a document in accordance with a request;
- (b) a decision deferring the provision of access to a document;
- (c) a charge that is required to be paid before access to a document is granted, whether or not the charge has already been paid by the applicant, provided that the Ombudsman has certified that the matter is one of sufficient importance for the Court to consider;
- (d) a decision not to specify a document in a statement; or
- (e) a decision in relation to a record of which the applicant is a subject.

* * * * *

—(*Hon. W. A. Landeryou*)

[*The Deputy Chairman decided to test the insertion of the proposed clauses on the Question, that sub-clause (1) of proposed new clause A be now read a second time and added to the Bill.*]

Question—The sub-clause (1) of proposed new clause A be now read a second time and added to the Bill—put.

Committee divided—The Hon. V. T. Hauser in the Chair.

Ayes, 10

The Hon. G. A. S. Butler
 Joan Coxsedg
 R. J. Eddy
 C. J. Kennedy
 D. E. Kent
 R. A. Mackenzie (*Teller*)
 G. A. Sgro (*Teller*)
 I. B. Trayling
 Evan Walker
 D. R. White

Noes, 23

The Hon. W. R. Baxter
 H. G. Baylor
 C. Bubb
 B. A. Chamberlain (*Teller*)
 D. G. Crozier
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest (*Teller*)
 H. M. Hamilton
 Dr. R. W. Howard
 Glyn Jenkins
 R. I. Knowles
 R. Lawson
 R. J. Long
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 N. F. Stacey
 Haddon Storey
 J. A. Taylor
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative.

Wednesday, 9 December 1981

No. 4—CREDIT BILL—Clause 40.

(1) Subject to sections 41 to 45, a loan may be entered into by a credit provider pursuant to an agreement for the provision by him, being a supplier of goods and services, of store credit certificates to another person.

(2) An agreement for the provision of store credit certificates that is in writing and is in accordance with section 43 is not a loan.

—(*Hon. Haddon Storey*)

Question—That clause 40 stand part of the Bill—put.

Committee divided—The Hon. B. A. Chamberlain in the Chair.

Ayes, 25	Noes, 11
The Hon. W. R. Baxter (<i>Teller</i>)	The Hon. G. A. S. Butler
H. G. Baylor	Joan Cocksedge
P. D. Block	R. J. Eddy
C. Bubb	C. J. Kennedy (<i>Teller</i>)
D. G. Crozier	D. E. Kent
B. P. Dunn	R. A. Mackenzie
D. M. Evans	G. A. Sgro
J. V. C. Guest	I. B. Trayling
H. M. Hamilton	Evan Walker (<i>Teller</i>)
D. K. Hayward (<i>Teller</i>)	J. M. Walton
W. V. Houghton	D. R. White
Dr. R. W. Howard	
A. J. Hunt	
Glyn Jenkins	
R. I. Knowles	
R. Lawson	
R. J. Long	
J. W. S. Radford	
N. B. Reid	
D. N. Saltmarsh	
N. F. Stacey	
Haddon Storey	
J. A. Taylor	
H. R. Ward	
K. I. M. Wright	

And so it was resolved in the affirmative.

No. 5.—CREDIT BILL—Clause 125.

* * * * *

(6) A person shall not publish an advertisement relating to the provision of credit under a regulated contract in respect of the sale or supply of goods and services, being an advertisement that includes a statement of a specified amount and states or implies that that amount is from time to time payable to the credit provider under such a contract unless the advertisement also states—

- (a) the cash price of the goods and services;
- (b) the total amount payable under such a contract; and
- (c) the period within which that total amount is payable.

Penalty: 10 penalty units.

* * * * *

—(*Hon. Haddon Storey*)

Amendment proposed—That the words “being an advertisement that includes a statement of a specified amount and states or implies that that amount is from time to time payable to the credit provider under such a contract” be omitted.

—(*Hon. D. R. White*)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. P. D. Block in the Chair.

Ayes, 24
 The Hon. W. R. Baxter
 H. G. Baylor
 C. Bubb
 B. A. Chamberlain
 D. G. Crozier
 B. P. Dunn
 D. M. Evans
 J. V. C. Guest
 H. M. Hamilton (*Teller*)
 D. K. Hayward
 W. V. Houghton
 Dr. R. W. Howard (*Teller*)
 Glyn Jenkins
 R. I. Knowles
 R. Lawson
 R. J. Long
 J. W. S. Radford
 N. B. Reid
 D. N. Saltmarsh
 N. F. Stacey
 Haddon Storey
 J. A. Taylor
 H. R. Ward
 K. I. M. Wright

Noes, 10
 The Hon. G. A. S. Butler
 Joan Coxsedge
 R. J. Eddy
 C. J. Kennedy
 D. E. Kent
 R. A. Mackenzie
 G. A. Sgro
 I. B. Trayling (*Teller*)
 J. M. Walton (*Teller*)
 D. R. White

And so it was resolved in the affirmative—Amendment negatived.

No. 6.—CREDIT BILL—Clause 150.

* * * * *

(2) For the purposes of this section, a document shall be deemed to be readily legible if it is—

- (a) in clear hand writing; or
 (b) in clear print or type—

* * * * *

—(*Hon. Haddon Storey*)

Amendment proposed—That the word “or” appearing after paragraph (a) in sub-clause (2) be omitted.

—(*Hon. D. R. White*)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. P. D. Block in the Chair.

Ayes, 24
 The Hon. W. R. Baxter
 H. G. Baylor
 C. Bubb
 B. A. Chamberlain
 D. G. Crozier

Noes, 10
 The Hon. G. A. S. Butler
 Joan Coxsedge (*Teller*)
 R. J. Eddy (*Teller*)
 C. J. Kennedy
 D. E. Kent

B. P. Dunn
D. M. Evans
J. V. C. Guest
H. M. Hamilton
D. K. Hayward
W. V. Houghton
Dr. R. W. Howard
Glyn Jenkins
R. I. Knowles (*Teller*)
R. Lawson (*Teller*)
R. J. Long
J. W. S. Radford
N. B. Reid
D. N. Saltmarsh
N. F. Stacey
Haddon Storey
J. A. Taylor
H. R. Ward
K. I. M. Wright

R. A. Mackenzie
G. A. Sgro
I. B. Trayling
J. M. Walton
D. R. White

And so it was resolved in the affirmative—Amendment negatived.

LEGISLATIVE COUNCIL OF VICTORIA

WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCILNo. 11

Thursday, 17 December 1981

No. 1—WATER AND SEWERAGE AUTHORITIES (FINANCIAL) BILL—Clause 2.

The *Water Act* 1958 is amended as follows:

* * * * *

(c) For section 81 there shall be substituted the following section:

“81. (1) Where in order to ascertain the amount of any rate or charge which the Commission is authorized to make under this Act it is necessary to take into account the proportion of interest and redemption in respect of the cost of any works which is to be raised by such rate or charge, the proportion shall be a sum per annum equal to such percentage as is fixed from time to time by proclamation of the Governor in Council published in the *Government Gazette* of the cost of such works or such other sum as may be determined from time to time by proclamation of the Governor in Council published in the *Government Gazette*.”

* * * * *

—(Hon. Glyn Jenkins)

Amendment proposed—That the words “being not more than fifty per centum of the long term bond rate” be inserted after the words “such percentage” in sub-section (1) of proposed new section 81 of the Principal Act.

—(Hon. W. R. Baxter)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 4

The Hon. W. R. Baxter
B. P. Dunn
D. M. Evans (*Teller*)
K. I. M. Wright (*Teller*)

Noes, 30

The Hon. H. G. Baylor
C. Bubb
G. A. S. Butler
B. A. Chamberlain
Joan Coxsedg
R. J. Eddy
F. J. Granter
J. V. C. Guest
H. M. Hamilton
V. T. Hauser
D. K. Hayward
A. J. Hunt
Glyn Jenkins
C. J. Kennedy
D. E. Kent
R. I. Knowles
W. A. Landeryou
R. Lawson
R. J. Long (*Teller*)
R. A. Mackenzie

UNOFFICIAL REPORT OF THE LEGISLATIVE COUNCIL OF VICTORIA

J. W. S. Radford
N. B. Reid
D. N. Saltmarsh
G. A. Sgro
N. F. Stacey
J. A. Taylor
Evan Walker
J. M. Walton
H. R. Ward
D. R. White (*Teller*)

And so it passed in the negative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

—
No. 12
—

Tuesday, 22 December 1981

No. 1.—DRIED FRUITS (AMENDMENT) BILL—Clause 2.

(1) In section 5 of the Principal Act for sub-sections (3) and (4) there shall be substituted the following sub-sections:

“(3) The Board shall consist of three members appointed by the Governor in Council of whom—

(a) one shall be an officer of the Department of Agriculture nominated by the Minister, who shall be appointed as chairman of the Board; and

* * * * *

—(Hon. W. V. Houghton)

Amendment proposed—That the words “an officer of the Department of Agriculture” in paragraph (a) in proposed sub-section (3) of section 5 of the Principal Act be omitted.

—(Hon. D. E. Kent)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. R. J. Long in the Chair.

Ayes, 22

The Hon. H. G. Baylor
P. D. Block
C. Bubbs
B. A. Chamberlain
D. G. Crozier
Dr. K. J. Foley
F. J. Granter
J. V. C. Guest
H. M. Hamilton
V. T. Hauser
D. K. Hayward
W. V. Houghton
Dr. R. W. Howard
A. J. Hunt
Glyn Jenkins
R. I. Knowles
R. Lawson
J. W. S. Radford (*Teller*)
N. B. Reid (*Teller*)
D. N. Saltmarsh
N. F. Stacey
H. R. Ward

Noes, 16

The Hon. W. R. Baxter
G. A. S. Butler
Joan Coxsedg
B. P. Dunn
R. J. Eddy
D. M. Evans
C. J. Kennedy
D. E. Kent
W. A. Landeryou
R. A. Mackenzie
G. A. Sgro
I. B. Trayling
Evan Walker
J. M. Walton (*Teller*)
D. R. White (*Teller*)
K. I. M. Wright

And so it was resolved in the affirmative—Amendment negatived.

NO. 2.—DRIED FRUITS (AMENDMENT) BILL—Clause 2.

(1) In section 5 of the Principal Act for sub-sections (3) and (4) there shall be substituted the following sub-sections:

“(3) The Board shall consist of three members appointed by the Governor in Council of whom—

- (a) one shall be an officer of the Department of Agriculture, nominated by the Minister, who shall be appointed as chairman of the Board; and
- (b) two shall be appointed on the recommendation of the Minister after the Minister has considered panels of not less than three and not more than five names of persons submitted by any organization or organizations considered by the Minister to represent growers of dried fruits and which has or have been invited by the Minister to submit panels of names.

(4) Subject to sub-section (5) a submission made pursuant to sub-section (3) shall be made in writing so as to reach the Minister on or before the date determined by him as the last date for that submission.

(5) The Minister may at the request of an organization extend the time in which that organization may make a submission.

(6) The failure of an organization to submit a panel of names of persons in accordance with this section shall not preclude the Minister from making any recommendation pursuant to sub-section (3).

(7) Of the three members first appointed after the commencement of section 2 of the *Dried Fruits (Amendment) Act 1981*—

- (a) one shall be appointed for a term of one year;
- (b) one shall be appointed for a term of two years; and
- (c) one shall be appointed for a term of three years—

as the Governor in Council determines.

(8) Subject to sub-section (7) a person appointed as a member shall hold office for the period not exceeding three years for which he is appointed but shall upon the expiration of such period be eligible for re-appointment.

* * * * *

—(Hon. W. V. Houghton)

Amendment proposed—That paragraph (b) in proposed sub-section (3) and proposed sub-sections (4) to (8), inclusive, of section 5 of the Principal Act be omitted with the view of inserting in place thereof:

“(b) two shall be elected as hereinafter provided by growers producing dried fruits from fruit grown by them on land in Victoria who are enrolled under this Act.

(4) A person appointed as chairman shall hold office for the period not exceeding three years for which he is appointed but shall upon the expiration of such period be eligible for re-appointment.

(5) The persons elected as members pursuant to sub-section (3) (b) shall hold office for the period not exceeding three years for which they are elected.”

—(Hon. D. E. Kent)

Question—That the words and expressions proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. R. J. Long in the Chair.

<p>Ayes, 22</p> <p>The Hon. H. G. Baylor P. D. Block C. Bubb B. A. Chamberlain D. G. Crozier Dr. K. J. Foley F. J. Granter J. V. C. Guest H. M. Hamilton V. T. Hauser D. K. Hayward W. V. Houghton Dr. R. W. Howard A. J. Hunt Glyn Jenkins R. I. Knowles R. Lawson (<i>Teller</i>) J. W. S. Radford N. B. Reid D. N. Saltmarsh (<i>Teller</i>) N. F. Stacey H. R. Ward</p>	<p>Noes, 16</p> <p>The Hon. W. R. Baxter G. A. S. Butler Joan Cocksedge B. P. Dunn R. J. Eddy D. M. Evans C. J. Kennedy D. E. Kent W. A. Landeryou R. A. Mackenzie G. A. Sgro (<i>Teller</i>) I. B. Trayling (<i>Teller</i>) Evan Walker J. M. Walton D. R. White K. I. M. Wright</p>
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And so it was resolved in the affirmative—Amendment negatived.

NO. 3.—INDUSTRIAL SAFETY, HEALTH AND WELFARE BILL—Proposed new clause A (*to follow clause 14*)—

A. (1) Nothing in sections 11 to 14 inclusive shall be construed as conferring any right of action in respect of any failure to comply with any duty imposed by those sections.

(2) Nothing in sections 11 to 14 inclusive shall be construed as affecting the extent (if any) to which breach of any existing Act or regulations is actionable.

(3) Breach of a duty imposed by regulations made under section 33 [apart from section 33 (1) (*I*)] shall, so far as it causes damage, be actionable except insofar as the regulations otherwise provide.

(4) Any term of an agreement which purports to exclude or restrict the operation of sub-section (3) above or any liability arising by virtue of that sub-section shall be void except insofar as regulations under section 33 otherwise provide.

(5) In this section “damage” includes the death of, or injury to, any person (including any disease and any impairment of a persons’ physical or mental condition).

—(*Hon. G. A. Sgro*)

Question—That proposed new clause A be now read a second time and added to the Bill—put.

Committee divided—The Hon. R. J. Long in the Chair.

<p>Ayes, 11</p> <p>The Hon. G. A. S. Butler R. J. Eddy C. J. Kennedy D. E. Kent (<i>Teller</i>) W. A. Landeryou R. A. Mackenzie (<i>Teller</i>) G. A. Sgro I. B. Trayling Evan Walker</p>	<p>Noes, 24</p> <p>The Hon. W. R. Baxter H. G. Baylor P. D. Block C. Bubb B. A. Chamberlain D. G. Crozier B. P. Dunn D. M. Evans Dr. K. J. Foley (<i>Teller</i>)</p>
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J. M. Walton
D. R. White

F. J. Granter
J. V. C. Guest
H. M. Hamilton
V. T. Hauser
A. J. Hunt
Glyn Jenkins
R. I. Knowles (*Teller*)
R. Lawson
J. W. S. Radford
N. B. Reid
D. N. Saltmarsh
N. F. Stacey
J. A. Taylor
H. R. Ward
K. I. M. Wright

And so it passed in the negative.

No. 4.—FILM VICTORIA BILL—Clause 13.

(1) The functions of the Corporation shall be—

* * * * *

(b) to produce, distribute, exhibit and broadcast, or arrange for the production, distribution, exhibition and broadcasting of, films and sound recordings for educational purposes, and to produce or acquire books or other materials for use in connexion with films and sound recordings produced, distributed, exhibited or broadcast for educational purposes;

* * * * *

—(*Hon. Glyn Jenkins*)

Amendment proposed—That paragraph (b) in sub-clause (1) be omitted.

—(*Hon. B. P. Dunn*)

Question—That the paragraph proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. V. T. Hauser in the Chair.

Ayes, 18

The Hon. H. G. Baylor
P. D. Block (*Teller*)
C. Bubb
B. A. Chamberlain
D. G. Crozier
F. J. Granter
H. M. Hamilton
D. K. Hayward
W. V. Houghton
Glyn Jenkins
R. Lawson
R. J. Long
J. W. S. Radford
N. B. Reid
D. N. Saltmarsh (*Teller*)
N. F. Stacey
J. A. Taylor
H. R. Ward

Noes, 15

The Hon. W. R. Baxter
G. A. S. Butler
Joan Coxsedg
B. P. Dunn
R. J. Eddy
D. M. Evans (*Teller*)
C. J. Kennedy (*Teller*)
D. E. Kent
R. A. Mackenzie
G. A. Sgro
I. B. Trayling
Evan Walker
J. M. Walton
D. R. White
K. I. M. Wright

And so it was resolved in the affirmative—Amendment negatived.

No. 5.—FILM VICTORIA BILL—Clause 14.

(1) Subject to this Act, the Corporation may, for the purpose of carrying out its functions, exercise any power that it is necessary or convenient to exercise to carry out those functions including, without limiting the generality of the foregoing, the power to—

* * * * *

(h) charge such fees (if any) in connexion with any goods or services supplied or lent by it as it thinks fit;

* * * * *

—(Hon. Glyn Jenkins)

Amendment proposed—That the words “except in relation to the provision of such goods and services to schools in Victoria” be added at the end of paragraph (h) in sub-clause (1).

—(Hon. Evan Walker)

Question—That the words proposed to be added be so added—put.

Committee divided—The Hon. V. T. Hauser in the Chair.

Ayes, 13

The Hon. W. R. Baxter
G. A. S. Butler
Joan Cocksedge
B. P. Dunn
R. J. Eddy (*Teller*)
D. M. Evans (*Teller*)
C. J. Kennedy
D. E. Kent
R. A. Mackenzie
G. A. Sgro
Evan Walker
D. R. White
K. I. M. Wright

Noes, 18

The Hon. H. G. Baylor (*Teller*)
P. D. Block
C. Bubb
B. A. Chamberlain
D. G. Crozier
F. J. Granter
H. M. Hamilton
D. K. Hayward
W. V. Houghton
Glyn Jenkins
R. Lawson
R. J. Long
J. W. S. Radford
N. B. Reid
D. N. Saltmarsh
N. F. Stacey
J. A. Taylor
H. R. Ward (*Teller*)

And so it passed in the negative.

Dear Mother, I received your letter of the 14th and was glad to hear from you.

I am well and hope these few lines will find you the same. I have not much news to write at present.

I have been thinking of you very much lately and wondering how you are getting on.

I have not much news to write at present. I have been very busy lately.

I have not much news to write at present. I have been very busy lately.

I have not much news to write at present. I have been very busy lately.

I have not much news to write at present. I have been very busy lately.

I have not much news to write at present. I have been very busy lately.

I have not much news to write at present. I have been very busy lately.

I have not much news to write at present. I have been very busy lately.

PARLIAMENT OF VICTORIA

MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA

To choose

(1) Three Members to be recommended for appointment to the
Council of the Deakin University

and

(2) One Member to be recommended for appointment to the
Council of the Monash University

22 September 1981

*Held in accordance with the provisions of section 7 of the
Deakin University Act 1974 (No. 8610) and section 7 of the Monash
University Act 1958 (No. 6184)*

MELBOURNE
F. D. ATKINSON, GOVERNMENT PRINTER
1981

MINUTES OF THE PROCEEDINGS

of the

JOINT SITTING

held in the

LEGISLATIVE ASSEMBLY CHAMBER

Tuesday, 22 September 1981

The Members of the Legislative Council and the Members of the Legislative Assembly having, pursuant to resolutions of the two Houses, assembled in the Legislative Assembly Chamber—

1 ELECTION OF PRESIDENT—The Premier, the Honourable L. H. S. Thompson, C.M.G., M.P., moved—That the Honourable F. S. Grimwade, M.L.C., President of the Legislative Council, be appointed President of this Joint Sitting; which motion, being seconded by the Deputy Leader of the Opposition, R. C. Fordham, Esquire, M.P., was resolved in the affirmative.

The Honourable F. S. Grimwade, having expressed his acknowledgment for the honour conferred upon him by the Joint Sitting, then took the chair.

2 RULES OF PROCEDURE—The President announced that section 7 of *Deakin University Act 1974* and section 7 of *Monash University Act 1958* provided that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the Sitting. Accordingly, the Honourable L. H. S. Thompson, C.M.G., M.P., submitted the following rules of procedure for the consideration of Honourable Members, and moved that they be adopted as the rules of procedure of this Joint Sitting:

- 1 On any debate arising the same shall be conducted according to Parliamentary usage.
- 2 A Member, addressing himself to the President, shall propose Members/a Member to be recommended for appointment to the.....
(as the case may be) and any such proposal shall be duly seconded. When any Member is so proposed, his proposer shall state that such Member is willing to be so recommended for appointment, if chosen.
- 3 If no more than the required number of Members are proposed and seconded for the various vacancies, the President shall declare such Member(s) as having been chosen to be recommended for appointment thereto.
- 4 If more than the required number of Members is proposed and seconded in respect of the vacancies, the Member(s) to be recommended for appointment shall be chosen by ballot in the following manner.

- 5 In the ballot for the vacancies on each governing body, the President shall announce the names of the Members proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerks of the two Houses. The Member shall write on such ballot paper the name(s) of the Member(s) he wishes to be recommended for appointment; and if any ballot paper contains more than the appropriate number of names, it shall be rejected. Having marked his ballot paper as provided, the Member voting shall place it in a ballot box provided for the purpose.
- 6 The President shall appoint three Members to be scrutineers, who, with the Clerks shall ascertain the number of votes for each Member. The Member who shall be reported to have the greatest number of votes shall, in the case of a single vacancy, be deemed to be duly chosen to be recommended for appointment. In the case of a multiple vacancy, the appropriate number of Members who shall be reported to have the greatest number of votes shall be deemed to be duly chosen to be recommended for appointment. In case of doubt arising through two or more Members having an equality of votes, the scrutineers, by drawing lots, shall determine which of such Members shall be duly chosen to be recommended for appointment.
- 7 No informal vote shall be taken into account.
- 8 The President shall be entitled to a vote.
- 9 As soon as a ballot has been concluded the President shall declare:
 "That.....have/has been
 chosen to be recommended for appointment to.....
(as the case may be)."
- 10 The President shall advise the Minister of Education of the Members chosen to be recommended for appointment to the respective governing bodies.
- 11 The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments of the State of Victoria, who shall be the custodian thereof, and shall keep the ballot papers safely for one year and thereafter destroy them.

R. C. Fordham, Esquire, M.P., seconded the motion.

Question—put and resolved in the affirmative.

- 3 MEMBERS PROPOSED AND CHOSEN TO BE RECOMMENDED FOR APPOINTMENT TO THE COUNCIL OF THE DEAKIN UNIVERSITY—The President announced that, the rules having been adopted, he was now prepared to receive proposals from Honourable Members with regard to three Members to be recommended for appointment to the Council of the Deakin University.

The Honourable L. H. S. Thompson, C.M.G., M.P., proposed the Honourable David Mylor Evans, M.L.C., Aurel Vernon Smith, Esquire, M.P., and Neil Benjamin Trezise, Esquire, M.P., for recommendation for appointment to the Council, and stated that they were willing to be recommended, if chosen, which proposal was seconded by R. C. Fordham, Esquire, M.P.

The President, having asked if there were any further proposals and there being no further proposals thereupon declared that the Honourable David Mylor Evans, M.L.C., Aurel Vernon Smith, Esquire, M.P., and Neil Benjamin Trezise, Esquire, M.P., had been chosen to be recommended for appointment to the Council of the Deakin University.

4 MEMBER PROPOSED AND CHOSEN TO BE RECOMMENDED FOR APPOINTMENT TO THE COUNCIL OF THE MONASH UNIVERSITY—The President announced that he was now prepared to receive proposals from Honourable Members with regard to a Member to be recommended for appointment to the Council of the Monash University.

The Honourable L. H. S. Thompson, C.M.G., M.P., proposed Thomas Champion Trewin, Esquire, M.P., for recommendation for appointment to the Council, and stated that he was willing to be recommended, if chosen, which proposal was seconded by R. C. Fordham, Esquire, M.P.

The President, having asked if there were any further proposals and there being no further proposals thereupon declared that Thomas Champion Trewin, Esquire, M.P., had been chosen to be recommended for appointment to the Council of the Monash University.

5 The President declared the Joint Sitting closed.

A. R. B. McDONNELL

Clerk of the Legislative Council

J. H. CAMPBELL

Clerk of the Legislative Assembly

VICTORIA

EDUCATION DEPARTMENT

**THE RATIONALE AND DEFINITION
OF THE PROPOSED ORGANISATION
STRUCTURE**

Ordered to be printed

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THE VICTORIAN DEPARTMENT OF EDUCATION

THE RATIONALE AND DEFINITION
OF
THE PROPOSED ORGANISATION STRUCTURE

Prepared by PA Australia
September 1981.

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1. INTRODUCTION

"The Government... accepts responsibility for initiating structural alterations which will facilitate change continuing to take place".*

Following the publication of the Government - "White Paper on Strategies and Structures for Education in Victorian Government Schools" an Implementation Steering Committee and Implementation Task Force were set up. The Implementation Task Force recommended to the Implementation Steering Committee that the key themes of the White Paper should be treated in three streams:

- Reorganisation and increased delegation to regions
- Devolution
- Assessment

They further recommended that reorganisation and regionalisation should be tackled first, and that outside consultants should be engaged who were experienced in leading major reorganisation and decentralisation projects.

The Implementation Steering Committee accepted the recommendations.

Several consultant organisations presented their credentials to the Steering Committee on 25th March 1981. PA Australia was selected and commenced work with the Task Force on 3rd April.

On 23rd April 1981 PA submitted to the Minister of Educational Services, as Chairman of the Implementation Steering Committee, a Proposed Project Plan. This plan said in part:

"The overall objective and scope of this project is to prepare a detailed plan for reorganisation of the central and regional offices of the Victorian Education Department".

"A number of questions such as the following should be addressed:

- What key trends are likely to affect Victorian Education Department administration over the next decade?

*Para 3.1 - White Paper on Strategies and Structures for Education in Victorian Government Schools - 1980.

- How can reorganisation and regionalisation enhance education in the schools?
- What functions can be appropriately decentralised to regions and below?
- What activities would better be performed centrally?
- How can and should regions differ in their services, structures and staffing?
- What, in detail, should the new central and regional structures contain?"

Three major stages were envisaged.

Outputs from Stage 1, due mid-July, were to be:

- "- A paper on "Future Context" to set the external framework within which the Department will operate in the future, and the implications of this framework for organisation structure."
- Papers on the present situation and organisational practices in the existing divisions of the Department.
- A paper on relevant issues identified during visits to educational departments in other States."

Outputs from Stage 2, which would be complete by 22nd September, would consist of a paper setting out:

- The issues and problems derived from the analysis of the fact finding stage.
- An analysis of the cross-impact of these issues upon each other in an organisational sense.
- A recommended organisation plan, in broad terms, for central and regional areas, including job descriptions of critical positions (down to about the third level of management.)
- A recommended programme for Stage 3."

Stage 3... "would produce a detailed implementation plan, addressing particular staffing, systems, and detailed organisational structures required to develop the new organisation in depth". This stage can be outlined toward the end of Stage 2 in the light of the findings. The present proposal does not cover this stage.

On July 17th reports from Stage 1, namely:

- "Present and Future Context for the Victorian Education Department."
- "Victorian Education Department - The Present Organisation."

were handed to both the Minister of Education and the Minister of Educational Services. They were subsequently circulated to the Implementation Steering Committee and publically released.

Outputs from Stage 2 are now presented in two reports.

Report 1: The Rationale and Definition of the Proposed Organisation Structure for the Victorian Education Department.

Report 2: A Plan for Installation of the New Organisation (Stage 3).

This is the first of the two reports.

In this report we set out the issues which were identified and the conclusions to which we were led by our examination of the existing Department and of the White Paper and the extensive material gathered during its preparation. We set out the principles and rationale which we adopted in developing the organisation structure.

We define the structure, and make recommendations on the delegation of responsibility and decision-making to the lowest practicable level within the structure so as to increase the speed of response to matters arising at the school and also to increase effectiveness and efficiency.

Our study has highlighted many positive features in the Department, including:

- The commitment and dedication of Departmental officers to the provision of the best possible education to pupils within this State.
- The wide concern to achieve equitable distribution of resources throughout the State, providing similar services to all pupils regardless of their geographical location or socio-economic background.

1.4

- The allocation of additional resources to pupils with special needs, to compensate for lack of opportunity.
- The provision of special assistance to pupils with disabilities.
- The continuing re-training of teachers through in-service education programs.

However, the nature of the study has necessarily focussed attention on matters and issues to be changed or improved during implementation.

We have therefore not commented on all the many good features of the present Department, nor spelt out all the initiatives being undertaken. We would thus ask for an appropriate orientation on the part of the reader.

The consultants wish to thank all those who have contributed so much to the development of the proposals set out in this report, in particular Mrs Pat Reeve of the Victorian Federation of State School Parents Clubs and Mr Colin Watson of the Victorian Council of School Organisations.

Special thanks are also due to the Departmental members of the Implementation Task Force under Robin Chapman, namely Tony Allan, Charles Butler, Kevin Collins, Phil Creed, Jeff Dunstan, Doris Embling, Reg Fisher, Murray Fraser, Ian Hind, Errol Hutchesson, Ian Jobling, John King, Norm Shearer, Don Sinclair, Frank Tinney, Noel Watkins and Graeme Whitehead.

Many other people in the Department were consulted on particular matters from time to time, and all provided valuable perspective and ideas.

However, we must make it clear that the recommendations in this report are those of the consultants, and do not necessarily represent the views of any of the above.

A final 'thank you' to the secretarial support staff of the Task Force, whose cheerfulness in the face of deadlines and revisions were valued more than they realise.

Submitted by:

A.P. Rendell

R.I.A. Glen

C.R. Geckeler

This report has been prepared for the client to whom it is addressed. In accordance with our standard practice PA, its servants and agents disclaim responsibility to any third party for anything arising out of the report.

2. SUMMARY2.1 INTRODUCTION

The school is the most important part of the Department.

Any change in the structure of the Department should contribute, in the first instance, to improving support to the school in such terms as:

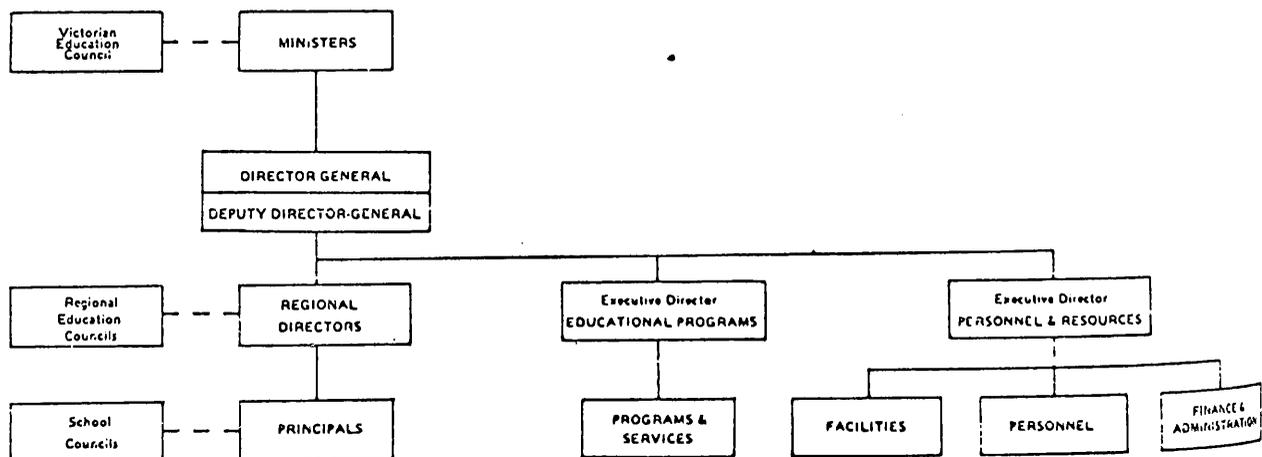
- Increasing the speed of response to requests for assistance.
- Extending the scope of support available to match the needs perceived in the schools.
- Making more readily identifiable the persons or positions within the structure who could provide answers or take decisions.
- Facilitating two-way communication so that schools are in no doubt as to Departmental (and Government) policy; and that the needs, ideas and concerns of schools are rapidly transmitted to the appropriate place in the structure.

To achieve these aims, we have examined decision-making in all areas and, where practicable and effective, we recommend that the responsibility for decision-making be delegated.

2.2 RECOMMENDED STRUCTURE

Figure 3 which is reproduced here, shows the outline of the organisation which we recommend.

FIGURE 3: THE RECOMMENDED ORGANISATION STRUCTURE



This structure has evolved naturally from the structure in the White Paper as an extension of the principles given in that paper.

It provides four main benefits.

- The Deputy Director-General is supported by an Executive Director (Personnel and Resources), who co-ordinates the functional areas and thus relieves the Deputy of significant work load.
- The structure can take advantages of emerging changes in Treasury and the Public Service Board towards a more flexible attitude towards resourcing, so that trade-off decisions can be taken within the Department.
- The structure is resistant to tendencies towards re-centralisation of decision-making. The White Paper highlighted the existence of strong tendencies towards increased centralisation. In any move towards decentralisation these tendencies need to be guarded against.
- The integrated activity of school operations is clearly effected at each level, with a clear and short line between schools and the Minister.

The structure acknowledges the requirement that people from outside the Department with a legitimate concern, and with a contribution to make, should relate to the decision-making through committees.

Four groups were developed to define the different communities of interest:

- Student Groups - designed to provide a focus for groups of students and communities so that educational programs could be oriented to their special needs and learning styles. Such groups would include primary students, child migrant students, sensorially handicapped students and so on. It was anticipated that those with a role to play here would include a wide range of people with experience, expertise and interest in the relevant student group.
- Fields of Study - relating to particular subject areas such as mathematics or music. It was anticipated that communities of interest with a role to play here would include professional educators, principals, teachers, consultants and curriculum developers.
- Councils at the three levels of the structure i.e. school councils, regional education councils, and the Victorian Education Council, providing for those representatives of the wider community with a concern for educational matters to make a contribution.
- Co-ordination Committees, within the Department, to enable officers from various levels and from different branches of the organisation to come together to provide advice to the decision-maker on a particular issue.

2.3 THE REGIONS

The new regions will increase emphasis on P-12 structures to minimise the impact of transitions between, for example, Year 6 and Year 7.

They will support the evolution of networks of schools for social reasons, for co-operative ventures, for resource sharing, and for increased specialisation and the provision of greater diversity in particular fields.

The majority of curriculum planning and support will be in the region, thus enabling integration of provision with expressed school need.

The senior education officer will play a pivotal role, with responsibilities based upon:

- A geographic network of schools on a P-12 basis (e.g. for resource provision.)
- Subject expertise across a larger grouping of schools in the region (e.g. Music.)
- A particular student grouping interest (e.g. Primary Curriculum Program.)

Initially this will require operation of senior education officers in teams as the new roles develop.

Increased delegations to the regions will include:

- Involvement of school councils in appointments of principals.
- Allocation of special needs establishments within the region.
- Setting of priorities on study leave, teacher exchanges etc.
- Managing and co-ordinating budget formulation.
- Determination and payment of direct grants to schools.
- Controlling payment of emergency teachers, accounts for nominated goods and services, and travel and accommodation of regional office staff.
- Authorising and supervising pupil transport and the regional motor vehicle fleet.

- Managing student welfare and discipline, hostels, SARCs etc.
- Controlling regional commitments and expenditure for regional projects.

Various regional committees are recommended, and the Regional Education Council created in the White Paper is discussed.

2.4 REGIONAL BOUNDARIES

In the light of the recommended expansion of regional responsibilities, and after examining various educational, social and geographic factors we recommend there be twelve regions. Five of these regions would be in country areas (although the present boundary lines would be somewhat altered). Seven regions would be in predominantly metropolitan areas, to reduce the excessive numbers in two current regions, and to align the Education Department with State Co-Ordination Council Boundaries.

In the country we recommend upgrading all existing regional offices in terms of staff and function, and increasing the number of offices to ten.

There should be two types of regional office and one type of sub-regional office. They are:

- Regional headquarters - staffed under the Regional Director.
- Regional Office - staffed under an assistant regional director (operations)
- Sub-regional office - staffed under senior education officers.

Offices and sub-regional offices are located so as to cover the geographic area, with a target maximum travel time of 90 minutes to any school.

2.5 EDUCATIONAL PROGRAMS

The three branches in the Educational Programs office cover:

- Curriculum Programs.
- Curriculum Services.
- Student Services.

2.5

Within Curriculum Programs Branch seventeen Student Group Programs are defined (e.g. Primary Curriculum Programs,) each with a full-time executive officer. Each program has a committee of advice, under the Chairmanship of an Assistant Regional Director. Members of these Committees should be drawn from people with expertise, experience and interest in the relevant student group (e.g. parents, community, industry, and institutions.)

Nine Fields of Study Programs are also defined (e.g. languages) each with a full-time supervisor. Once again each program has a committee of advice, under a senior education officer, with members drawn from such people as principals, teachers, consultants and curriculum developers who can contribute expertise and experience to the field.

The second branch in Educational Programs is Curriculum Services Branch.

This Branch is responsive to commissions from a number of client areas including the regions, the student group programs and the fields of study programs, and will provide key staff around whom teams can be built to carry out curriculum development and research. The cost of secondment of staff to these teams should be borne by the client area.

A number of other services are also located in this area including production services, information services such as central cataloguing and low incidence resources such as the Music Studio.

The third Branch in Educational Programs is Student Services Branch which provides services previously under the administration of:

- Counselling, Guidance and Clinical Services.
- Special Education Units.
- Demonstration Units.
- Remedial Physical Education Centres.
- Visiting Teachers Services.

Education of children requiring special assistance is currently provided both in special schools and in regular schools.

We recommend that, as for all other schools and educational units, the administration of each special school shall be the responsibility of the regional director in whose region the school is located.

To ensure scarce expertise is focussed for the education of these children Student Group Programs will be established in the area of intellectual, social and emotional and physical and sensory disability.

Specialist staff in the student services area will sit on the committees for these groups.

Within the regions specialist staff will be located in Special Assistance Resource Centres and be managed by the regional director.

2.6 PERSONNEL

The establishment of the Department as the employer, as called for in the White Paper will enable a number of problems which exist at present to be dealt with. These include comparability of job classification and difficulties in obtaining the appropriate proportion of administrative staff.

Several options exist to achieve the objective of the Department as the employer, and as discriminating between these calls for debates in areas outside our terms of reference we have made no specific recommendation. However we regard it as essential that the Department become the employer.

The economic climate within which the Department will find itself seems likely to restrict growth. Thus career paths based upon traditional promotions are unlikely to be as available as in the past. It will be necessary to develop alternative paths to achieve increased job satisfaction and reward. We recommend that lateral movement be facilitated through the creation of a common role, so that teachers may more easily move between types of schools if they so desire.

The new Personnel Branch will perform many of the functions of the personnel staff in the former teaching divisions within the four areas of:

- Employment
- Staffing
- Industrial Relations
- Personnel Administration and Services

Industrial relations in particular has been upgraded in the structure as the Department will be the employer of some 60,000 personnel, whose salary and terms and conditions of employment are currently determined in a number of industrial jurisdictions.

2.7 FACILITIES

Buildings, grounds, furniture and equipment generally have all been grouped under the title "facilities", that is, all the components of the physical learning environment.

Within this area we recommend that maintenance be a charge against recurrent rather than capital funds, so that appropriate decision-making can take place.

We recommend a clarification and increased definition of the client role in project works, with the regional director being the client for projects conducted at the regional level. Where the work is carried out through the Public Works Department this may require some change to the Public Lands and Works Act. School Council contracts would remain as at present, but with support from the regional office.

The facilities function within the Department has already been partly decentralised through regional priority review committees and the regional activities.

Additional delegations should now be introduced in the areas of:

- School Maintenance
- Movement of relocatable classrooms
- Waste disposal
- Regional construction projects.

2.8 FINANCE AND ADMINISTRATION

We recommend the establishment of a Finance and Administration Branch, under a Director who will co-ordinate the two specialist functions.

The Finance Section will assume functional responsibility for finance throughout the Department. In addition there will be an increased need to strengthen the analytical and forward planning capacity of the central finance office.

The Administration Section will have a much broader range of functions than at present as it will be the location of a system-wide information services group. This group will pick up functions currently prepared by parts of Special Services Department parts of Planning Services Division and the Education Department Library. It will also incorporate a number of functions such as:

- Public relations
- Development and maintenance of management information.
- Upgrading and maintenance of communication links.
- Archiving

2.4 VARIOUS UNITS

In our analysis there were four groups of functions which were most appropriately located reporting to the highest level in the organisation. We therefore recommend four units be created.

The first is the Councils Services Unit.

The reorganisation requires the provision of councils support at both central and regional level to service the proposed Victorian Education Council, the regional councils and the school councils.

The Councils Services Unit at central level should provide a secretariat for the Victorian Education Council and should also relate directly to the Schools Councils Consultative Committee.

The units at regional level should provide secretariats for the regional educational councils and resources for the provision of constitutional and procedural advice and support for school councils.

The second is the Operations Unit.

This Unit is designed to support the Deputy Director-General and also to provide a convenient location for those staff responsible for the transition from the present structure to the proposed structure.

The third is the Audit and Review Unit.

The current internal audit activities will need to be increased, partly to meet legislative requirements for annual auditing of school council accounts and partly to meet the White Paper call for establishing proper accountability between school, region, the Department and Parliament.

The fourth is the Policy and Planning Unit.

This Unit is designed to develop corporate long term policy options at the request of the Director-General or the Deputy.

3. APPROACH TO THE TASK3.1 THE INFORMATION GATHERING PHASE

Immediately after the appointment of the Consultants the Task Force was increased to 16 full-time members from the Education Department, together with the two people from the Public Service Board and the three Consultants.

Team members were trained in organisational analysis and interview techniques.

A schedule was prepared of over 250 interviews, which the Task Force members considered to be a representative sample covering all facets of organisation activity supporting the work of schools and school councils.

Interviews commenced on 11th May and were conducted over a four week period by the Consultants and members of the Task Force. (See Appendix 1.).

All staff interviews were confidential to the Task Force and typically lasted over an hour, although they ranged from less than half an hour to in excess of two hours to complete. Each focussed on two main areas. The first required factual information in relation to the structure of the unit in which the person worked, the perceived Departmental and unit objectives, the functions performed, the units' workload and the communication contacts made in the performance of the job. The second sought ideas and opinions from staff on how the unit and Department's functions and organisation had evolved, and the direction in which this evolution should move in the future. It also sought comments on the problems and opportunities which the officers perceived.

A listing of key functions or activities was prepared (see Appendix 2) and the record of each interview was assigned key words on the basis of the functions to which it related. Some had as few as three codes, some as many as twenty. Copies were prepared for each key word so that all interviews relating to a function could be collated.

Interviews were also held subsequently with Treasury and with the Public Works Department, as having important interfaces with the Education Department.

Substantial material was gathered and examined in addition to the interview records. This included.

- 62 submissions made to the Task Force, together with 325 letters and a further 336 letters to the Ministers, which were passed to the Task Force for information.
- Material gathered during the preparation of the Green and White Papers.
- The Five Papers of the Director-General.
- Papers prepared by the several Assistant Directors-General on implications of the White Paper for structure in their areas.
- Prior studies of the Department and its operations (see Appendix 3) including:
 - . The Ramsay report
 - . The Southwell report
 - . The Bland report
 - . The Curriculum Services Enquiry
 - . The report of the Committee on Services Centres
 - . The interim report of the Committee of the Victorian Enquiry into Teacher Education

When all information had been sorted functionally, nominated teams of the Task Force were given responsibility for writing papers each covering a particular area. Relevant papers were passed to the A D Gs, and the Deputy D-G and Director-General for comment before being consolidated into a factual report giving an overview of organisational practices within the Department.

3.2 THE FUTURE CONTEXT REPORT

In parallel with the Information Gathering Phase a team explored the potential social, educational and demographic future context which could affect the Victorian Education Department between 1981 and 2001. Three papers were prepared:

- Victorian Education Regions in 1980 - detailing selected characteristics of the present Education Department Regions.

3.3

- The Size of the State Educational System to 2001 - presenting demographic and educational projections, including government school enrolments and possible teacher requirements.
- The nature of the Educational Task in 1991 and Beyond - being a summary of selected writings on the possible social and educational environment affecting schooling.

3.3 THE ANALYSIS PHASE

When gathering and sorting of information was complete and a full list of issues had been identified, the Task Force commenced the analysis of alternative organisation structures and the extent to which specific decision-making could be delegated within the structure.

The approach which was adopted involved:

- Analysis of the issues which had been identified in terms of their organizational significance.
- Analysis of the current decision-making activities, identifying all areas contributing to the decision, and the extent to which reference to policies or guidelines was possible.
- Establishment of basic management principles which should guide the creation of the structure of the Department, within the overall principle of delegation of decision-making to the lowest practical point.

Definition of the major focus around which the Department's structure should be based, together with the various support activities which would also be needed in developing an effective and efficient structure.

- Detailing of all aspects of the key decision-making processes, to eliminate ambiguity and ensure faster response to schools by the new structure.

Chapters 4 and 5 outline the main issues and principles which we identified, and set out our proposals for the broad structure of the Department.

The functions and delegations to the regional structure and relations with schools are covered in Chapter 6.

In Chapter 7 we review regional boundaries and recommend changes to take account of the new responsibilities.

The central offices and branches are then defined in Chapters 8 to 11.

Finally in Chapter 12 we detail a number of small but important units which contribute to, or facilitate, the work of the Department.

4. PRELIMINARY CONCLUSIONS

Examination of the material available at the commencement of the consulting project led us to a number of preliminary conclusions.

It was clear that the school was the most important part of the Education Department, as the vehicle for delivering the process of education.

Any change in the structure of the Department should therefore contribute, in the first instance, to improving support to the school in such terms as:

- Increasing the speed of response to requests for assistance.
- Extending the scope of support available to match the needs perceived in the schools.
- Making more readily identifiable the persons or positions within the structure who could provide answers or take decisions.
- Facilitating two-way communication so that schools are in no doubt as to Departmental (and Government) policy, and that the needs, ideas and concerns of schools are rapidly transmitted to the appropriate place in the structure.

To achieve these aims, effective decision-making was to be transferred closer to the point of action.

Several types of power transfer were discussed in the White Paper. We found it useful to develop working definitions of two power transfers.

"Delegation" - which can be defined as a transfer of power within an organisation, in this case the Department of Education.

"Devolution" - which can be defined as a transfer of power to bodies outside the Department (e.g. School Councils).

Whilst the present exercise was concerned with structure, and hence with delegation of authority the structure developed would have to cope with transfer of responsibility for certain types of recommendation or decision-making by devolution (to school councils, for example) at the appropriate time as determined by the Government.

Further, the structure would have to cope with situations where particular councils might decline to take up the responsibility offered, so that the Department would have to deal simultaneously with making a class of decisions for some councils, whilst other councils made the decisions themselves.

These requirements both call for flexibility in the structure designed.

The topic of "assessment", that is establishing or recommending appropriate mechanisms for internal and external reviews of schools including the area of promotion of teachers based more substantially on proven merit and motivation, is not included in the terms of reference for this present study. However once again flexibility is required in the structure to enable these mechanisms to be installed once they have been developed.

The economic climate in which the Department will operate in the near future seems likely to be one of financial stringency. There could be a stabilisation, or even a shrinkage in real terms in the resources available to the Education Department over the next few years, as total student numbers decline.

This absence of growth has significant implications for career opportunities. Thus the new structure should facilitate the lateral or horizontal movement of staff, so that individuals can gain increased job satisfaction through broadening the range of their activities. The elimination of the schools divisions as spelt out in the White Paper would seem to contribute to this opportunity.

Thus our preliminary conclusions were that:

- we should design a flexible structure to provide a better service to schools, and with decision-making delegated as close to the school face as economically and practically warranted.
- The structure should make provision for increased mobility of staff in organisational terms so that wider career paths could be constructed.

By the end of the data gathering phase we had come to a number of conclusions as to the organisational characteristics of the Education Department.

These were:

- a) Size. With staff over 50,000 funds over \$1,200 million p.a., student numbers over 600,000 and more than 2,100 schools the Department is substantial by any measure.
- b) Diversity of working environment. The Department interacts with every socio-economic and cultural group in society, and delivers its services within all geographic areas from inner metropolitan to rural.
- c) Homogeneity of staff. The majority of staff share a high level of common background and experiences in such things as schooling, training and in-service education.
- d) Diversity of structure. Regional structures have been developed in a variety of ways to accommodate individual differences. The same applies to the organisations within schools, the relationship between principals and school councils, and the composition of school councils themselves. The four teaching divisions have organised themselves differently for most major activities.
- e) Evolutionary development. Change, whilst requiring time, has been continuous. For example developments in the recent past encouraged the release of individual initiatives at the school, district and divisional levels.
- f) Development of substantial informal networks. One example is the introduction of Regional structures, which blurred some reporting relationships, and increased the options for parallel and potentially conflicting communication channels between the school and the centre.

- g) Uneven coverage of policy guidelines. Substantial difference exists between the scope, detail and accessibility of policy in the various divisions.
- h) Differing interpretation of roles, responsibilities and reporting relationships. This has been identified at almost every level of the organisation.
- i) A large number of "communities of interest" who have, or seek, advocacy functions within the structure. This includes such groups as primary schools, who see Primary Division as their advocate and are looking for some alternative, and school councils, who see the need for a knowledgeable person with clout at the highest levels.
- j) Substantial use of committees. Many committees exist with largely independent activity on a collegiate model.
- k) Support functions have low integration with each other except at the centre.
- l) The Ministers act in a quasi-executive role. They are part of the Corporate Management Group, and contact officers directly at many levels on specific topics.

The challenge of implementation is to retain and strengthen the many valuable features of present structures, whilst implementing the policies of the White Paper.

5. ORGANISATION IN CONCEPT

"The emphasis ... is upon the individual child in the school and the management structures necessary to serve the children's interests, and not on structures designed primarily to serve the interests of administration." *

5.1 INTRODUCTION

In this Chapter we set out firstly, a number of matters which we explored to enable us to expand the principles of the White Paper into specific organisational elements. Secondly we list the general organisation principles which we adopted in our design. Finally, commencing with the White Paper structure, we develop the conceptual structure which we recommend.

5.2 COMMUNITIES OF INTEREST

One characteristic of education is that there are many people who have a legitimate concern with, and can make a valuable contribution to, the decisions that are made at all levels.

The White Paper, in acknowledging this, recommended the creation of a Victorian Education Council and regional education councils in addition to the school councils already in existence. At present a number of regional committees provide advice on particular areas of concern. These would be absorbed into the regional education Councils. The Victorian Education Council would substantially replace the existing Council of Public Education.

We found it of value to consider groups of people, both within and without the Education Department, who could be seen to have a clearly identified community of interest in some educational matter, and then ask where this community of interest could best relate in the structure to the decision-making process.

It was immediately apparent that some groups had a need to relate at several points in the structure. In others it was possible to use a central focus to influence and contribute to decision-making in a number of different areas.

*Para 3.16 - White Paper on Strategies and Structures for Education in Victorian Government Schools - 1980.

Some groups were seen to require an advocate within the structure itself. Indeed the advocacy role currently performed by the teaching divisions on behalf of particular student populations needed to be retained.

Focii of action for the communities of interest were established in the following groups:

- Student Groups - designed to provide a focus for groups of students and communities so that educational programs could be oriented to their special needs and learning styles. Such groups would include primary students, child migrant students, sensorially handicapped students and so on. It was anticipated that those with a role to play here would include a wide range of people with experience, expertise and interest in the relevant student group.
- Fields of Study - relating to particular subject areas such as mathematics or music. It was anticipated that communities of interest with a role to play here would include professional educators, principals, teachers, consultants and curriculum developers.
- Councils at the three levels of the structure i.e. school councils, regional education councils, and the Victorian Education Council, providing for those representatives of the wider community with a concern for educational matters to make a contribution.
- Co-ordination Committees, within the Department, to enable officers from various levels and from different branches of the organisation to come together to provide advice to the decision-maker on a particular issue.

Appropriate placement of these "focii of action" within the structure was an important aspect of the design.

5.3 ACCOUNTABILITY

The White Paper emphasises the accountability associated with delegation of decision-making, to safeguard the ultimate responsibility of Government.

Thus the Department is simultaneously accountable to a number of groups:

- To parliament through the ultimate responsibility of Government.
- To parents through stewardship of the child.
- To government through responsibility for the effective and efficient use of resources.
- To government through responsibility for the implementation of social policy and the maintenance of equity.
- To staff for industrial relations and the use of time.

In developing possible structures we have been concerned to permit the accountabilities to the Government to operate whilst not inhibiting the other accountabilities that exist.

For a person to accept accountability requires that the person

- Knows what is expected
- Knows what is being achieved
- Has the knowledge, the authority and the means of sufficiently influencing the operations for which he or she is responsible.

In terms of organisational design this requires:

- Appropriate delegation of power
- Clear and unambiguous statements of responsibility
- Avoidance of any duplication or dilution of responsibility
- Effective communication of policy both upwards for validation and downwards for interpretation in operational terms.
- Appropriate information systems.

Appendix 4 develops these points.

One consequence of these requirements is that, within the structure we have designed, no internal committee is responsible for making decisions. Decisions are the responsibility of individuals. Committees advise individuals. The responsible individual may, of course, adopt a collegial style of joint decision making if he or she chooses, but the responsibility for the decision still lies with the individual.

5.4 ROLE OF MINISTERS

The Corporate Management Group as created and defined in the White Paper is designed to focus on policy formulation and review.

During our study it became clear that the Ministers and the Director-General are required to deal with a large number of detailed matters. Their ability to spend time on issues of broad Departmental policy and priorities is therefore restricted.

Broad policy and priority setting can only be done at the level of the Ministers and Permanent Head, in conjunction with the advice of the most senior officers. By contrast most detailed matters should be capable of being dealt with (within appropriate guidelines) at lower levels within the Department.

The new structure will introduce clear delegations and will call for the development of specific policy guidelines. Thus over a period of time it should be possible for most detailed operational decisions to be delegated. The Corporate Management Group will then operate as a policy formulation body. (We discuss later the composition of this group.)

The relationship between two Ministers and the Permanent Head can create problems where one Minister has specific responsibilities for a part of Departmental activities. There is a tendency to bypass the Permanent Head and go directly to the sectional head of the activity concerned. This problem can only be partially alleviated by first class communication.

With the separation of TAFE it could be appropriate to consider re-arranging Ministerial responsibilities along new lines, with one Minister concentrating on the Department whilst the other looks after TAFE and the Advanced Education area.

5.5 EDUCATIONAL RESOURCES

The traditional view of allocating funds to specific line items within the State Budget as a vehicle for Parliamentary control has created a number of problems in the past, without permitting Departments to exercise flexibility and discretion in meeting their obligations.

In the past year or two there has been a movement towards a more flexible attitude, so that funds can be transferred from one purpose to a related purpose. We expect this tendency to continue.

Within Education, trade-offs exist between, for example employing another teacher's assistant or purchasing particular curriculum material. Increased delegations to regions and increased diversity and choice within the school system will require the ability to marshal resources in differing ways.

The structure developed must therefore be ready to take advantage of trade-offs within a total funding allocation by the Government as these options become available.

5.6 GENERAL PRINCIPLES ADOPTED

We adopted the philosophy that the various activities and functions occurring within the new Department structure should be grouped so that the following benefits would be achieved:

- Response to the needs of schools would be as rapid as practicable.
- Priority setting decisions could be clear cut.
- Accountability and responsibility would be clearly defined.

In addition, the following general principles of organisation were adopted:

- The proposed organisation structure would not be regarded as permanent. It needs to remain flexible and to be reviewed periodically. It needs to be capable of adjustment to accommodate changes of emphasis and function without necessarily altering the basic design.
- The number of levels of authority should be kept to a minimum, consistent with optimum effectiveness.

- There is a limit to the number of positions that can be effectively supervised by a particular individual. This number should be kept at a maximum consistent with optimum effectiveness.
- Local differences should be recognised by delegating the right to take or initiate action closer to the scene of the action. A measure of centralised co-ordination and control (policies/guidelines) should be used to prevent unilateral actions incompatible with overall objectives.
- A superior is accountable for the acts of his or her subordinates. Accountability should be coupled with the level of positional authority.
- Management controls, systems and procedures can be more effective than job descriptions and organisation charts in installing and monitoring a structure.
- The Chief Executive has the ultimate liability. It is not appropriate to deprive him of his accountability, his authority, or his responsibility as to what to delegate.

5.7 ORGANISATIONAL FOCUS

The existing Department had attempted to operate on three focii simultaneously namely

- Student groups (primary, secondary etc.)
- Functions (personnel, curriculum etc.)
- Geographic location (regions)

A fourth possible focus, namely subject area, (the method of organising universities through faculties) was present in dispersed committee structures within both the student group focus and the geographic focus.

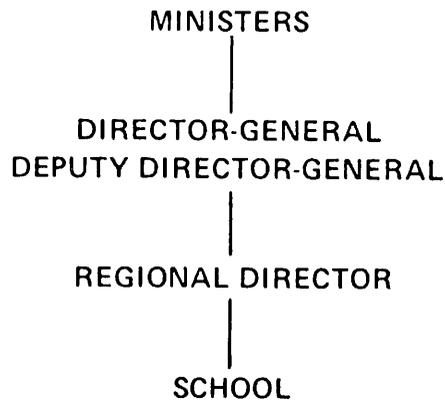
Problems of conflict and lack of clarity of responsibility led to the decision to eliminate the student groups focus (the teaching divisions) and to strengthen the geographic focus (the regions). This is an essential thrust of the White Paper.

It was essential for us to differentiate the responsibilities of the geographic focus and of the functions focus.

This was done by using line and staff definitions, to ensure that the school operations area, requiring integration and balance of the individual functional areas, was the dominant force within the structure, corresponding with the reality of the school as the dominant organisational unit within the Department.

Line responsibility was thus specified through the geographic focus in the least number of steps possible.

FIGURE 1: ORGANISATIONAL LINE RELATIONSHIP



The functional areas were defined in staff terms, having a supportive role to the operational line.

This was fully compatible with the role definition in the White Paper identifying three levels:

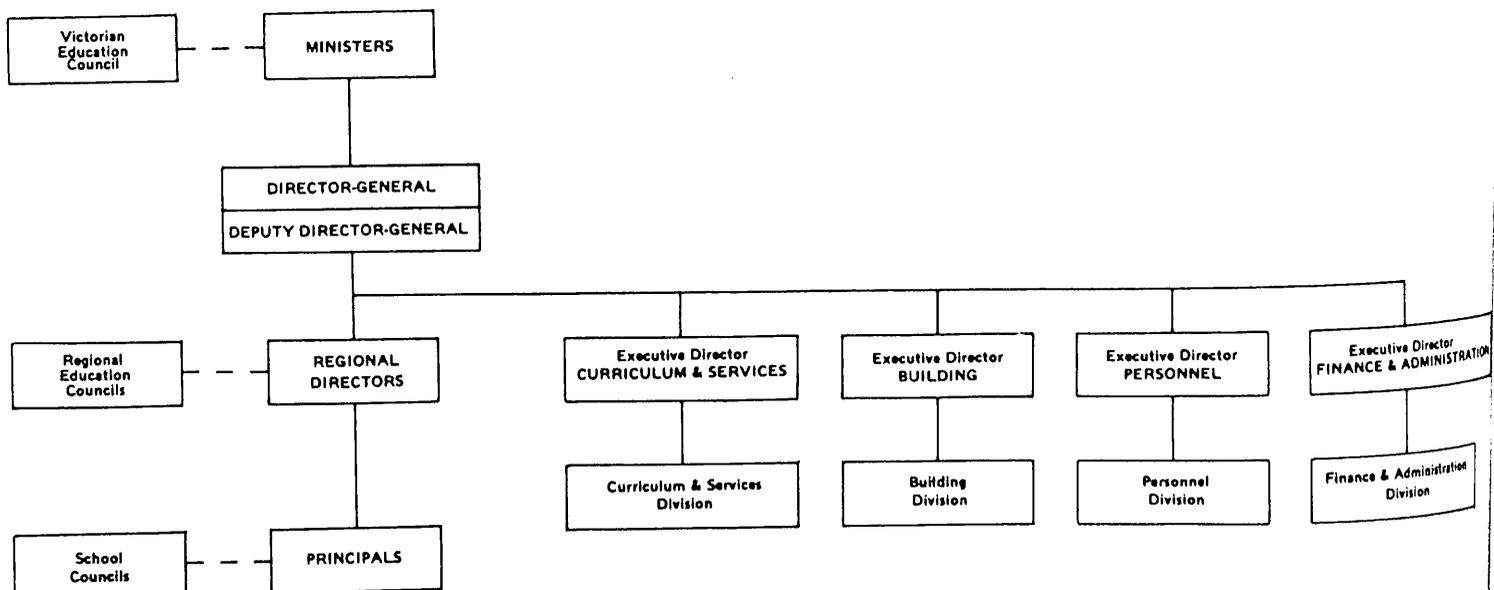
- . Policy - at the centre.
- . Management - at the regions.
- . Operations - at the schools.

5.8 DEVELOPMENT OF THE OVERALL STRUCTURE

The outline organisation structure presented in the White Paper showed clearly functional specialisation at the policy level appropriate in an organisation of this size.

Drawing the chart in terms of responsibility, and ignoring for the moment the communication links, the outline structure appears as follows:

FIGURE 2: OUTLINE ORGANISATION STRUCTURE (after WHITE PAPER)



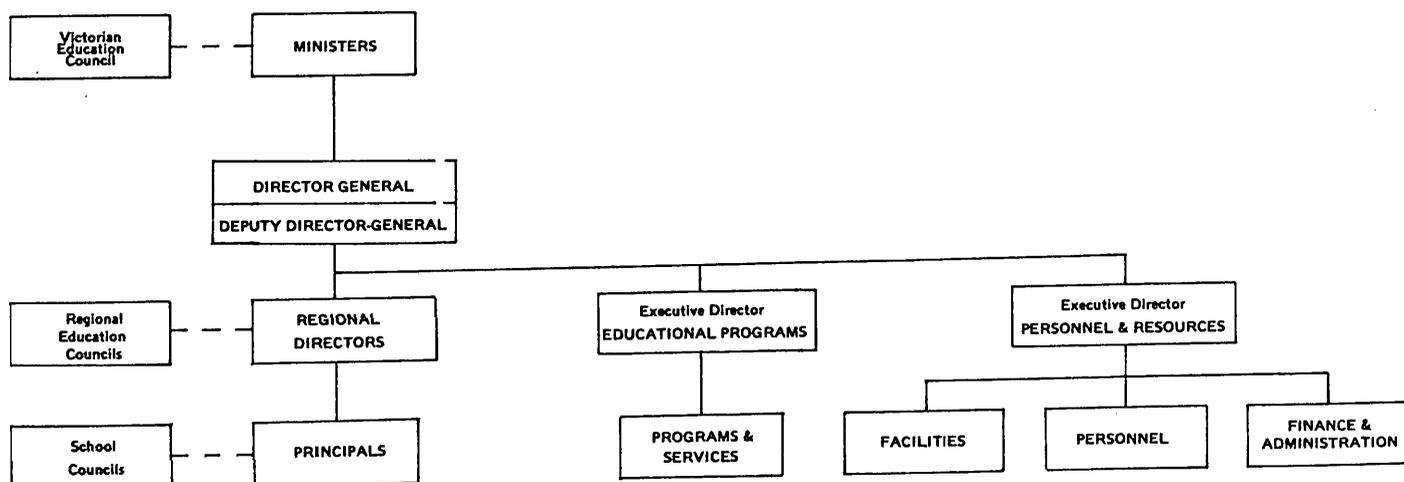
Analysis of the ways in which this structure would operate generated four concerns.

- a) The Deputy Director-General would be faced with the task of co-ordinating all functional areas at the same time as supervising all regional directors.
- b) There were other ways to integrate the planning and application of the resource support functions, to allow for the trade-off possibilities emerging in the future. These did not run in any way counter to the principles in the White Paper.
- c) Decentralisation has to compete with strong tendencies towards increased centralisation in administration, a point highlighted in the White Paper. The structure could be made more resistant to these tendencies thus ensuring effective transfer of power closer to the schools.
- d) It was possible to make the integrated activity of school operations more effective at each level.

Some twenty organisational options were developed and analysed, as logical extensions of the structure in Figure 2.

The structure shown in Figure 3 is our recommended structure, as a result of rearranging some responsibilities and introducing a co-ordinating role for the resource areas, whilst still realising the various policy initiatives in the White Paper.

FIGURE 3: THE RECOMMENDED ORGANISATION STRUCTURE



The conceptual structure, defining in broad terms the functions to be performed within each organisational unit is given in Figure 4, and the resulting organisation structure in Figure 5. Job specifications for key positions are given as Appendix 5.

We recommend that nomenclature be changed as indicated, both to reflect the substantial change from existing roles and responsibilities, and also to be more in line with conventions in the public sector.

With the creation of the Department as the employer,* the Director-General, as Permanent Head of the Department, will be responsible for all appointments of staff other than those reserved to Governor-in-Council.

He has the ultimate responsibility for management and control of all operations and functions within the Education Department and for the formulation and recommendation of policies to the Minister (on the advice and representation of staff and other individuals in education) and for the communication and interpretation of Government policies to the Department.

The Deputy Director-General, in addition to acting as Director-General necessary, will be responsible for the day-to-day administration of the Department. As such he will have responsibility for policy interpretation and approval within overall Government policies and for co-ordination of educational programs and resources to guide and direct regions in response to identified educational needs, within the constraints of the resources available.

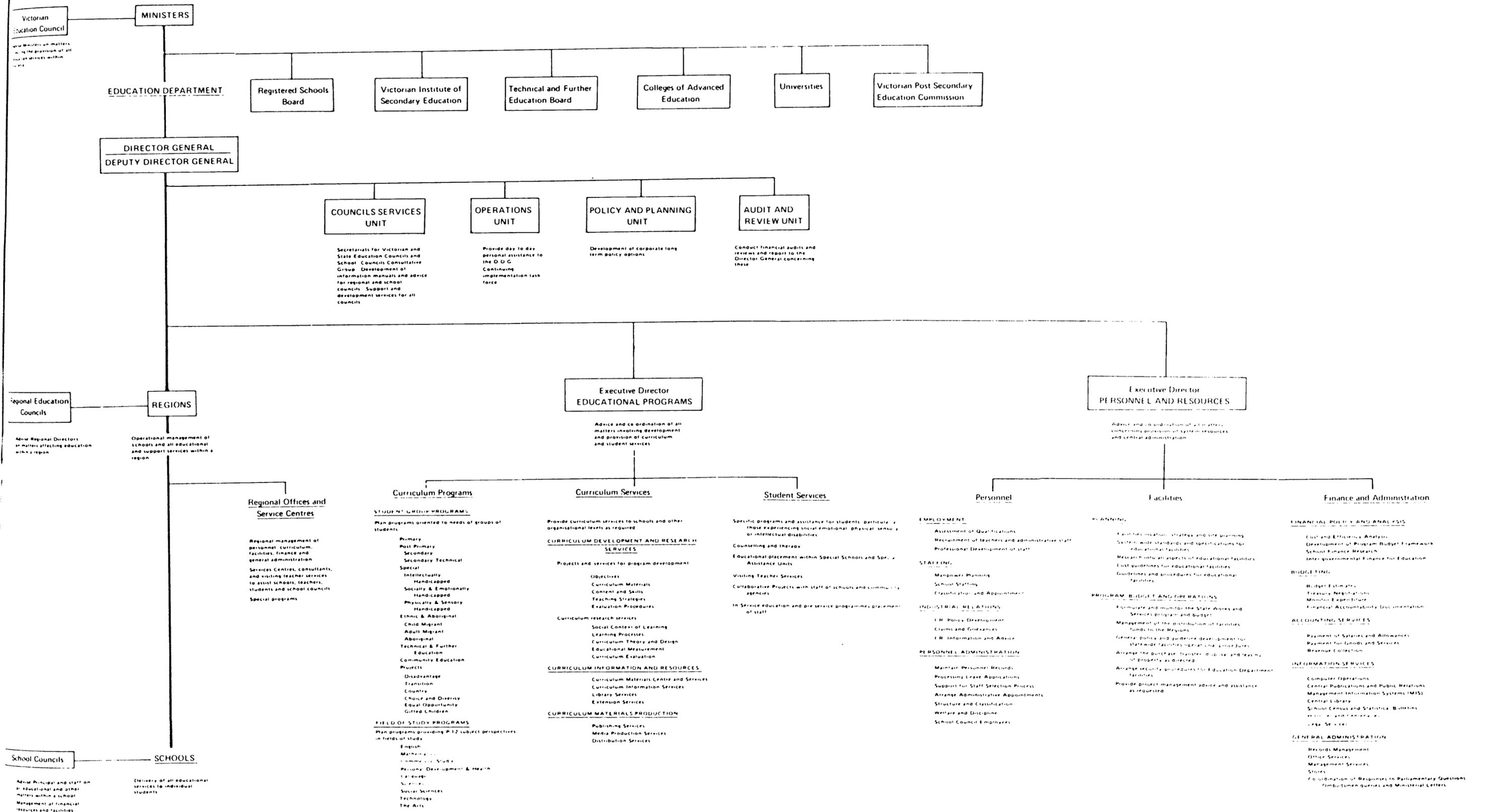
The Corporate Management Group is a key initiative of the White Paper.

We recommend that this initiative be extended by defining two corporate groups:

- Corporate Policy Management Group, including the Ministers and being concerned with policy advice.
- Corporate Operations Management Group, headed by the Director-General and being concerned with policy interpretation and broad operational decisions.

We would also suggest that the Ministers consider embracing further the techniques of successful boards and commissions by appointing two outside members to sit on the Corporate Policy Management Group. These appointments should be made by the Minister from both the private and Public Sectors, and should bring a complementary perspective to those of the other members of the group

*Para 5.32 - White Paper on Strategies & Structures for Education in Victorian Government Schools.



Membership of the Corporate Policy Management Group should be the Ministers, Director-General, the Deputy Director-General, the two Executive Directors and the outside members, if appointed.

Membership of the Corporate Operations Management Group should consist of the Director-General, the Deputy Director-General, the Executive Directors, the six Directors of Branches and a regional director nominated by the Deputy Director-General.

It will also be necessary for the regional directors and the Deputy Director-General to meet at regular intervals, say every two months.

The expanded structures shown in Figures 4 and 5 specify the location of three important units.

The Councils Services Unit is designed to provide support and advice to the Victorian Education Council, the regional education councils and to school councils, absorbing and extending the work currently performed by the School Councils Consultant. Its location in the structure indicates the importance attached to this role.

The Operations Unit is designed to provide support to the Deputy Director-General in his day-to-day activities, and is also recommended as the location for the Implementation Task Force during the transition stages of implementation.

The Policy and Planning Unit will operate on a task force basis with a nucleus of three or four senior officers, to support the Director-General and undertake studies with a longer term perspective.

These units are discussed in detail in Chapter 12. A fourth unit is concerned with audit and review, and is also discussed in Chapter 12.

5.9 SIGNIFICANT CHANGES

In reviewing Figures 4 and 5 it is important to appreciate the degree of change implicit in the new structure.

The charts, Figures 6, 7, 8 and 9, show in general terms the changes in decision making roles recommended. These charts are themselves summaries of the decision matrices given in detail in Appendix 6.

CHANGES IN OPERATIONAL DECISION MAKING

ADMINISTRATION & FINANCE

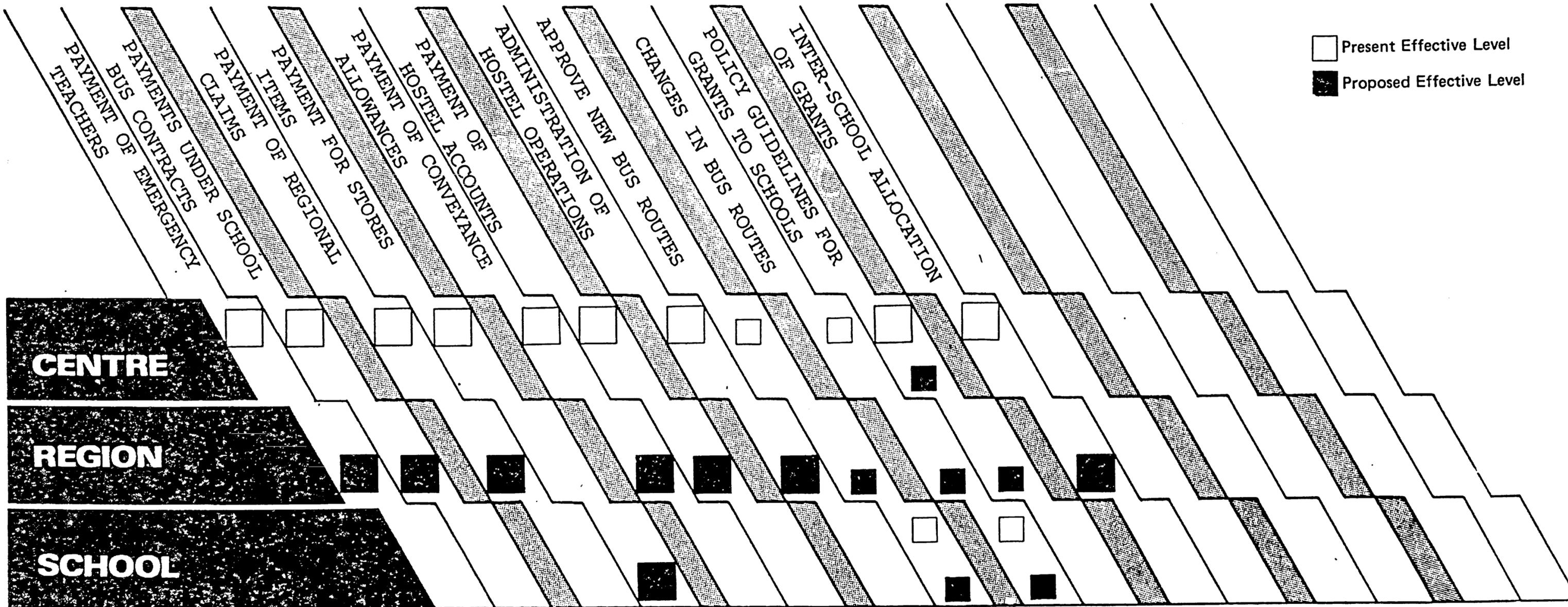


FIGURE 6

CHANGES IN OPERATIONAL DECISION MAKING

CURRICULUM

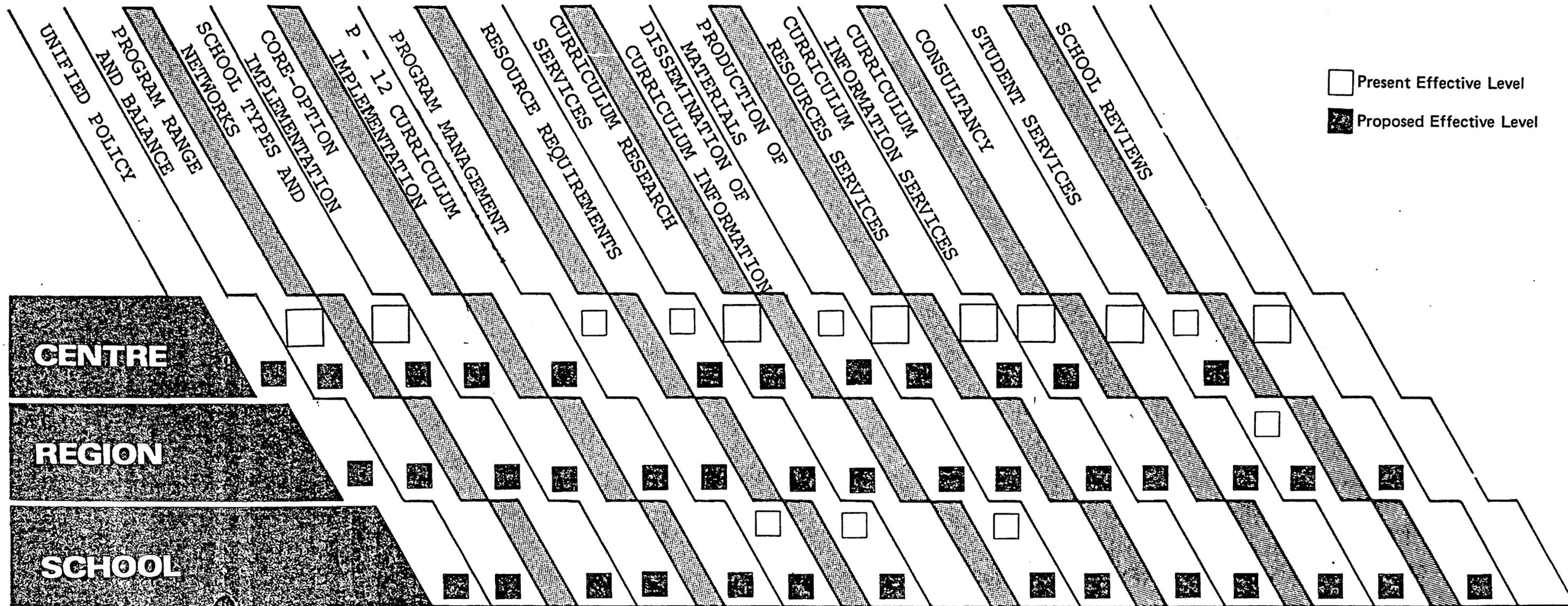


FIGURE 7

CHANGES IN OPERATIONAL DECISION MAKING

FACILITIES

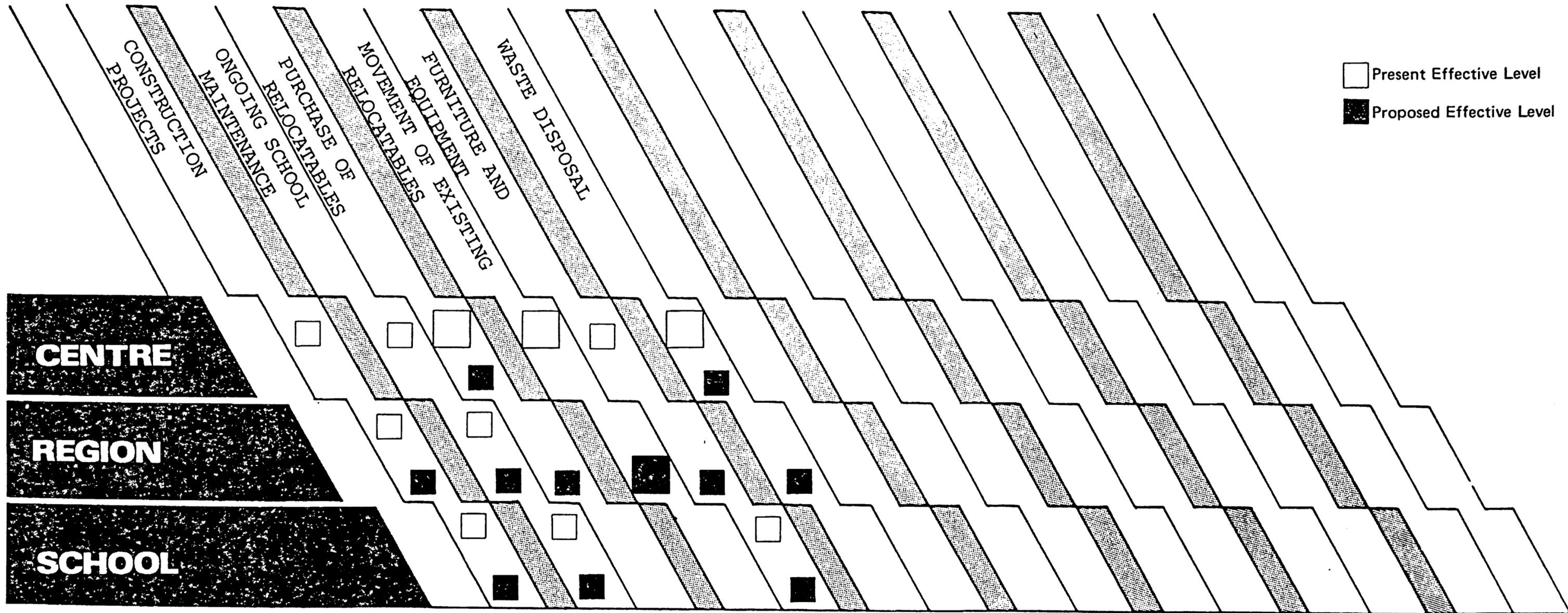


FIGURE 8

CHANGES IN OPERATIONAL DECISION MAKING

PERSONNEL

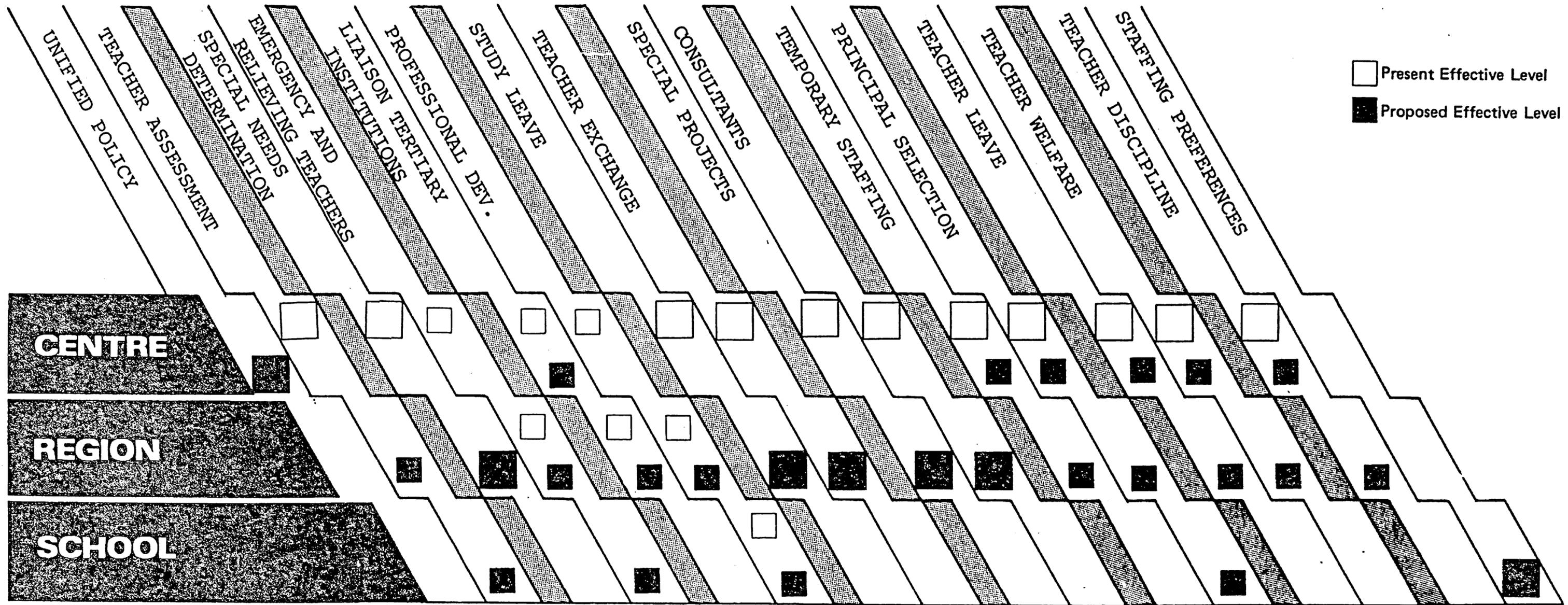


FIGURE 9

Additional responsibilities are delegated to the regions as follows:

a) Curriculum

Statewide curriculum guidelines will be established for P-12 and for student programs. The regional directors will operate within these guidelines, but will have a major contribution to policy. Up to now they have not.

- The regional Director will be the manager of curriculum policy,
 - . deploying resources,
 - . ensuring the balance and range of programs available,
 - . determining types of schools and networks
 - . to deliver the programs.
- He will have predominant say in the nature of and deployment of, support services.

b) Student Services

The regions will be responsible for:

- . Operation and management of Student Assistance Resource Centres (SARCs).
- . Student welfare, discipline.
- . Management and policy making related to Inter and Intra-departmental representation.

c) Personnel

- Operational decision making in study leave, scholarships, teacher exchange (priority ranking at each region.).
- Determination of special needs component in schools' staffing.
- Input to temporary staffing transfers during the year, and appointments of consultants, principals and regional office personnel.
- Managing school input into selection of principals and vice-principals.
- Managing teacher welfare and discipline, including compassionate transfers, leave, health matters.

d) Finance

- Payment of emergency teachers.
- Payment of accounts for goods and services at Regional Office.
- Payment of direct grants to schools, including grant determination.
- Budget formulation for schools in the region - collation and representation.

e) Administration

- Travel and accommodation for regional office staff.
- Motor vehicle fleet allocation.
- Pupil transport - bus travel management.
- Management of hostels within the region.

f) Facilities

- Regional responsibility for commitment and expenditure relating to facilities under regional projects.
- The management of, and operation of, all projects at the regional level and the provision of advice for all projects at the school level.

6 THE REGIONAL ORGANISATION STRUCTURE

"An expanded role for regional offices is essential in order to decrease administration 'overload' at central level and to provide for more efficient delivery of services to schools." *

6.1 INTRODUCTION

The White Paper requires that power and functions be transferred away from central office to regions and schools wherever possible.

The analysis of all current activities and decision-making within the Department have enabled us to recommend in detail the delegation and decentralisation that should take place.

In this chapter we present our findings, define the additional regional responsibilities, discuss the regional education council and various regional committees, and comment on specific changes recommended at school and school council level.

6.2 ISSUES RAISED

Both the White Paper and the interview data stressed the need under a new structure to extend significantly the role of regions as the intermediate unit in a three-tier structure. The following issues have been addressed in developing the regional role:

- The establishment of clear lines of communication and clear decision-making processes in a fully integrated structure.
- The transfer of power and functions from the central office to regions and schools, wherever possible.
- Regional responsibility for management and implementation of centrally determined policy, in relation to personnel, curriculum, facilities, finance and administration.

* Para 5.11 White Paper on Strategies and Structures for Education in Victorian Government Schools - 1980.

- The development by regions of individual styles of operation in response to differing geographic, social, economic and community factors.
- Co-operation and co-ordination among and between government and non-government agencies within a region.
- Responsiveness to local community reactions to programs and proposals.
- The provision of visible, accessible and personal administrative and educational support for schools and school communities.
- The role of senior education officers, and the maintenance of the important functions previously carried out by district inspectors.
- The development of networks of schools within a geographical area to accomplish specific purposes.
- The broad and vital role of senior administrative officers.
- The establishment of a dynamic regional administration which will incorporate the strengths of previous divisional structures.

6.3 THE REGION IN CONCEPT

Proposals for resolving the above issues in an expanded regional administration are based upon a determination to achieve educational benefits such as increasing emphasis upon P-12 structures, support for the development of networks of schools, emphasis upon curriculum arrangements and support which will allow schools to achieve increases in range, diversity and quality of curriculum provision, and the matching of available resources with school needs. The expanded role of senior education officers should also contribute significant educational benefits to schools.

6.3.1 P-12 Structures: Although existing types of schools will continue under regional administration it might be anticipated that increasing consultation between schools in particular localities will minimise, and in some cases eliminate, the artificial divisions which exist. Transition between Years 6 and 7, and also between different types of post-primary schools, should be simplified as the continuum of educational provision is emphasised. It should be possible in some localities to devote attention to alternative arrangements for student groupings, particularly in Years 5-8. Curriculum decisions affecting career choices could thus be delayed.

6.3

6.3.2 Development of Networks of Schools: The concept of regionalisation which embraces schools of all types within a geographical area also embraces the development of sub-groups of closely-allied and integrated smaller communities drawn together for mutual support. This support may be for social reasons, for commerce, for co-operative ventures, for resource sharing, or for specialisation in particular fields. While the growth of networks or clusters of schools may develop co-operatively at the local level, system incentives to encourage such co-operation will be feasible, and may take the form of additional resource provision, seeding grants, greater choices of curriculum and programs, and increased opportunity for co-ordination with other state and local government services. Such initiatives may prove to be of specific benefit in areas where declining enrolments are a serious concern.

6.3.3 Curriculum Management and Support: It is proposed that the majority of curriculum planning and support should be provided by the regions. In this way regions should be responsive to the expressed needs of schools and school communities, and be able to integrate the provision of available resources with those expressed needs.

6.3.4 Senior Education Officers' Role: Senior education officers will undertake responsibilities based on:

- A geographic network of schools on a P-12 basis (e.g. for resource provision).
- Subject expertise across a larger grouping of schools in the region (e.g. Music).
- A particular student grouping interest (e.g. Primary Curriculum Programs).

This role, based on three dimensions, embraces both managerial responsibilities, educational leadership, and teacher welfare, support and development functions. Senior education officers will also undertake curriculum leadership at state-wide level through their involvement on curriculum planning committees with either student-group or subject orientation in areas where they exhibit special expertise.

6.3.5 Administration at Regional Level:

The Regional Director is in a direct line of authority between principals and the Deputy Director-General and Director-General. By this line of authority the three-tier structure is clearly defined. Policy is established at the central level, with management and implementation of the policy at the regional level, and operations at the school level.

Each regional director is responsible to the Deputy Director-General for all aspects of operations within the region and for reporting in the prescribed format on these operations. There is no direct line of control from executive directors to regional directors: executive directors are in a staff relationship to the operational line.

In a similar manner, principals in a region are responsible to the Regional Director for all aspects of operations within the school, and for reporting in the prescribed format on these operations. There is no direct line of control from executive Directors to principals: executive directors maintain their staff relationship to the operational line in respect of principals also.

In view of the significant managerial role assigned to regions, major transfers of responsibility will occur in each functional area. Structural charts and detailed descriptions of functional areas elsewhere in this report reveal these proposals.

The visibility and accessibility of officers with decision-making responsibilities in regional offices should introduce for principals and school councils a decision process which is at once traceable and accountable. In addition, greater opportunity will be provided for parents and community representatives, as well as principals and teachers, to participate in the decision-making process through advice and support.

Regional directors, assistant regional directors and senior education officers will have opportunities to contribute to the development of state-wide policy and guidelines. Regional director representation on the Corporate Operations Management Group will support a responsiveness and sensitivity to community needs. Chairmanship and membership of state-wide curriculum development committees by assistant regional directors and senior education officers will support the closest possible integration of schools, regions and central office personnel.

6.4 THE PROPOSED STRUCTURES:

- 6.4.1 In the seven metropolitan regions (see next Chapter), two kinds of office will be established:
- a) Regional Headquarters. These will be staffed by the Regional Director, Assistant Regional Director (Resources) and two Assistant Regional Directors (Operations) who will supervise the work of senior education officers throughout the region. Support services would be decentralised further throughout the region.
 - b) Sub-Regional Offices. These will be staffed by teams of at least two senior education officers, one with primary and with one post-primary orientation, with clerical support. A range of curriculum services may also be provided, including in a number of locations a Special Assistance Resource Centre.

In country regions, based on two State Coordination Council regions, three types of office will be established:

- a) Regional Headquarters will be headed by the Regional Director who will supervise the work of the Assistant Regional Director (Resources) and the two Assistant Regional Directors (Operations), one of whom will work out of the Regional Headquarters and the other, out of the Regional Office.
- b) Regional Offices. These will be headed by an Assistant Regional Director (Operations) who will oversee a group of senior education officers working out of the regional office and sub-regional offices in the region.
- c) Sub-regional offices. These will be staffed by at least two senior education officers, one primary and one post-primary oriented, with clerical support. A range of curriculum services may also be provided.

The Assistant Regional Directors of Education (Operations) will supervise and co-ordinate the work of senior education officers in the region advising the Regional Director on all matters concerning the provision of curriculum services, student services, the operation of schools, councils services, teacher welfare and professional development. In addition, recommendation will be made to the Regional Director, following discussions with the Assistant Regional Director (Resources), concerning the distribution of available resources.

The aim of consultancy services is to provide curriculum support appropriate to the needs of teachers and schools, through assistance and advice in curriculum areas, through school visitations and by the organisation of in-service education programs. For post-primary consultants, "the chief thrust of subject consultancy is directed towards the professional development of teachers and towards a consequent improvement in the quality of teaching and learning" (Education Gazette, September 10, 1980).

To achieve these aims, consultancy services should comprise:

- School visitation on invitation, to work on specific curriculum areas or processes with personnel, on an individual, or group basis.
- Advice and assistance in the provision of resources, including curriculum publications and materials.
- Information interchange through visits and newsletters concerning educational programs, projects, innovations, publications and resources.
- Liaison with teachers, schools, curriculum and research groups.
- Organisation of in-service education programs and activities and assistance as speakers or workshop leaders in curriculum dissemination projects and other in-service education programs at local, regional or state level. (Review of Education Support Services, Interim Report, October 1980.)

To ensure that as far as possible the needs of the whole region are met, the Regional In-Service Education Committee after consultation with schools, should advise the regional director of the consultancy requirements for the region. The regional director should have the power, within allocations determined by the Deputy Director-General in consultation with the Executive Director (Resources), to second teachers within the region most suited to provide consultancy services.

The Assistant Regional Director (Resources) will be responsible for the development of advice to the Regional Director on all matters concerning the provision of resources (finance, personnel, facilities and administration), and for supervising the distribution of resources in accordance with approved policies.

As indicated earlier, senior education officers will exercise managerial responsibility for groups of schools, professional responsibility for schools for which they have particular expertise and experience, and professional responsibility for curriculum and student support services. They will generally be deployed in teams, working from a base at either the regional headquarters, the regional office, or a sub-regional office. Teams will embrace at least one officer with experience of primary education and one officer with experience of post-primary education, and will report to the Assistant Regional Director (Operations) in their region.

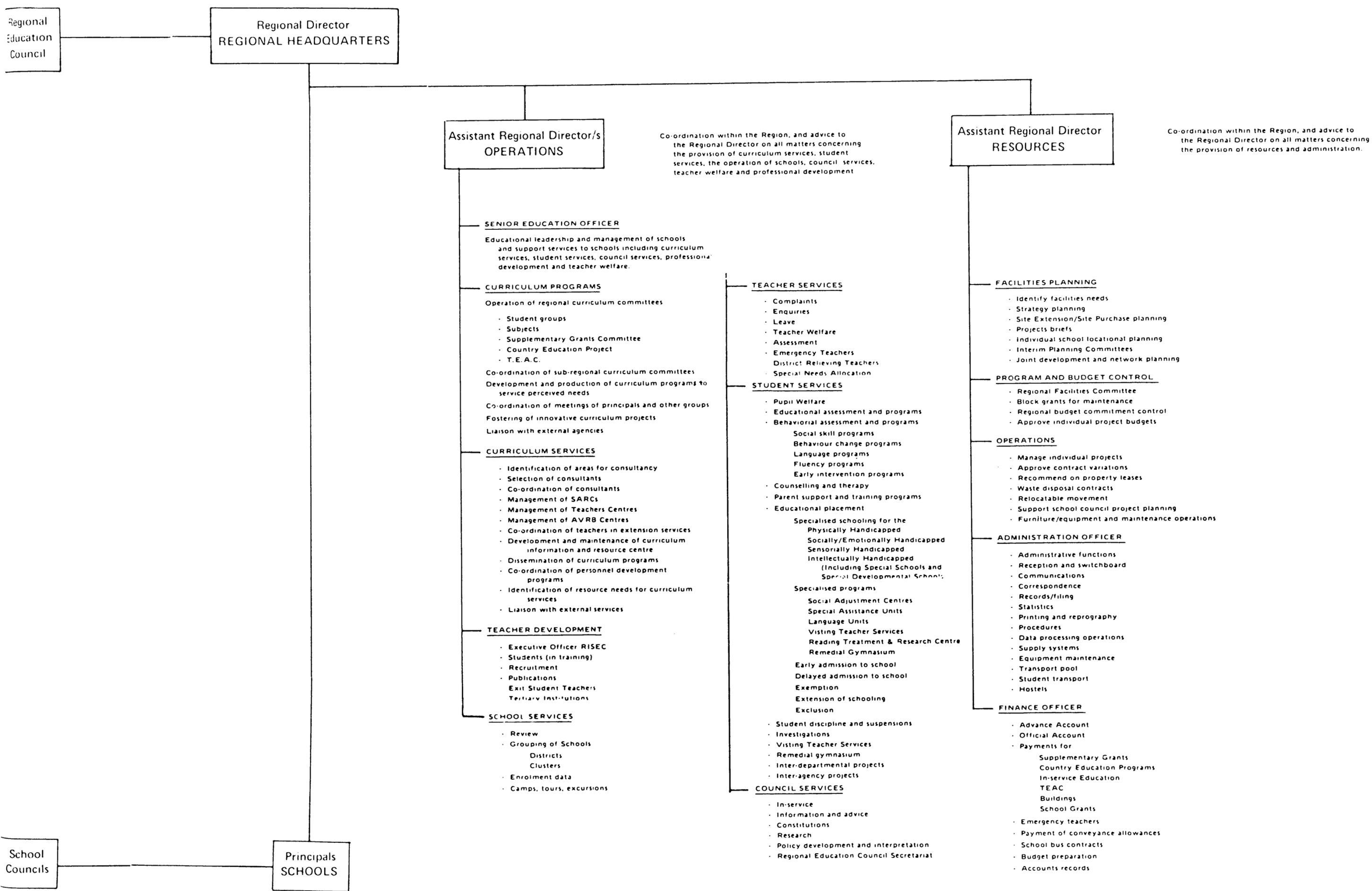
Appointments of regional education officers, administrative officers, and clerical staff to regions will be undertaken to support the decentralisation of management functions. The deployment of these personnel will be at the discretion of the Regional Director.

The new structures proposed for regional administration are based on the need for significant additional responsibilities to be undertaken at regional level. The management of resources and educational programs within the region, the development of responsiveness and sensitivity to local needs, the contribution to state-wide policy and guidelines, and the provision of a visible, personal, and accessible administration are major objectives.

The organisation structure recommended for regions is shown in Figure 10.

Detailed job specifications for the Regional Director, the Assistant Regional Directors (Operations) and (Resources) and the Senior Education Officer are given in Appendix 5.

Decision matrices in Appendix 6 detail the relationship between regions and the other areas of the Department.



Co-ordination within the Region, and advice to the Regional Director on all matters concerning the provision of curriculum services, student services, the operation of schools, council services, teacher welfare and professional development

Co-ordination within the Region, and advice to the Regional Director on all matters concerning the provision of resources and administration.

3. To authorise and carry out payment of direct grants to schools, including grant determination.
4. To manage and co-ordinate budget formulation by schools in the region.

6.5.4 Administration

1. To control travel and accommodation payments for regional office staff.
2. To manage motor vehicle fleet allocation within the region.
3. To authorise and supervise pupil transport within the region.
4. To manage hostels within the region.

6.5.4 Student Services

1. To supervise the operation and management of Special Assistance Resource Centres.
2. To manage student welfare and discipline.
3. To authorise and co-ordinate inter-department and intra-department representation.

6.5.6 Facilities

1. To control regional commitment and expenditure relating to facilities under regional projects.
2. To control the management of, and the operation of, all projects at the regional level and assist at the school level.

6.6 THE REGIONAL EDUCATION COUNCIL

The White Paper establishes a regional education council in each region, to support and advise the Regional Director, and to absorb the roles of regional priority review committees and regional councils for technical education.

We recommend (see Chapter 12) that a councils services unit be established in the regional office to provide a secretariat for the regional education council, as well as to provide more immediate support to school councils. A central Councils Services Unit will report to the Deputy Director-General.

It is probable that the delegations recommended in this report will be in place before the discussions and consultations on devolution are completed.

6.11

The regional education councils should therefore:

- i) keep under review, support and promote activities designed to raise the quality of schooling in the region.
- ii) monitor the social and economic trends occurring in the region that affect the provision of education in schools within the region.
- iii) establish links with pre-school and tertiary (including TAFE) institutions and their councils or associations and make recommendation on related transition issues.
- iv) make recommendations about the co-ordination and rationalisation of provisions for education within the region, including the development and maintenance of regional curriculum policy.
- v) maintain links with public and professional organisations which are interested in education within the region.

The regional education councils should comprise members appointed by the Minister in accordance with broad guidelines recommended by the Director-General through the central Councils Services Unit, with the proviso that appointments should recognise the distinctive regional characteristics in each region and that election by an appropriate "electorate" should be considered as one method of appointment. The chairman of each council should also be appointed by the Minister. The majority of members should be lay members.

The Regional Director should be a non-voting member of the Regional Education Council in order to avoid role conflict situations. The Regional Director as administrative head of the education region need not necessarily accept or implement policy recommendations in the same way that the Minister need not necessarily take the advice of the Victorian Education Council. The relationship between the Regional Education Council and the Regional Director will depend ultimately upon the extent of devolution to the Regional Council.

Regional education councils should be empowered to establish their own investigative or advisory sub-committees, as the need arises. With the establishment of regional education councils, the regional councils for technical education should be disbanded, as intimated in the White Paper. However, a sub-committee of the Regional Education Council may be established to make specific policy recommendations concerning secondary technical education, if desired.

Several of the regional committees established by the Regional Director have state-wide counterparts and are required to work within parameters determined by the state committee. Regional committees of this type include regional transition education, supplementary grants, and in-service education among others. The development of policy recommendations within the parameters determined centrally should be carried out by regional education councils. Likewise, the pursuit of resources other than those currently available to meet regional needs including the implementation of regional curriculum policy, should be regarded as a legitimate matter of concern for the councils.

We recommend a sub-committee of each regional education Council be formed as a Regional Facilities Committee, chaired by the Assistant Regional Director (Resources). This sub-committee would make recommendations to the Regional Director on facilities matters, specifically:

- Allocation of priorities in the Regional Works and Services program and budget.
- Allocation of maintenance funds to schools in the region (see Chapter 10).

6.7 REGIONAL CURRICULUM COMMITTEES

The Regional Director, assistant regional directors and senior education officers should be supported by committees of advice.

These committees should reflect the student groups throughout the region and should coordinate the various means of satisfying the curriculum needs of these groups.

There should be a Regional Curriculum Committee. This committee is not a sub-committee of the Regional Education Council. Its role is to advise the Regional Director on:

- regional curriculum policy.
- needs of various groups of students, teachers and schools and communities within the region.
- necessary resources to provide for identified curriculum needs.
- allocation of regional curriculum resources to
 - . consultancy
 - . centres
 - . projects and services.
- coordination of regional curriculum service resources.
- priorities for teacher development and curriculum projects.

The membership of the Regional Curriculum Committee should be drawn from:

- Assistant Regional Directors.
- Senior Education Officers.
- Principals.
- Teachers.
- Consultants.
- The community.

with the Regional Director as Chairman.

The Regional Curriculum Committee should have a number of sub-committees which reflect the particular types of schools and groups of students as indicated in the White Paper.

The number of primary education committees should reflect the number of clusters or groups of schools within the region which have been nominated by the Regional Director as the responsibility of senior education officers.

There will need to be post primary sub-committees which reflect the number and types of schools secondary and secondary technical within the region. These committees should advise on:

- curriculum needs.
- in-service education initiative.
- the identification and deployment of consultants.

Members should be drawn from principals, vice-principals, and teachers in state schools:

- consultants.
- other student program groups.
- non-government schools.
- the community.

Regional subject committees should be established according to need by the Regional Director on the advice of the Regional Curriculum Committee. The need for such committees should be determined by the Regional Curriculum Committee.

These committees should report to the Regional Director through the Regional Curriculum Committee.

6.8 SCHOOL COUNCILS

The White Paper set out the expectations of the Victorian Government for school councils in paragraphs 5.3 to 5.6 of the White Paper. The structuring of school councils to perform these tasks is not determined according to a fixed prescription, and the flexibility inherent in the procedures for establishing councils should remain. However, the White Paper states that the school council legislation will be modified to ensure that professional educationalists are not able to dominate the composition of school councils.

Parents and members of the community who are not employed in educational organisations should together comprise the majority of members on a school council, whether members are elected or co-opted.

The school council has some executive powers, but it remains primarily a council of advice, even though the school principal and the school council must agree on local school policies. For this reason the school council should reflect the views of the school's community. The principal of the school and the staff are responsible for interpreting Education Department policy and local policies agreed with by school councils, and for implementing those policies in the school.

Legislation should limit the number of positions on a school council held by students and members of the teaching service employed in the school to a maximum of one-third of the total composition - whether formed by election or co-option and exclude staff from holding executive positions. Persons employed by the school council should be required to refrain from voting on matters where conflicts of interest occur in council deliberations. School principals should be appointed as non-voting members of the councils as part of the legislative changes.

Changes in the procedures for approval and appointment of school councils by the Minister should also be made. The recommended composition of each school council should be reviewed as part of the later stages of implementation of the new Education Department structure in 1982.

6.15

Initially, and following the recommended changes in the legislation, approval procedures should be negotiated by the Deputy Director-General with the existing School Council Consultative Group. These negotiations should cover development of standard forms of voting for members when elections are held, reporting of voting results to regional directors, membership of persons who are members of the teaching service but not employed in the school, membership of persons employed as professional officers or public servants in the Education department, election or appointment of a representative cross-section of the staff of the school, and ways and means of ensuring a breadth of community representation on the council.

Subsequently, the categories of membership and the mode of selection for each school council should be negotiated by the existing school council, the school principal and the Regional Director in accordance with the agreed guidelines. The new membership of each school council, together with the details related to the selection procedures used, should be submitted by the Regional Director to the Minister for formal appointment of the members of the new school council.

Following the review in 1982 any variation in procedure for approval of school council membership should become the responsibility of the Regional Director of Education. Recommended changes in memberships of school councils should then be forwarded to the Minister for formal appointment.

Among the variations which might be considered by regional directors and the schools following the 1982 review is the establishment of school cluster councils. This option should be seriously considered as an alternative to councils for single schools if and when the agreement of the schools is obtained. This option may also be considered in areas where insufficient members of interested school community people can be found to serve on a council for individual schools. The point is that Legislative changes should be sufficiently broad to ensure that developments of this nature are not impeded.

7. THE ESTABLISHMENT OF REGIONAL BOUNDARIES

7.1 INTRODUCTION

Once the roles and responsibilities of the regions are defined it is possible to state the criteria for determining regional size, and to then examine existing regions to see whether any changes are appropriate.

The purpose of regionalisation as stated by the then Minister of Education, Mr Thompson in 1971, is to bring some measure of administration and decision-making closer to the schools and to the people connected with them.

The significant delegation of decision-making to regions which we recommend achieves this, as well as providing a major step towards the devolution phase.

In this chapter we set out the factors we have considered in reviewing regional boundaries, grouping them into:

- Educational factors.
- Social and geographic factors.

We then make specific recommendations on how regional boundaries should be drawn.

7.2 EDUCATIONAL FACTORS

We recommend that three types of office should be used within a region, depending upon geography. The office types are:

- . Regional Headquarters - staffed by the Regional Director, the Assistant Regional Director (Resources), senior education officers and other staff.
- . Regional Office - staffed by an Assistant Regional Director (Operations), senior education officers and other staff.
- . Sub-regional Office - staffed by senior education officers and other staff.

These offices should preferably be located so that SEO's are not more than 90 minutes travel time from the schools for which they have responsibility.

Where the region is geographically large, we recommend location of Regional Headquarters and Regional Office at opposite ends, or at separate community centres, to provide the maximum coverage possible.

The Review of Education Support Services in Victoria (October, 1980) conducted jointly by the Education Department and the Schools Commission provides an overview of the support services available in Victoria. The eleven types of services listed are those associated with teachers centres and education centres, demonstration units, special education units, counselling guidance and clinical services, audio-visual resource centres, remedial physical education centres, consultants and advisers, the group welfare scheme for small primary schools, centres of continuing education, extension services and multi-purpose centres.

Regional offices will be required to provide support to schools through the full range of education support services listed.

District inspectorate size units have been shown to be suitable for delivery of consultancy and advisory services and the other support services to primary schools, either for their teachers or for their students. However, in post-primary schools this small size would be inefficient in the delivery of some services, especially those in small, highly specialised subject areas. A full range of services could not be offered efficiently and effectively in district size units. A larger size administrative unit is required for regional administration, particularly in view of the expanded role of the senior education officer, and the probability that they will need to operate in teams for a transition period.

In a paper presented to the Director-General's Policy Committee in September, 1978 (revised April 1979), regional directors expressed concern about the viability of eighteen education regions in Victoria. The building operations function which includes major works, minor works, school council contracts, relocatable buildings and school furniture was singled out as a cause for particular concern. Economies of scale in co-ordinating building operations within a region suggest the need for a relatively large administrative unit.

In order to avoid diseconomies, each regional administration should have at least \$4 million to \$5 million to disperse on building operations. On this criterion doubt must exist about creating eighteen regions performing the same range of educational functions. In particular the position of the current Horsham region needs careful examination.

When counting numbers of pupils to constitute an optimal regional size, loadings must be given to two special need factors, namely, multiculturalism and socio-economic disadvantage.

The Education Department has a large commitment to multiculturalism through its needs formula for staffing schools and in the provision of extra resources.

The costs of promoting multiculturalism are much higher than those incurred by maintaining a monoculture. These costs are associated with the teaching of community languages either in or out of normal school hours, extension of community language teaching to all students, subsidy support for part-time ethnic schools, and the preparation of appropriate curriculum materials which depict the cultures of predominant ethnic groups. The implications for regional administrations are increased service provisions to schools and greater co-ordination activity.

Students in schools designated as disadvantaged on the socio-economic index used by the Education Department may also be given special consideration. The difficulties encountered in the current Western, Northern and Central Metropolitan regions in providing additional resources to overcome socio-economic disadvantage are obvious when the location of schools designated as disadvantaged is considered.

Perhaps the least tangible, but most important factors in determining the optimal size of an education region relate to the stated primary purpose of decentralisation. Personalisation of the administration and facilitation of greater local interest in educational affairs among parents and citizens are difficult if not impossible achievements to measure.

One approach to measuring spheres of personal influence is to count the time taken to drive to the boundaries of the region. If the reasonable criterion of 60 to 90 minutes driving time from office location to boundary was adopted then virtually all communities within the approved country and proposed metropolitan regions for government activities would be accessible. In this sense accessibility of communities to a regional office and vice versa is assumed.

The major point of the argument is that spheres of personal influence constitute a set of factors which press towards the decentralisation of administration. Current regions, especially the large metropolitan regions might not be considered as of optimal size on criteria of this type.

Relevant overseas research into the optimum size of an educational region has occurred both in the UK and the USA.

Major changes in local government, including extensive re-organisation of Local Education Authorities, took effect in England and Wales in 1974 following presentation of the Redcliffe-Maud Royal Commission report. In preparing the report, the Committee had asked for a survey by Her Majesty's Inspectorate on the optimum size for a school system. The findings showed:

- a) that the least efficient education authorities were concentrated among those with populations less than 200,000. (The report presented its findings in terms of total population.)
- b) that authorities serving 200,000 to 500,000 provided services of a generally acceptable standard.
- c) that the best average performance of any group of authorities came from those with populations of around 500,000 and upwards.

If the English findings have any applicability in Victoria, it is in the assessment of minimum sizes of systems. The Redcliffe-Maud Committee concluded that economies of scale demanded establishment of local education authorities which should serve a population of at least 250,000. In Victoria, adoption of this criterion would mean a pupil population of the order of 50,000 in an education region (based on the current Victoria ratio of 5:1 population to students.) An educated guess is that this figure might be about right for education regions in Victoria.

In the USA, research findings reported in "Phi Delta Kappan" in December, 1980 showed that of the 66 school systems with over 50,000 students surveyed, 42 had decentralised their administrations.

The average number of students per decentralised unit was 25,500. The most frequent number of students per decentralised unit was 20,000. As expected the school systems with more than 100,000 students had a higher average, namely, 33,000 students.

These figures were supposed to represent the proper size to carry out administrative functions with relative efficiency and sufficient resources.

The top three reasons given for decentralisation of these large school systems were firstly to enhance school/community relations, secondly to provide greater community input at the local school level and thirdly to provide local schools with more field and resource personnel.

If these findings have applicability in a system as large as that in Victoria, then a pupil population of about 40,000 pupils per decentralised unit might be considered as appropriate.

.3 SOCIAL AND GEOGRAPHIC FACTORS

It is important to match the aggregation of communities for education purposes and the natural patterns of relationships developed for a variety of social and cultural purposes. Regional boundaries, particularly in country areas should not divide areas with identifiable social affinities.

System and school co-operation with local government authorities is already well developed with respect to the provision of facilities for use by schools and the local community. Construction of ecacentres are an illustration of the point. Shared accommodation for specialist services and regional offices in Moe, Wangaratta and Horsham are other examples. Co-operation with local government in the provision of services to schools and communities can be expected to grow and therefore mechanisms for co-operation will need to be further developed. For this reason, the establishment of education regions needs to proceed by aggregating local government areas. This is already acknowledged in the current drawing of education region boundaries.

The reports of the Victorian and national committees of enquiry into teacher education argue that schools will probably be expected to perform additional social tasks due to changes in family life patterns and the declining influence of social institutions such as the churches. A vision of the future drawn in the Victorian report is one in which teachers are one group of professionals working with others in schools such as social workers, employment officers, counsellors, recreation officers and others employed by a variety of welfare agencies. These trends will induce increased co-operation among health, welfare, education and recreation agencies.

The need for improved co-operation and the potential for some cost-saving mean that consideration should be given to establishing education regions by taking into account currently approved regions for government activities in country areas and the proposed metropolitan regions. Metropolitan regions have been approved for some government departments and these boundaries should be taken into account.

Finally, transportation corridors and natural geographic features such as the Yarra River in metropolitan Melbourne need to be taken into account.

These factors were considered when regional boundaries for government activities were proposed. Taking account of geographical and transportation corridors therefore becomes a further argument for establishing education regions on the basis of those regions proposed for government activities.

7.4 COUNTRY VICTORIA

The preferred option for dividing country Victoria into education regions is one based on the regions approved for government activities. Five education regions are formed by pairing the following government regions: Barwon and Glenelg (South-Western), Central Highlands and Wimmera, Mallee (Northern Mallee) and Loddon-Campaspe, Goulburn and Upper Murray (North-Eastern), and Central and East Gippsland.

Student numbers in government schools in each of the country education regions in the preferred option are shown in Table 1. Special School students are not included.

TABLE 1

GOVERNMENT SCHOOL STUDENT POPULATION IN PROPOSED COUNTRY EDUCATION REGIONS.

Education Region (Current Names)	Government Regions	Student Population 1980	Projected Student Population 1986	Weighted * Student Population 1980
Geelong	(Barwon Glenelg)	49,183	46,556	52,135
Ballarat	(Central Highlands Wimmera)	27,308	25,544	28,714
Bendigo	(Loddon- Campaspe Mallee)	38,667	38,906	40,662
Benalla	(Goulburn Upper Murray)	37,447	36,999	39,275
Gippsland	(Central Gippsland East Gippsland)	33,819	34,492	35,377

* Note: Weighted student numbers are calculated by multiplying the number of students in a local government area (LGA) by the average special needs staffing weights used for staffing primary schools located in the relevant LGA.

The preferred option upgrades all existing regional offices in terms of staff and function and increases the number of regional offices in the country from 7 to 10 (including two types of office, namely Regional Headquarters, and Regional Office.)

Regional centres recommended by the State Co-ordination Council in August, 1981, and the location of regional offices are taken into account in proposing the location of regional offices for the new regions.

Location of offices recommended are shown in the following table.

TABLE 2

PROPOSED COUNTRY REGIONAL OFFICE LOCATIONS

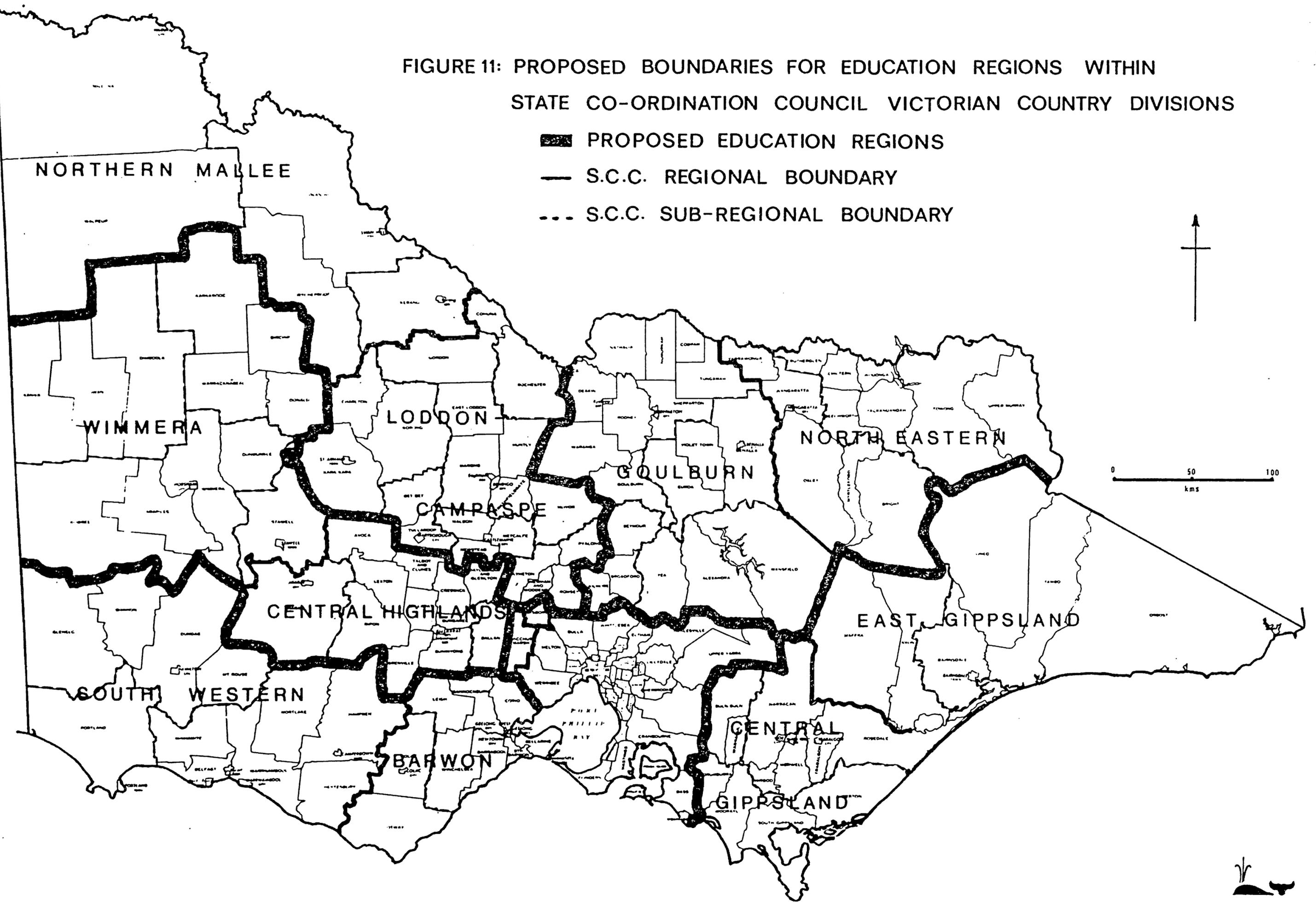
Region	Regional Headquarters (RDE, ARDEs, SEOs)	Regional Office (ARDE, SEOs)	Sub-Regional Office (SEOs)
Barwon-South Western	Geelong	Warrnambool	Colac Hamilton
Central Highlands - Wimmera	Ballarat	Horsham	Stawell
Gippsland	Moe	Bairnsdale	Leongatha Traralgon Warragul
Goulburn-North Eastern	Benalla	Wodonga	Seymour Shepparton Wangaratta
North-Western	Bendigo	Mildura	Castlemaine Swan Hill

Notes:

1. Beechworth: although a district inspector (DI) is located there at present it is recommended that a Regional Office with an ARDE be placed in Wodonga instead.
2. Echuca, Maryborough: the changes proposed in Regional boundaries change workloads such that the placement of Offices and SEOs in these cities is not recommended (each has a DI at present).

FIGURE 11: PROPOSED BOUNDARIES FOR EDUCATION REGIONS WITHIN STATE CO-ORDINATION COUNCIL VICTORIAN COUNTRY DIVISIONS

-  PROPOSED EDUCATION REGIONS
-  S.C.C. REGIONAL BOUNDARY
-  S.C.C. SUB-REGIONAL BOUNDARY



The preferred option reduces the number of country education regions from 6 to 5 regions. The existing Horsham region is disbanded as a separate entity. The part of the existing region incorporating the Wimmera government region is transferred to the Ballarat education region and the Northern Mallee government region is transferred to the Bendigo education region. The proposed boundaries are drawn on the attached map, Figure 11.

In accordance with State Co-ordination Council recommendations made in August, 1981, Gisborne and Bacchus Marsh shires are transferred to the Metropolitan area.

In order to conform to the regional boundaries for government activities some municipalities are transferred from existing education regions to the proposed new regions as follows:

- a) Kara Kara, Bet Bet, Tullaroop and Maryborough are in the Loddon-Campaspe government region and therefore are transferred to Bendigo education region.
- b) Nathalia, Deakin, Waranga and Kyabram are in Goulburn government region and are therefore transferred to Benalla education region.
- c) Bass and Wonthaggi in Gippsland education region are transferred to the Metropolitan area.
- d) Donald and Birchip are in the Wimmera government region and therefore are transferred to Ballarat education region.

Continuation of the existing Horsham education region as a viable administrative unit cannot be justified because the student numbers - 15,293 students in 1980 and not expected to grow - are too small to mount an efficient operation covering the full range of functions proposed for the new education regions. However, offices located in Mildura and Horsham are recommended for delivery of a range of education support services. An Assistant Regional Director (Operations) and senior education officers will be located in both places to service the schools in the Wimmera and Northern Mallee government regions.

The range of projected student numbers for 1986, that is from 25,000 to 47,000, is wider than desirable because a widely differing administrative workload in each region is implied. The proposed Ballarat region is considered small. However, the disadvantages associated with disparate numbers of students in the five proposed regions are not sufficient to justify adopting boundaries different from those approved for government activities.

7.10

Overseas decentralisation practices as reported in earlier sections of this paper suggest that regions with student populations of the size proposed are viable units, that is, they are able to carry out functions with relative efficiency and with sufficient resources.

The boundaries proposed take account of social affinities, geographic factors including transportation corridors and the history of regionalisation in country Victoria.

The proposed education regions are constructed using local government areas as the base units, thus recognizing the current and expected increased levels of co-operation between municipalities and education regions and widely used bases for data collection and analysis.

Options examined, but rejected, include maintenance of the existing six education regions, ten education regions based on the regions for government activities, and various combinations of these ten regions. The ten regions option was rejected because most of the regions were regarded as being too small to be efficient in operation. Further, these regions would be likely to have insufficient resources for effective delivery of services to schools. Combinations among the ten regions other than the combination proposed results in regions too large for the personalisation of administration, regarded as necessary to enhance school community relations. Some combinations also cross geographic barriers and run counter to transportation corridors.

7.5 METROPOLITAN VICTORIA

The preferred option for dividing the metropolitan area into education regions is one based on the eight State Co-ordination Council preferred regions for government activities in the metropolitan area. The recommended number of regions is seven.

Student numbers in government schools in each proposed education region in the preferred option are shown in Table 3.

TABLE 3

GOVERNMENT SCHOOL STUDENT POPULATION IN SEVEN PROPOSED METROPOLITAN EDUCATION REGIONS

Region (1)	Student Population 1980	Projected Student Population 1986	Weighted (2) Student Population 1980
South Central (3)	61,547	46,108	71,082
Eastern	55,472	42,072	57,215
North-Eastern	55,463	48,492	62,364
Tullamarine (North-Western)	35,390	28,586	40,982
Western	64,137	57,146	73,052
Westernport (Outer Southern)	72,399	72,019	77,571
Maroondah (Outer Eastern)	68,383	63,792	70,525

The proposed boundaries for the preferred option are drawn on the attached map, Figure 12. The local government areas included in each of the proposed regions are listed as follows:

Notes:

1. The Regions are the State Co-ordination Council (SCC) preferred regions for government activities, except for South Central.
2. South Central region is formed by joining the Inner Urban and Southern SCC regions.
3. Weighted Student numbers are calculated by multiplying the number of students in a local government area (LGA) by the average special needs staffing weights used for staffing primary schools located in the relevant LGA. The weights take account of socio-economic disadvantage and needs associated with multiculturalism in education.

FIGURE 12: PROPOSED BOUNDARIES FOR EDUCATION REGIONS IN THE METROPOLITAN DIVISION OF VICTORIA

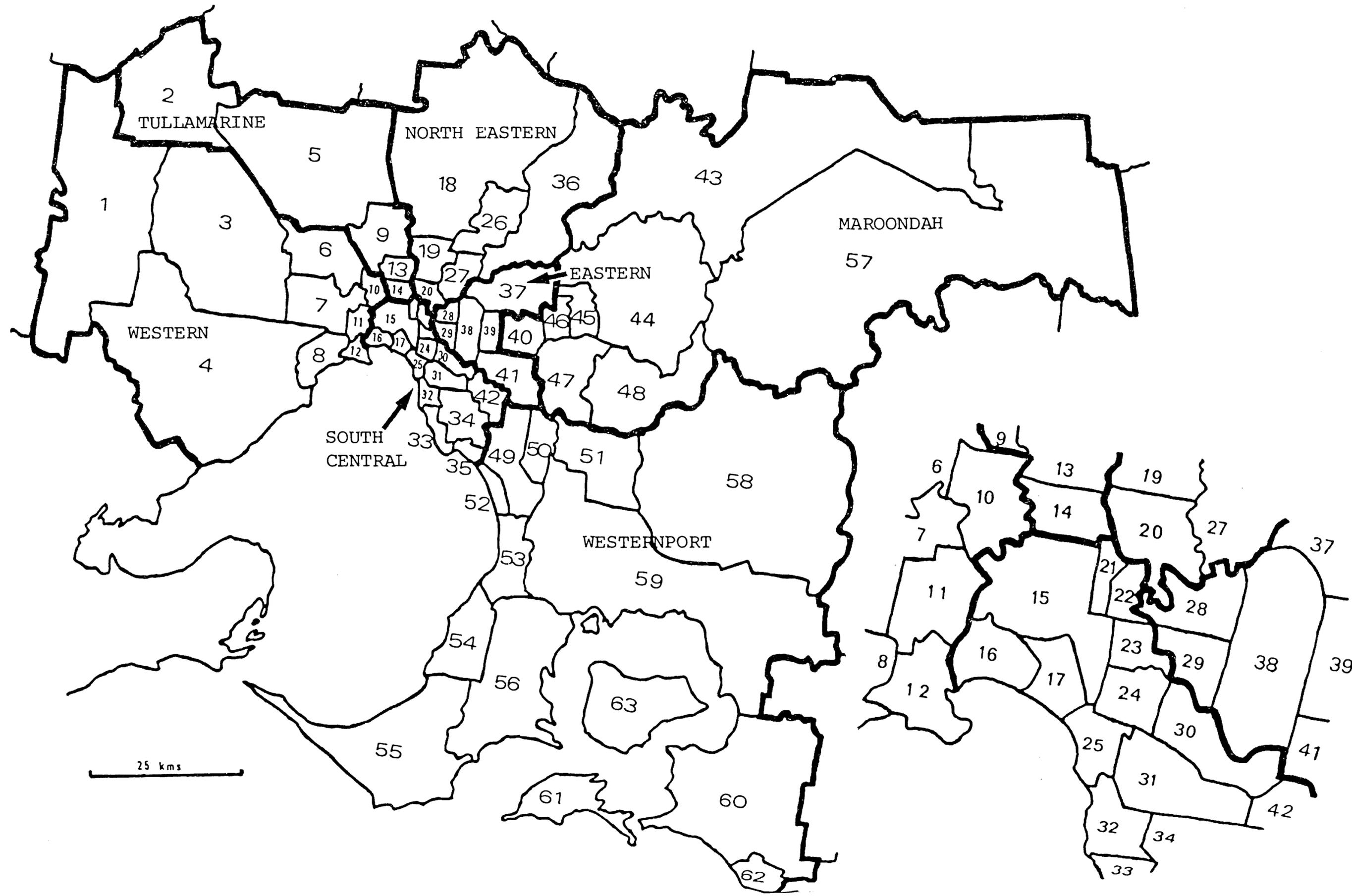


TABLE 4

KEY TO LOCAL GOVERNMENT AREAS INCLUDED IN
METROPOLITAN EDUCATION REGIONS - FIGURE 12

- | | |
|---------------------|-----------------------------|
| 1. Bacchus Marsh | 34. Moorabbin |
| 2. Gisborne | 35. Mordialloc |
| 3. Melton | 36. Eltham |
| 4. Werribee | 37. Doncaster & Templestowe |
| 5. Bulla | 38. Camberwell |
| 6. Keilor | 39. Box Hill |
| 7. Sunshine | 40. Nunawading |
| 8. Altona | 41. Waverley |
| 9. Broadmeadows | 42. Oakleigh |
| 10. Essendon | 43. Healesville |
| 11. Footscray | 44. Lillydale |
| 12. Williamstown | 45. Croydon |
| 13. Coburg | 46. Ringwood |
| 14. Brunswick | 47. Knox |
| 15. Melbourne | 48. Sherbrooke |
| 16. Port Melbourne | 49. Springvale |
| 17. South Melbourne | 50. Dandenong |
| 18. Whittlesea | 51. Berwick |
| 19. Preston | 52. Chelsea |
| 20. Northcote | 53. Frankston |
| 21. Fitzroy | 54. Mornington |
| 22. Collingwood | 55. Flinders |
| 23. Richmond | 56. Hastings |
| 24. Prahran | 57. Upper Yarra |
| 25. St Kilda | 58. Pakenham |
| 26. Diamond Valley | 59. Cranbourne |
| 27. Heidelberg | 60. Bass |
| 28. Kew | 61. Phillip Island |
| 29. Hawthorn | 62. Wonthaggi |
| 30. Malvern | 63. French Island |
| 31. Caulfield | (unincorporated) |
| 32. Brighton | |
| 33. Sandringham | |

South Central

Collingwood, Fitzroy, Melbourne, Port Melbourne, Prahran, Richmond, St Kilda, South Melbourne, Brighton, Caulfield Malvern, Moorabbin, Mordialloc, Oakleigh, Sandringham.

Eastern

Box Hill, Camberwell, Doncaster and Templestowe, Hawthorn, Kew, Waverley.

North-Eastern

Diamond Valley, Eltham, Heidelberg, Northcote, Preston, Whittlesea.

Tullamarine (North-Western)

Broadmeadows, Brunswick, Bulla, Coburg, Gisborne.

Western

Altona, Essendon, Footscray, Keilor, Melton, Sunshine, Werribee, Williamstown, Bacchus Marsh.

Westernport (Outer Southern)

Berwick, Chelsea, Cranbourne, Dandenong, Flinders, Frankston, Hastings, Mornington, Bass, French Island, Phillip Island, Wonthaggi, Pakenham, Springvale.

Maroondah (Outer Eastern)

Croydon, Healesville, Knox, Lilydale, Nunawading, Ringwood, Sherbrooke, Upper Yarra.

The preferred option increases the number of metropolitan education regions from five to seven. The student numbers in the two largest existing education regions are markedly reduced by the change. For comparison purposes (see Table 3), in 1980 there were 42,854 students in Central region, 65,545 in Western, 87,293 in Northern, 105,681 in South-Eastern and 111,778 in Eastern Metropolitan region.

If the existing education regions were maintained the disparity in numbers would increase over time. The projected changes in student populations indicate that the percentage decrease will be larger in Central region. In terms of weighted student numbers, the disparity is less, but the Eastern and South Eastern Metropolitan regions would still be over twice the size of the Central region.

The arguments for supporting the preferred option are based upon the criteria developed in earlier sections.

The proposed education regions are constructed using local government areas as the base units, thus recognising current and expected increased levels of co-operation between municipalities and education regions and widely used bases for data collection analyses.

Account is taken of preferred boundaries for government activities in line with an expected increase in levels of co-operation with other government departments, especially the Departments of Community Welfare Services; Youth, Sport and Recreation; and Health.

The proposed regions reduce the size of the current Eastern and South-Eastern metropolitan regions, thus meeting a difficulty acknowledged by Minister Thompson in May, 1979. At that time, the Minister stated that attention was to be given to reducing the size of these two regions.

The regions are relatively compact and fit within the criterion defined above as spheres of personal influence. A driving time of 60 to 90 minutes from a possible office centre to the most distant school is feasible.

The seven education regions proposed are of a size similar to decentralised units which have developed within large school systems in the United States and in England.

The relatively small size of the proposed metropolitan education regions will enhance school/community relations and facilitate provision of education support services to all types of government schools.

The proposed regions incorporate large sections of the existing education regions such that use of the existing regional office accommodation may be feasible, thereby keeping the cost of establishing the proposed regions to a minimum.

The span of control for senior officers co-ordinating the operations of seven metropolitan regions, together with the five country regions is manageable.

Some Disadvantages

Variations in student numbers exist across the proposed regions and the extent of these differences expected to increase in the next five years. These differences imply disparities in the administrative work-loads in each region. However, the variations are diminished if special factors associated with socio-economic disadvantage and multiculturalism are taken into account by weighting student numbers. Taking account of these factors implies the need for additional services in the relatively smaller regions.

Differential staffing in the metropolitan regions can be used to account for the anticipated differences in workload associated with variations in student numbers among the proposed metropolitan regions.

The Tullamarine (North-Western) proposed region is relatively small, but it is still as large as four of the five country education regions.

The existing regional office locations could be appropriate for the administration of the education regions as defined. However, the Frankston, Ferntree Gully and Moonee Ponds offices would be too small to house the officers needed for the regional administration of education. Further investigation into accommodation needs will have to be undertaken.

Unlike the country education regions, it may be desirable to locate all officers at the regional headquarters. At the discretion of the Regional Director of Education, some senior education officers may be located in education support service centres in close proximity to the group of schools for which they have particular responsibilities.

8. EDUCATIONAL PROGRAMS

"The central aim of education in Victoria is to provide educational experiences of the best possible quality, for children, youth and adults". *

8.1 INTRODUCTION

The abolition of the teaching divisions will enable the transfer to the regions of much of the responsibility for educational programs.

However, there will undoubtedly be the need for a central perspective both for equity reasons, to ensure equitable distribution of educational experiences across the State, and also because there are some low incidence, high cost or high speciality matters which can only be located with effectiveness and economy at the centre.

In this chapter we comment on the present workings of the curriculum functions and develop a series of concepts for the new structure. The proposed structure is then presented in detail.

Several issues will need to be explored further in relation to the proposals made in this chapter.

Matters such as relationships with the Victorian Institute of Secondary Education and the Commonwealth Government and particularly projects funded by it and the TAFE Board are examples. Each will need to be explored in detail and developed in accordance with the principles recommended in this report.

It was necessary for us to agree a number of working definitions in the curriculum area, and these are given in Appendix 7.

8.2 THE PRESENT FUNCTIONS

The interview data revealed a number of factors relating to the organisation of the curriculum function which were relevant to our task.

The teaching divisions have developed internal curriculum policies for their respective schools. Within these guidelines, schools have the responsibility for developing their own curriculum policies. There is thus considerable school level initiative in curriculum policy, planning and implementation to meet student needs.

* Para 1.5 - White Paper on Strategies and Structures for Education In Victorian Government Schools - 1980.

8.2

Several curriculum planning units exist which are successful in developing programs to meet the needs of specific groups of students.

At present, however there is little unified curriculum curriculum planning particularly in development of curriculum programs which ensures a continuity of development from the Preparatory Year through to Year 12 in each field of study.

There is considerable curriculum policy planning and development by committees of advice to Ministers, Assistant Director-General (Curriculum and Planning) directors of divisions and others. These communities combine the expertise of non-Education Department groups, the practical knowledge of operators in schools, districts, regions and divisions and of curriculum developers. The contribution of these committees ranges from provision of policy advice to development of course guidelines.

However, notwithstanding recent legislation, there is still relatively limited, and uneven, community participation in curriculum policy making and planning at school, region and central levels.

The present role of the region in curriculum planning, support and management requires definition. Currently, the region facilitates some co-ordination of schools and services. The effectiveness of this co-ordination is sometimes limited by divisional independence, lack of statewide curriculum guidelines and a lack of a defined regional role in curriculum.

Various forms of curriculum support and student support services exist which adopt alternative modes of operation to meet the needs of different kinds of schools. This variety of service provision ensures that the needs of the different client groups are met.

At the central level information, research, development, production and resource services are provided from Special Services Division and Planning Services Division. Secondary schools and secondary-technical schools also receive support from a centralised, statewide service in some subjects, as well as from a regionalised service in others. Primary schools receive additional support from an administratively decentralised service based in fifty districts.

The existing curriculum support service is complex, funded and resourced from several sources, not always well co-ordinated and sometimes unclear regarding accountability.

There is inadequate and unco-ordinated research about societal phenomena, trends, student characteristics and needs which are the necessary bases of curriculum planning.

There is not a fully effective process which ensures that curriculum perspectives give guidance to decisions about the resources required for program delivery.

8.3 ORGANISATIONAL REQUIREMENTS

The White Paper makes recommendations as to how the re-organisation should relate to the curriculum function. It should:

- Encourage increased community participation in the consideration of educational issues, educational decision-making and in the life of schools.
- Foster inter-school and community co-operation in the matter of school governance.
- Decentralise decision-making - wherever appropriate - to allow local communities to share responsibility for local educational policy making.
- Provide equal opportunity for all students.
- Cater for individual differences as far as possible.
- Provide for a diversity of meaningful alternative forms of school programs.
- Provide for a core curriculum as well as locally based additions.
- Enable schools to pursue quality programs through the provision of adequate curriculum support services.

Specific responsibilities and requirements as they relate to curriculum are identified at each level.

a) School Responsibilities.

- The principal is responsible for determining the curriculum policy of the school in consultation with and agreement of the school council.
- The principal, in consultation with the teaching staff should develop a school program within the state-wide curriculum guidelines and in accordance with particular local needs.

8.4

- The school should influence the nature and allocation of the resources it requires to implement its curriculum program.
- Adequate support and advice should be provided to assist schools and school councils to carry out their new responsibilities.
- Services for children with particular needs should be provided at their own schools and at local centres.

b) Regional Responsibilities

- The region should assess regional needs, and develop regional curriculum policies.
- The region should make an input to statewide curriculum policy and planning and to decisions about curriculum support services.
- The region should co-ordinate and manage the curriculum support and student services in the region. It should co-ordinate in-service activities, provide resources such as consultancy, curriculum materials and visual aids and should co-ordinate and manage specialist services such as the Visiting Teacher Service and Counselling, Guidance and Clinical Services Centres.
- The region should administer services and resources for the education of specific groups such as the disadvantaged and the isolated.

c) Central Responsibilities

- The centre should assess statewide curriculum needs and develop policies and forward planning to meet these needs.
- The centre should co-ordinate statewide policy for curriculum planning, curriculum support and student services.
- A statewide core curriculum framework should be established centrally with provision for individual schools to pursue additional components.
- The core curriculum should be established through broad consultation and involve the participation of all interested and expert groups.

- The core curriculum should set out fundamental learnings for students at different stages. It should consist of guidelines which identify key objectives and the different kinds of knowledge, experience skills and learning which should be made available to all children.
- The core curriculum should be complemented by optional studies for which the schools will be supported with advice and detailed information and materials.

8.4 THE PROPOSED STRUCTURE

8.4.1 General

The proposed structure for the Office of Educational Programs is shown in Figure 13, and 13 (a)

Detailed job specifications are given in Appendix 5, and the decision matrices showing where decisions are made, and the relationships with other areas of the Department, are included in Appendix 6.

8.4.2 The Office of the Executive Director (Educational Programs).

The Executive Director (Educational Programs) is generally responsible for developing, disseminating and evaluating the aims, policies, priorities and guidelines for statewide educational programs.

As a member of the Corporate Policy Management Group and the Corporate Operations Management Group he recommends priorities on curriculum programs, the resources required to deliver them and the curriculum services and student services required to support the programs and the students.

The Executive Director (Educational Programs) should be supported by the Curriculum Co-ordination Committee, consisting of himself (as chairman), the Directors of Curriculum Programs Branch, Curriculum Services Branch and Student Services Branch, and two regional directors nominated by the Deputy Director-General.

FIGURE 13: OFFICE OF EDUCATIONAL PROGRAMS CONCEPTUAL STRUCTURE

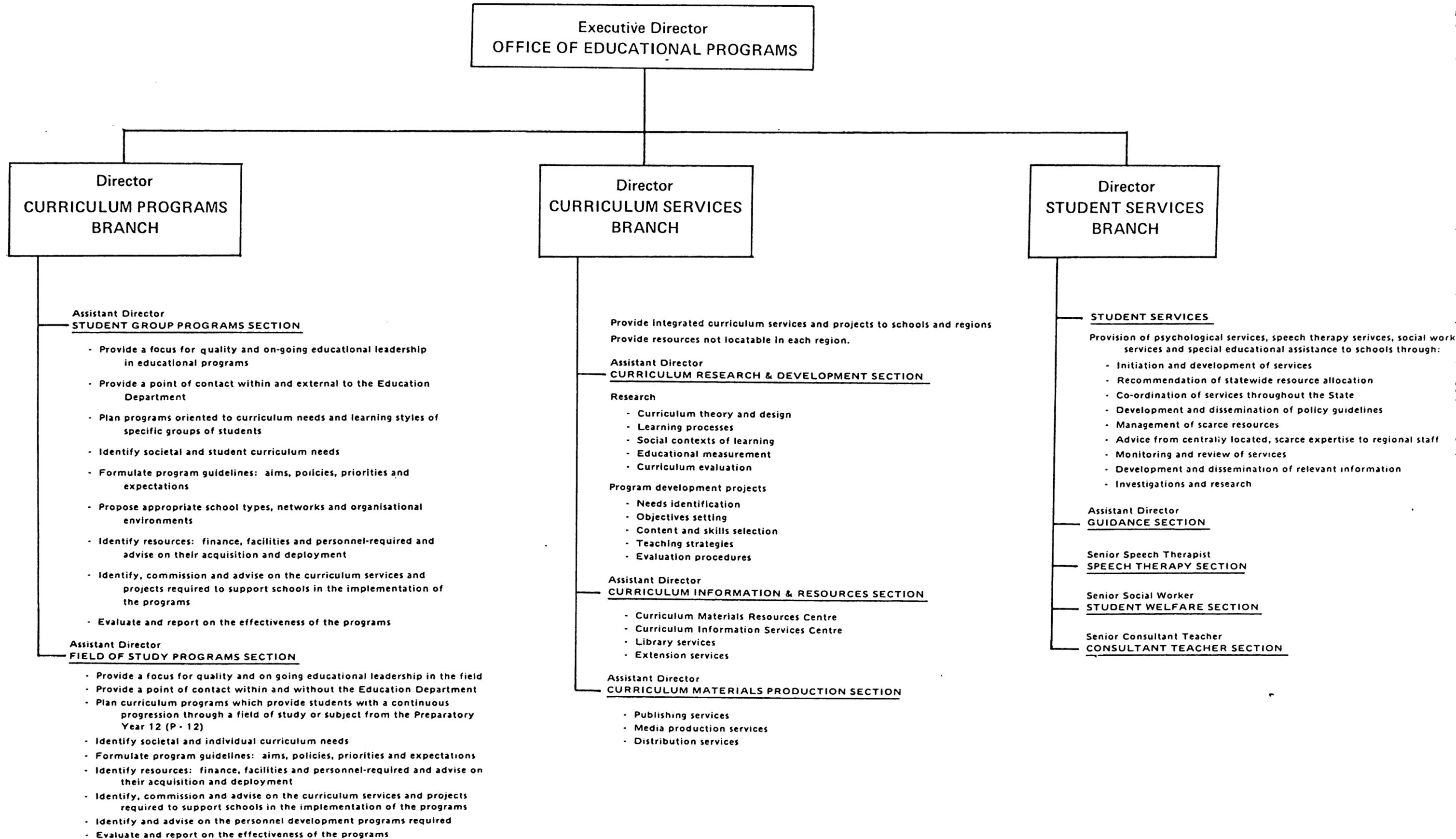


FIGURE 13: (Continued)

<u>STUDENT GROUP PROGRAMS</u>	<u>SUGGESTED FIELDS OF STUDY AND SAMPLE SUBJECTS</u>	
<ul style="list-style-type: none">- Primary Curriculum Programs- Secondary Curriculum Programs- Secondary-Technical Curriculum Programs- Curriculum Programs for the Intellectually Handicapped- Curriculum Programs for the Socially and Emotionally Handicapped- Curriculum Programs for the Sensorily and Physically Handicapped- Curriculum Programs for Child Migrants- Curriculum Programs for Adult Migrants- Curriculum Programs for Aborigines- Technical and Further Education Curriculum Programs- Community Education Curriculum Programs- Curriculum Programs for the Disadvantaged- Country Curriculum Programs- Transition Curriculum Programs- Choice and Diversity Curriculum Programs- Gifted Children Curriculum Programs- Equal Opportunity Curriculum Programs	<ul style="list-style-type: none">- English- Mathematics- Commerical Studies<ul style="list-style-type: none">AccountingBusiness StudiesSecretarial StudiesShorthandTyping- Personal Development & Health<ul style="list-style-type: none">Career EducationDriver EducationHealthHome EconomicsOutdoor EducationPhysical EducationTextiles & Clothing- Languages	<ul style="list-style-type: none">- Social Sciences<ul style="list-style-type: none">EconomicsGeographyHistoryLegal StudiesSocial SciencesSocial Studies- The Arts<ul style="list-style-type: none">Art/CraftDramaFilm & TelevisionGraphic CommunicationMusic- Sciences<ul style="list-style-type: none">BiologyChemistryEnvironmental ScienceGeneral SciencePhysics- Technologies<ul style="list-style-type: none">AgricultureComputingElectricalEngineeringSheet MetalWoodwork

The role of the Curriculum Co-ordination Committee is to advise the Executive Director on:

- Priorities for curriculum projects and services and the consequent allocation of resources.
- The commissioning of projects
- The co-ordination of statewide scarce or low incidence services.

Within the Office of Educational Programs three branches should be established to achieve the above objectives.

- Curriculum Programs Branch.
- Curriculum Services Branch.
- Student Services Branch.

Each of these is now described in detail.

8.4.3 Curriculum Programs Branch

This Branch, under its Director, operates through two perspectives, Student Group Programs and Field of Study programs.

These two perspectives have been designed to:

- Provide groups of students and communities with curriculum programs oriented to their special needs and learning styles.
- Provide students with a continuous progression through a field or subject from the Preparatory Year to Year 12 (P-12).
- Ensure a centre of excellence in a particular kind of curriculum program.

The broader perspectives of the Student Group Programs encompass the total educational environment. These programs should reflect the nature of the student groups with their particular curriculum emphases so that curriculum programs are oriented to their special needs and learning styles.

The Field of Study Programs should operate within these parameters and provide a complementary approach taking account of their particular subject needs P-12, thus maintaining continuity in their subject area.

In this way the Student Group Programs should have a co-ordinating function to advise on curriculum priorities for their groups.

The Student Group Programs should be:

- Primary Curriculum Programs.
- Secondary Curriculum Programs.
- Secondary-Technical Curriculum Programs.
- Curriculum Programs for the Intellectually Handicapped.
- Curriculum Programs for the Socially and Emotionally Handicapped.
- Curriculum Programs for Sensorily and Physically Handicapped.
- Curriculum Programs for the Child Migrants.
- Curriculum Programs for Adult Migrants.
- Curriculum Programs for Aborigines.
- Technical and Further Education Curriculum Programs.
- Community Education Curriculum Programs.
- Curriculum Programs for the Disadvantaged.
- Country Curriculum Programs.
- Transition Curriculum Programs.
- Choice and Diversity Curriculum Programs.
- Gifted Children Curriculum Programs.
- Equal Opportunity Curriculum Programs.

The Director of Curriculum Programs is responsible to see that additions and deletions to Student Group Programs occur, to take account of changing patterns such as the growth of networks of schools and the development of alternative arrangements such as student groupings in Years 5-8.

The Student Group Programs should operate through committees of advice and each should have an executive officer who performs two complementary functions:

- Provides an ongoing point of reference and co-ordination for the particular Student Group Program.
- Acts as Executive Officer for the committee of advice for the Student Group Program.

Executive Officers of Student Group Programs should be appointed at varying levels of seniority depending on the size and scope of the Student Group Program.

Executive officers should operate within the policies and guidelines determined by the Director of Curriculum Planning on the advice of the particular Student Group Program committee.

Chairmen of Student Group Program committees should be Assistant Regional Directors with relevant experience and expertise.

Membership of Student Group Program Committees, normally should not exceed 15 members.

Members should be appointed for a period of up to three years by the Executive Director (Educational Programs) on the advice of the Director of Curriculum Programs.

Members should be drawn from people with expertise, experience and interest in the relevant student group. Representation should cover the three organisational levels within the Education Department (centre, region, school) particularly from Student Services, and also be broadly representative of groups outside the Education Department such as parents, community, industry and institutions.

In relation to their respective Student Group Programs the committee should maintain an overview and advise the Director of Curriculum Programs on:

- Education Department curriculum policy.
- Resource and services requirements.
- Needs for curriculum programs for the particular student group.

- Priorities for specific curriculum projects and services.
- Progress of curriculum projects by maintaining close consultation with project teams.
- Preparation and distribution of curriculum information materials.
- Development of innovative programs.
- Liaison with other Education Department committees at the centre and at the region.
- Liaison with external agencies.

Field of Study Programs are designed to provide a continuous progression through a field or subject from Preparatory Year to Year 12 (P-12).

The Field of Study Programs (with sample subject groupings) should be:

- | | |
|---|---|
| <ul style="list-style-type: none"> - <u>English</u> - <u>Mathematics</u> - <u>Commercial Studies</u> <ul style="list-style-type: none"> . Accounting . Business Studies . Secretarial Studies . Shorthand . Typing - <u>Languages</u> - <u>Personal Development and Health</u> <ul style="list-style-type: none"> . Career Education . Driver Education . Health . Home Economics . Outdoor Education . Physical Education . Textiles & Clothing - <u>Sciences</u> <ul style="list-style-type: none"> . Biology . Chemistry . Environmental Science . General Science . Physics | <ul style="list-style-type: none"> - <u>Social Sciences</u> <ul style="list-style-type: none"> . Economics . Geography . History . Legal Studies . Social Sciences . Social Studies - <u>Technologies</u> <ul style="list-style-type: none"> . Agricultural . Computing . Electrical . Engineering . Sheet Metal . Woodwork - <u>The Arts</u> <ul style="list-style-type: none"> . Art/Craft . Drama . Film & Television . Graphic Communication . Music |
|---|---|

The Director of Curriculum Programs is responsible to see that additions and deletions to fields of study and subjects occur to reflect changes in curriculum in schools.

The Field of Study Programs should operate through supervisors with support from committees of advice, who advise the Director of Curriculum Programs through their respective supervisors.

Chairmen of Field of Study committees should be senior education officers drawn from the regions.

Membership of Field of Study committees normally should not exceed ten, and members should be appointed for a period of up to three years by the Executive Director (Educational Programs) on the advice of the Director of Curriculum Programs.

Members should be drawn from people with expertise and experience in the subject field. Representation should cover the three organisational levels within the Education Department (centre, region, school) and a range of professional educators, (principals, teachers, consultants and curriculum developers).

In relation to their respective field of study, the committee should maintain an overview and advise the Director of Curriculum Programs on

- Education Department curriculum policy.
- Resource and services requirements.
- Priorities for curriculum projects.
- Progress of curriculum projects by maintaining consultation with project teams.
- Preparation and distribution of curriculum materials.
- Development of innovative programs.
- Liaison with other Education Department committees at the centre and at the region.
- Liaison with external agencies.

Committees of advice in each field of study, should recommend the establishment of subcommittees on particular subjects as the need arises. These should be serviced by executive officers and report to the supervisor of the field. These committees should have similar functions to those of field of study committees.

8.4.4 Curriculum Services Branch

1. Introduction

Schools have the responsibility of implementing a curriculum that meets the needs and interests of students and the needs of the society in which they live. Ideally all support services required by the teachers should be available within the school itself. However for several reasons not all these resources can be decentralised to this degree.

The location of services can only be determined after considering factors such as the following:

- Can a school fully utilise a particular resource? Or can economies of scale be achieved by placing the service outside schools? Is the size of operation of service at school level viable?
- Are the knowledge and skills required to provide a service readily available in the system? Can the body of knowledge required for an efficient and effective operation be maintained and up-dated? Can the necessary links between the Department's services and related services outside the system be maintained efficiently?
- Does the use of the resources need to be co-ordinated across the state? Is the resource used by clients other than schools?
- Can the products or services be readily transported or communicated? Does the need for ready access to the service call for central provision.

Analysis of support services in this way shows that some central services provision is required both on grounds of excellence and of economy.

We propose to establish a central Curriculum Service Branch. The sections of the Branch will be:

- Curriculum Research and Development Services.
- Information and Resources Services.
- Production Services

2. Curriculum Research and Development Services

The process of curriculum development involves the setting of objectives to meet identified needs, nominating content in courses, sequencing activities, suggesting teaching procedures, designing evaluation procedures and determining and implementing dissemination strategies.

Regions will produce curriculum guidelines and materials for their schools. This will be done using consultants, senior education officers, and using resources located in the regions. These materials will be developed within policy guidelines detailed centrally. However, there will be instances where regional officers may choose to commission central curriculum services to undertake the work. Examples may be in the area of modern languages, dance and technology.

In addition the central curriculum section has the responsibility to develop materials in core curriculum

It is also this group that provides the links with national curriculum projects such as those undertaken by the Curriculum Development Centre and more recently under the auspices of the Australian Education Council.

Educational research can cover the full range of systematic investigation of educational phenomena. It thus requires the employment of people with special skills.

In the new structure, research services may be concerned with identifying student and system needs, providing the basis for developing policies and plans, assessing procedures adopted, and deciding whether the systems objectives and expectations have been achieved.

There may be instances where the Education Department prefers to contract an outside agency to undertake a research study on its behalf. In such cases the project would be commissioned through the research section, whose staff would be responsible for preparing the brief, monitoring progress and commenting upon the reports.

There is an important link between curriculum development and research. Research studies are undertaken in educational systems to provide answers to significant and practical educational questions. Evaluation studies are essential in determining whether particular services or projects have the potential to achieve or are achieving their objectives.

The Curriculum Research and Development Section will draw together staff involved in curriculum development who are currently located in various sections including Curriculum Services Unit, Publications and Information Branch, Gifted Children's Task Force, Gould League, Health and Human Relations Unit, Ethnic Education, Homecrafts Branch, Australian Council for Educational Research and Planning Services Division.

The organisation should reflect the fields of knowledge in which curriculum developments take place as well as the specialist research skills required.

People appointed to permanent positions will be allocated as project managers for specific projects commissioned by a client group.

The majority of positions in the section will be of fixed tenure. Staff will be appointed from one to three years according to the duration of the project of which they are members. After the completion of the task they would return to their former appointment or to new positions for which they were successful applicants.

Where the project warrants the Director of Curriculum Services may appoint a committee of experts to assist the project manager and to advise the Director of Curriculum Services on the adequacy of work being undertaken in particular projects.

In particular they should be concerned with:

- The validity of the assumptions, theories, research evidence and evaluations on which the project's curriculum materials are based.
- The extent to which the project appears to be fulfilling the needs expressed in the original submissions for its establishment.

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- The quality of the draft materials prepared for trialling and the value of the dissemination program envisaged.
- The appropriateness of the methods of organisational change proposed in particular implementation programs.

Usually these committees should be comprised of people from outside the Education Department who have special knowledge and skills related to the project, together with the Assistant Director of Curriculum Development and the co-ordinator of the project.

3. Production Services

Production services include publishing and printing of written documents, production of film and television programmes, and distribution or selling of these items to schools and the general public.

Resources to provide these services are located centrally, in the regions and in schools. The regions have production resource available to them through regional centres. In addition, many schools have television equipment of sufficient quality to produce video tapes that meet their immediate need.

In the immediate future it is expected that the production of video tapes and films at the central level will be undertaken by Film Victoria, an independent body relating to the Minister for the Arts. It is important that staff knowledgeable in film production are available in the Branch to assist in the preparation of briefs, to work with staff in the curriculum development area to ensure that the best use is made of the medium to assist in the preparation of scripts and to monitor production to ensure that the educational objectives are achieved.

It is also important that a strong liaison be maintained between Production Services and the office of the Government Printer, as it is expected that the Government Printer will continue to print most of the documents produced by the Curriculum Services Branch staff.

Production Services will include positions currently found in the Audio Visual Resource Branch, Publications and Information and Curriculum Services Unit.

With the planned formation of Film Victoria in the new year some of the services provided within the Education Department will be transferred to the new organisation. These services will probably include film and television production, film distribution and applied media services.

District Audio Visual Resource Centres, technical and technological services, will be integrated into support services located in regions and be administratively responsible to Regional Directors.

Staff involved in the publication of general materials will join the Finance and Administration Branch.

In the main positions in the Production Services will be permanent appointments.

4. Information and Resources Services

Curriculum information services include the collection, classification, storage and retrieval of information. In addition they include the preparation of curriculum information circulars.

Throughout the state various groups will be collecting and classifying information. While it is not necessary for each group to duplicate the collections of others it is important that all members in the system can tap into it for the material they want. To achieve this, common classification procedures are required and up to date catalogues need to be available. This co-ordination can best be achieved by a central unit.

Much of the information currently requested directly relates to recent or current activities of the development section. Consequently information staff need to be in close and regular contact with activities being undertaken in other sections of the Branch.

The staff of the group will also be required to respond to requests from top management for the preparation of statements on general curriculum issues.

The second major function of this section concerns the management of scarce or low incidence resources which it is not possible to duplicate throughout the state . Such resources include the Curriculum Materials Library and Music Studio. Both these services are integral to the curriculum development process as well as directly serving the needs of schools. There are other services which for reasons of economy and efficiency are best administered centrally. The library cataloguing service is one in this category.

The Information and Resources Group will include positions currently found in the Curriculum Services Unit, Library Branch and Publications Branch.

The work of the Group will include the management of the Curriculum Materials Library and the associated displays of materials that are sent around the state. Part of this work will continue to be liaising with publishers, and the provision of review and bibliographical services to schools. The cataloguing service will also be included. Professional guidance services for librarians and consultancy services will also be located in regions.

The professional library and its branches serving the needs of all officers in the Department will become the responsibility of the Finance and Administration Branch.

Several of the resources currently administered through the Curriculum Services Unit will be transferred to the regions. These resources are the Reverse Garbage Truck, Theatre in Education Teams, school camps at Bogong, Rubicon and Somers, and the Environmental Centre at Whipstick. In addition, the Natural Resource Officers currently working in regions will be administratively responsible to regional directors.

The curriculum information services of Publications and Information Branch and the Curriculum Services Unit will be merged.

It is proposed to establish within the Information and Resources Group a number of no more than four staff to assist with extension services.

All other staff associated with extension services become the administrative responsibility of regional directors.

Most staff associated with information and resource services will be permanent appointments. However a proportion of the staff employed on reviewing services, curriculum information and extension services will be fixed term appointments.

8.4.5 Commissioning Projects

The Executive Director (Educational Programs) should receive proposals for curriculum projects and services from interested individuals and groups.

These proposals should be referred to the Curriculum Co-ordination Committee for advice. Members of this committee should receive recommendations from officers in their branches and committees of advice.

The Executive Director (Educational Programs) should receive the recommendations of the Curriculum Co-ordination Committee on priorities and financial allocations for projects and services.

The Curriculum Services Branch should receive the commissions of the Executive Director (Educational Programs).

Before accepting a commission the Curriculum Services Branch should have the obligation to see that the proposal is clearly articulated and that the implications of the proposals are known to the relevant committee of advice.

Responsibility for the project or service proposal should rest with the client.

Where the Curriculum Services Branch accepts a commission it should be obliged to consult with the clients and keep them fully informed of progress at critical stages in development.

8.4.6 Student Services Branch

Student Services Branch will provide the services that were previously under the administration of:

- Counselling, Guidance & Clinical Services
- Special Education Units
- Demonstration Units
- Remedial Physical Education Centres
- Visiting Teacher Services.

The professional and statewide co-ordination of these services will be the responsibility of the Director of Student Services under the Executive Director (Educational Programs)

Those services will be provided from sub-regional, (SARCs) under the management of the regional director. Professional support and scarce expertise will be provided from the central office.

Centrally located services will encompass scarce expertise in each professional discipline and be directed in particular toward assistance to pupils with intellectual, sensory, physical, social and emotional disability. It will incorporate the Reading Treatment and Research Centre, Interpreter services and Investigations and Special Projects.

Education of children requiring special assistance is currently provided both in special schools and in regular schools.

The administration of special schools has been the prime responsibility of the Assistant Director of special services (Special Education) who has five professional officers and a limited number of seconded teachers to assist in the administration of those schools. Permanent staff are appointed to Special Schools by the Primary Classifiers, in accordance with Teachers Tribunal regulations. Temporary staff are appointed by the Primary Division staffing branch after consultation with officers of Special Services Division. Teacher assessment and school reviews are conducted by Primary Division Inspectors of Schools.

Placement of pupils into special schools is made on the recommendation of psychologists within Counselling, Guidance and Clinical Services who seek the advice of other professional persons before arriving at that decision. Placement is not made unless parent approval is given.

Pupils within regular schools may receive additional assistance through their own class teacher or through attendance at special assistance units.

Staff from Counselling, Guidance and Clinical Services and from Special Education Units are continuously involved in the assessment of referred pupils, the diagnosis of learning disabilities and consultation with class teachers on means by which those pupils may be assisted.

In specific instances that assessment may lead to a recommendation of a specific, short term placement. That recommendation may, for example, be that a pupil with partial hearing loss receive assistance from a visiting teacher for one hour per week or more, or it may be that a child with psycho-motor disabilities attend a remedial gymnasium for one session or more each week. For severely socially and emotionally disturbed child the recommendation may be that the child be placed in a Social Adjustment Centre for a minimum period of one term where he will be involved in an intensive behaviour change program designed to overcome his disability.

We recommend that, as for all other schools and educational units, the administration of each special school shall be the responsibility of the regional director in whose region the school is located.

In order that the scarce expertise available for the education of these children shall not be dissipated, and to ensure maximum effectiveness of those resources, Student Group Programs will be established in the areas of Intellectual Social and Emotional and Physical and Sensory Disability. In addition to the roles of Student Group Programs identified in section 8.4.3 officers and committees of these groups will need to act as advocates for pupils with disabilities and to emphasise the particular needs of those pupils in the provision of facilities for their use. Student Services representatives and executive officers of Student Group Programs responsible for those areas of disability should attend as members of the Facilities Standards Committee when appropriate.

The assessment and diagnosis of pupils with difficulties, placement of pupils into special facilities, the development and implementation of educational and therapeutic programs arising out of that diagnosis, and consultation and advice to teachers, and the support and counselling of parents and pupils will be the responsibility of Students Services Staff. That service is available to students of all ages, from all schools, and to pre-school pupils requiring assessment for early or delayed admission to schools.

Within the regions those staff will be located in Special Assistance Resource Centres and managed by the regional director.

Because of the unique problems associated with the education of disabled students it is essential that close liaison should exist between the professional staff of the Student Services and Student Program Branches at central office and sub-regional office level. Care will need to be taken to build that liaison within the structure. It will be the responsibility of the Director of Student Services to devise mechanisms to facilitate this interaction.

Ad hoc Committees may be established by the Student Services Branch to attend to such matters and investigations as may be required by the Director of Student Services.

Special Assistant Resource Centre Committees should be established by the regional director for each SARC. That committee should consider matters pertaining to the operation of SARC staff and the needs of pupils and offer advice on those matters to the Officer-in-Charge of the SARC, the regional director and to the Director of Student Services.

Membership should include:

- SEO (Chairman).
- OIC (SARC) Executive Officer.
- 1 Principal representative.
- 1 Teacher representative.
- 1 Student Services Branch representative.
- 1 Student Group Programs representative.
- 1 SARC Staff representative.
- 1 Community representative.

8.4.7 Educational Programs and Regions

The proportion of total resources available to provide services in the region and at the centre should be determined by the Director-General.

Input into this decision should come from the regional directors on the advice of regional committees through the Deputy Director-General and from the Directors of Curriculum Programs, Curriculum Services and Student Services through the Executive Director (Educational Programs).

Officers in the Educational Programs area should have no line relationship to regions or schools. They should have a knowledge of the work of schools in relation to the needs of particular groups of students and the needs in particular fields of knowledge.

The provision for assistant regional directors to be chairpersons for committees for student group programs will contribute to the coordination.

Within statewide policy guidelines determined by the Director-General, the regional directors should allocate services and resources according to identified needs in the region.

Within the region there should be co-ordination of the curriculum services, student services, professional development services and council services. (see Chapter 6.)

Support services should be clustered according to geographic location and placed under the supervision of the senior education officer who should be responsible for managing the operation of these services, and ensuring that they meet local needs. The senior education officer should make representations on their behalf about resources necessary for the maintenance and improvement of services.

Support groups in regions should not have line relationships to the central branches. However, regional support staff should be able to call upon central staff for assistance by providing information, materials, development, and production services to schools.

There will be instances where it is not possible to place adequate resources each in region. In such instances the support should be located centrally. Examples of these exceptions would be in areas of modern languages and technology where the client group, although spread throughout the state, is small and where the people with the required knowledge, skills and experience are few in number.

9. PERSONNEL

9.1 INTRODUCTION

In this chapter we set out a number of the issues which were raised both in the White Paper and during the data gathering phase which relate to the personnel area.

Two matters are of particular concern, namely the question of the Department as the employer and also the question of career structure. These are discussed in separate sections of the chapter.

We then discuss the concept of the Personnel Branch and set out the proposed structure, giving details of the relationships between the Branch and the other areas of the Department.

9.2 ISSUES RAISED

9.2.1 The Director-General does not hold all of the powers usually vested in the Permanent Head of a Department.

Under existing arrangements, the Teachers Tribunal, by virtue of the Teaching Service Act 1958 is the employer of all permanent members of the Teaching Service and determines terms and conditions of employment, qualification standards, staffing structures in schools and offices and salary levels for all members of the teaching service; committees of classifiers are responsible for the compilation and maintenance of classified rolls of teachers, and effect the appointment, promotion and transfer of permanent teachers; teacher registration boards determine the qualifications necessary for entry to the teaching service and the Public Service Board is the employer of administrative and clerical staff.

Although by statute the Director-General is charged with the over-all responsibility for management of the Department, the only teacher and professional officer employment matters for which he is directly responsible are in respect of the selection, appointment and dismissal of registered temporary teachers. The Director-General does however discharge the normal management function of a permanent head in respect of the public servants within the Department. As a consequence the Director-General cannot be held fully accountable for the administration of the Department.

The Teachers Tribunal, registration boards and committees of classifiers are all established by statute and are not subject to the direction of the Director-General. The Director General cannot exercise the normal powers of an employer, and is also unable to select and appoint officers of his choice to particular positions.

There is confusion amongst members of the service generally as to whom they are finally responsible, because the Teachers Tribunal exercises many functions of a routine administrative nature e.g. the granting of long service leave and maintenance of associated records. Consequently, departmental administrators are not accountable for vital decisions in the personnel area.

The performance by members of the teaching service of duties held to be the responsibility of administrative and clerical staff employed under the Public Service Act is also a matter of some concern.

The existing division in employment responsibilities has led to a lack of cohesion in the Department's approach to industrial problems.

9.2.2 Within the Education Department responsibility for discharge of the personnel function is divided between various authorities. Such divided responsibility mitigates against proper co-ordination of the function.

As a result of divided authority, lines of responsibility are confused and inconsistency in policy applications and administrative procedures have developed, viz:

- Responsibility for the employment and placement of temporary teachers presently lies in the Primary, Secondary, Technical and Special Services Divisions.
- Separate boards of studies independently develop qualifications policies in the Department and make recommendations to the Teachers Tribunal. For primary teachers, the Primary Certificate Committee grants certificates on bases approved by the Tribunal. Teacher Education Division is heavily involved in initial qualifications and liaison with tertiary institutions whilst teacher registration boards determine the minimum qualifications for entry into the teaching service.

- A number of personnel functions is discharged in the presently designated Personnel Division frequently leading to duplication of effort and unco-ordinated policy application.

Decision-making is delayed and open to inconsistency due to the number of groups involved in determining various matters.

There is a lack of corporate identity and parochial attitudes have emerged.

9.2.3 The Education Department presently justifies its staffing policies in terms of equity of educational provision.

A significant portion of the education community expressed the need to maintain equity in the provision of the staffing resource.

Base standard staffing formulae for the various categories of schools have contributed significantly to equity of provision of the staffing resource. In addition further positive discrimination has been made to ensure special and underprivileged groups receive additional consideration e.g. migrant students.

The desirability of maintaining equity in educational provision through positive discrimination based on central appointment processes is a firmly held view throughout many sections of the educational community.

9.2.4 There is a need to match as closely as possible the staff provided to a school and locally devised policy aspirations.

This objective is consistent with Government commitment to increased participation by parents, community members, teachers and principals in education governance at all levels. It could be more fully achieved through the devolution of employment powers to school councils. However, serious limiting factors presently exist which render such a proposal inappropriate in the short term., and the contradiction with the equity consideration (9.2.3) would need to be resolved.

Other limitations include the reluctance of some school councils to assume new responsibilities, the need for the development of in-service education programs for members of school councils, administrative constraints relating to delays in the appointment process, and disruption of school programs.

Arguments have been advanced that statewide career opportunities will be diminished with increased local input to the selection process.

The most immediate concern in respect to the staffing of schools is the need to provide opportunities for individual school councils to be involved in the selection of school principals, so that councils may be ensured of continuity in the development of programs, and the possibility of undesirable policy shifts is minimised.

The provision of learning experiences to achieve the aims of agreed school policies, is the responsibility of the school principal. It is logical therefore that the principal should have the capacity to designate preferred staffing allocations so that an appropriate teacher mix may be provided to achieve the desired educational outcomes.

9.2.5 Reduction in the number of available promotion positions in schools is creating a significant morale problem in the Teaching Service.

Declining school enrolments particularly in primary schools are leading to a reduction in the number of promotion positions available to teachers at all levels of the service.

Where individual school enrolments decline, it is necessary under current regulations for the Education Department to adjust staffing levels commensurate with the number of classified positions available within the school. As a result primary teachers are placed "out-of-adjustment" and allowed two years to secure an alternative position. Unfortunately such situations may arise soon after a teacher has secured permanent appointment to a promotion position creating teacher uncertainty, discontent and dissatisfaction.

The lateral movement of teachers between the various categories of schools is inhibited by the current classification system.

9.2.6 The professional development of teachers and administrative staff requires rationalisation and co-ordination to better reflect system needs and priorities.

The major source of funding for in-service education for Education Department staff is through the Services and Development program of the Schools Commission (States Grants Assistance Act). A considerable proportion of this funding is disbursed through regional programs. Submissions are invited from interested individuals and groups for support to conduct activities designed to assist the successful functioning of schools. Thus the system is almost entirely responsive to expressed needs rather than taking an initiating role in the determining of priorities.

Divided responsibility for the implementation of programs exists within the present structures. The responsibility for the general administration of in-service education rests in the Teacher Education Division whilst the teaching divisions and regions independently rank submissions. The responsibility for the approval of leave to attend approved programs also rests with the teaching divisions. These divided responsibilities inhibit the development of training programs for specific purposes in response to system needs.

There is a need to focus in-service priorities more specifically within schools as a consequence of increased responsibility for curriculum decisions at this level.

Integrated administrative structures should be developed to allow clear policy determination and priority setting for the system as a whole.

9.2.7 Present procedures for the appointment of staff emphasise the seniority of teachers and generally do not adequately ensure that the best available personnel are appointed to promotion positions in schools.

In the Primary Schools Division, provision for accelerated promotion exists, and assessment criteria are published. However, there is a lack of comparability to ensure that standards are equitably applied across the state.

Comments were made at all levels in the Secondary Schools Division that the present School Aptitude Assessment Panel procedure does not adequately differentiate teacher competence for promotion or administrative positions.

There is no external assessment of teachers in the Technical Schools Division. A reference system is used to establish suitability for promotion and administrative positions in schools. The experience, standing and expertise of the referees varies considerably and references provided are not specifically related to the position sought.

There is at present no limitation on the period of service without assessment for any teaching or professional position.

An associated problem is the failure of the Teaching Service Act to give the Teachers Tribunal power to extend or annul appointments. As a consequence a teacher's service cannot be terminated at the expiration of the stated probationary period if performance is unsatisfactory. This problem creates difficulties in the initial employment of teachers.

The Education Department will need to address these problems through a process of consultation and negotiation. Consideration should be given to development of assessment procedures which allow promotion by merit, improved selection and probation arrangements for new teachers, the applicability of fixed term appointments, and the naming of referees if this system is to be more broadly used.

9.3 EMPLOYMENT

Currently within the education system there are broadly three groups of employees:

- Those employed pursuant to the Teaching Service Act (and related acts); the Teachers' Tribunal is their industrial relations jurisdiction.
- Those employed pursuant to the Public Service Act; the Public Service Board provides the industrial relations jurisdiction; this group will include Governor-in-Council appointees (i.e. Director-General, Deputy Director-General, executive directors and regional directors).
- Those employed pursuant to the Education (School Councils) Act by school councils pursuant to determinations in the Public Service.

In respect of the latter two groups the employers are respectively the Public Service and School Councils. However, in respect of those employed pursuant to the Teaching Service Act, the Teachers' Tribunal, discharges many of the functions normally discharged by the employer. For example, in respect of permanent appointees to the teaching and professional services, the Tribunal -

- Determines and defines the classes of employment in each of the teaching divisions (including special education) and in the professional service.
- Determines the number of (permanent) positions within each class for secondary and technical teachers and principals and for professional officers and for each school in the Primary Division.
- For the professional service, establishes selection committees (although it is not bound to accept committee advice), makes appointments and hears appeals by aggrieved applicants.
- In respect of the teaching service hears and determines appeals against promotions, appointments and transfers made by the committees of classifiers.
- Determines wages and conditions for all categories of employees except those specifically employed under the Public Service Act and non-teaching employees of School councils employed pursuant to the Education (School Councils) Act.

In respect of the Teaching Service, registration boards determine the minimum requirements for registration, the Tribunal approves qualifications (on the advice of boards of studies and the Primary Certificate Committee) and the committees of classifiers are responsible for the appointment, promotion and transfer of permanent teachers and of principals.

Although by statute the Director-General is charged with the over-all responsibility for management of the Department, the only teacher and professional officer employment matters for which he is directly responsible are in respect of the selection, appointment and dismissal of registered temporary and emergency teachers and secondments to the professional service. The Director-General does discharge the normal management function of a permanent head in respect of the public servants within the Department.

The Tribunal, registration boards and committees of classifiers are all established by statute and are not subject to the direction of the Director-General. Formal representations on industrial relations matters to the Tribunal by the Department, other departments (e.g. Treasury) or the Government have been infrequent although recently the Tribunal has been directed by the Government to advise the Office of Industrial Relations Co-ordination (Department of the Premier) of industrial claims filed with it.

There has been dissatisfaction with the Teachers Tribunal's role in industrial relations matters and in 1980 the Minister established a Working Party under the chairmanship of Mr Kevin Hince. Amongst other things the Working Party recommended the establishment of a Victorian teaching service Conciliation and Arbitration Commission (VTSCAC) as the industrial relations jurisdiction for teaching service personnel with the Department specifically having the role of the employer.

In terms of employment structure, management and administrative personnel are currently divided into two broad groups - professional officers (i.e. those with a teaching background) and public servants (i.e. those without teaching experience).

For the management of the Department to operate more effectively and efficiently and with greater economy, the dichotomy between the two classes in the administration should be eliminated and the single management structure resulting should be seen by all of its members as providing appropriate career structures and greater opportunities for personal development. Positions in the administration should be objectively assessed in terms of the qualifications and experience required (or considered desirable).

It is undoubtedly true that some positions require teaching qualifications and experience, that for others the possession of teaching qualifications and experience is desirable, whilst for still other positions such qualifications and experience are unnecessary. An objective review of positions should be undertaken within a common employment structure.

In terms of employment structure (not the legal structure) three broad options were identified:

- a) The Department should be the employer (i.e. a unitary organisation).
- b) The Public Service should be the employer (i.e. a unitary organisation).
- c) Some combination of the above (i.e. hybrid organisation).

Under the first option it is possible to conceptualise different legal structures - e.g. the establishment of the Department as a semi-autonomous statutory commission (like the SEC); or the maintenance of Department status but with only the Governor-in-Council staff being subject to the Public Service Act with other staff being subject to a new act (say) the Education Employees Act.

The second option places the Department on all fours with other state departments i.e. all staff are public servants. Given the relative size of the Department and the need to develop a managerial perspective, the Public Service Board should be urged to delegate extensive powers to the Department.

The third option would provide hybrid employment structure with the Public Service providing management and administrative staff and with the Department employing teachers. Subsumed within this option is maintenance of the existing employment structure. The crucial issue in this option is where the dividing line would be drawn through the organisation. Again the Public Service Board should be urged to delegate extensive powers to the Department.

9.10

(School council employees, in line with the thrust of the White Paper towards greater devolution, should continue to be employed by school councils pursuant to the Education (School Councils) Act.)

Each of the three options would:

- a) Enable the Director-General to assume managerial responsibility for the appointment of management/administrative staff.
- b) Create an integrated administration which will blend the management and educational skills needed to enhance performance.
- c) ensure that the best available people are appointed and that there is a proper matching between duties and responsibilities on the one hand and qualifications and experience on the other.
- d) ensure that opportunities for individual advancement are maximised and that there are clear career paths within the organization;

Selection between these options lies outside the scope of this study as it necessarily involves:

- Discussions on how and to what extent the powers of the Public Service Board can be delegated in a form which overcomes concerns of the Department based on past experiences.
- Discussions on how the recommendations of the Hince Working Party Report can be integrated with our recommendation of common employment.
- Discussions relating to such things as portability of superannuation for staff moving between the Department and other areas of Crown employment.

9.4. CAREER STRUCTURES

9.4.1 General

A sound career structure with adequate promotional opportunities is essential in the teaching service where the work force is generally highly skilled and educated, and upwardly mobile. Lack of career opportunities for such a work force leads to low morale, industrial unrest, and eventually diminished performance.

On the other hand, a structure that rewards everyone regardless of performance eventually develops the same problems because poor performers receive the same rewards as more highly motivated staff. Sound assessment procedures are therefore fundamental to the proper functioning of a career structure.

The economic climate in which the Department will operate in the near future may constrain opportunities for upward mobility more than has been the case in the past. Acceptable alternations for job satisfaction, personal development and reward will be required.

9.4.2 Present Position.

Career structures in the tertiary sector are generally based on the level of administrative, technical or professional skill required to perform a function or range of functions. In the majority of public employment areas, the structures subsequently developed are based on a grading (Class) system with the salary in each class being equated to the nature of the work and the level of responsibility accepted, or the technical or professional skill required, or some combination of each.

Regardless of the system used, a class may have a range of salaries, or a single salary point.

Career structures in the teaching service are determined by the Teachers Tribunal in accordance with these principles.

In both secondary and secondary/technical schools, the Department prepares and forwards through the appropriate committee of classifiers, a submission relating to perceived needs for promoted positions in individual schools. (Numbers Case).

The Tribunal hears arguments from the classifiers (and the unions where they have prepared a case), and eventually makes a decision in respect of the staffing structure, including promoted positions, in each school. No case is prepared by the Department in relation to primary schools.

Whereas in Primary Division pupil numbers are the sole basis of the Tribunal's decision, and schools are staffed strictly in accordance with the regulation, a number of other factors is taken into consideration by the Tribunal in determining numbers in post primary divisions.

Further, the Tribunal does not require the Department to staff post primary schools in accordance with the structure determined for each school but allows the Department to allocate promoted positions as it sees fit once the total number of promoted positions has been approved.

Although the method of determining the number of promoted positions varies between primary and post primary divisions, the career structure is basically the same across the three divisions namely, an Assistant Class, Senior Teacher Class, and a Principal Class.

A number of Assistant Class positions in post primary schools, as determined by the Tribunal, attract a responsibility allowance, (Primary division has a classification of "Assistant with Responsibility"), and there are various categories of Principal in each of the three Divisions. For each division, differing criteria are used by the Tribunal for determining Principal Class positions.

The Department, in conjunction with the VTU, has recently proposed to the Tribunal a modified career structure for primary teachers. The proposal recognises the need to provide staffing structures which will enable schools to meet the changing needs of society, and recommends a structure which will substantially overcome the problem of diminished promotional opportunities in primary schools.

9.4.3 Deficiencies in present career structures.

The present career ranges are based on supposedly clear and identifiable levels of responsibility for each classification, with a continuum of responsibility through the various classes. Present work specifications however do not adequately differentiate between responsibilities at the various levels.

Retention of independent career structures for teachers in primary, secondary and technical schools will restrict the Department's ability to respond to the future needs of individual schools, particularly if schools are to become more comprehensive in nature.

The present classification structure effectively prevents lateral movement of teachers (i.e. between the different types of schools) and thus confines career opportunities to vertical movement within a particular type of school.

The unique management role of the principal in the school is not sufficiently differentiated from the role of other management or teaching staff.

The most senior positions in each school are occupied by teachers with management responsibilities and there is no career incentive in the present structures to retain competent teachers in the classroom. Many teachers would prefer to gain promotion in the classroom rather than to positions in management. Further, experience has shown that many excellent teachers have been only moderately successful in management roles.

Appointments are "life-long" and procedures to rectify poor appointments, or to meet emerging circumstances, are inadequate.

Assessment systems, which are an integral part of the appointment process, have generally failed to guarantee promotion of the best applicants.

9.4.4 Recommendations.

To achieve the best possible use of teachers, and to widen career opportunities, we recommend that a common roll should be developed and that all teachers be assessed by the Department for suitability to teach in all the various types of schools.

As the role of the teacher registration boards will be subsumed in the Department, these boards should be abolished.

One service-wide career structure be developed which

- . Recognises the work value of each position, including the nature of the work, skill and qualifications required, and responsibility of the position.
- . Gives improved career opportunities to those who wish to remain as classroom teachers in relation to those who wish to seek advancement through school management ranks.

- . Is flexible enough to accomodate movement of teachers who for various reasons prove inadequate in their promoted position.
- . Is based on sound assessment procedures which clearly identify the best teachers for promotion.

THE BRANCH IN CONCEPT

Consistent with the general theme of decentralisation and regionalisation, the personnel function was examined with a view to emphasising policy development and determination at the central level and regional operational decisions wherever it was appropriate to do so.

However, as emphasised in the White Paper, central appointment processes will be retained so that any disruption to schools or educational programs will be avoided, and to ensure that equity in resource allocations across the various types of schools in the system might be maintained. Provision will be made for school councils to participate in the selection of school principals should they desire to do so.

Regional directors will assume responsibility for the allocation of the special needs staffing component additional to formula entitlement within their respective regions, so that the atypical circumstances of certain schools may be more adequately met. They will also be responsible for professional development activities relating to non-award courses, for individual teachers and schools. These include development of specific areas of expertise related to subject areas and the development of curriculum competencies in context, methodology and classroom management. Responsibility for the implementation of programs to prepare teachers for altered responsibilities and to provide personal enrichment will also be assumed by regional directors.

In the non-award area, regional directors will provide programs in organisational development and facilitate school-based professional development activities and in-service education for members of school councils.

In respect of formal awards relating to the upgrading and extending teacher qualifications regional officers will have prime responsibility in the selection of teachers for study leave, and will select teachers to participate in teacher exchange and scholarship programs.

The development of teacher consultancy from within definite resource allocations is also decentralised to regional level; within statewide policy, regional directors will decide upon most leave applications, and will be heavily involved in all matters pertaining to the welfare of teachers where their ready accessibility should prove to be of considerable benefit.

The main benefits accruing from the new structural arrangements at the central level will arise from the arrangements made to integrate the functions discharged in the various divisions and branches into one consolidated Branch with unified policy applications across all type of schools.

In addition assumption by the Education Department of full employment responsibilities will improve accountability levels, decision-making processes, and management procedures.

Abolition of the present separate classification roles for primary, secondary and technical teachers should be achieved as soon as practicable, as this measure will enhance the Department's capacity to meet emergent developments, particularly if schools are to become more comprehensive in nature, and enable the development of career structures incorporating provision for lateral teacher movements.

THE PROPOSED STRUCTURE

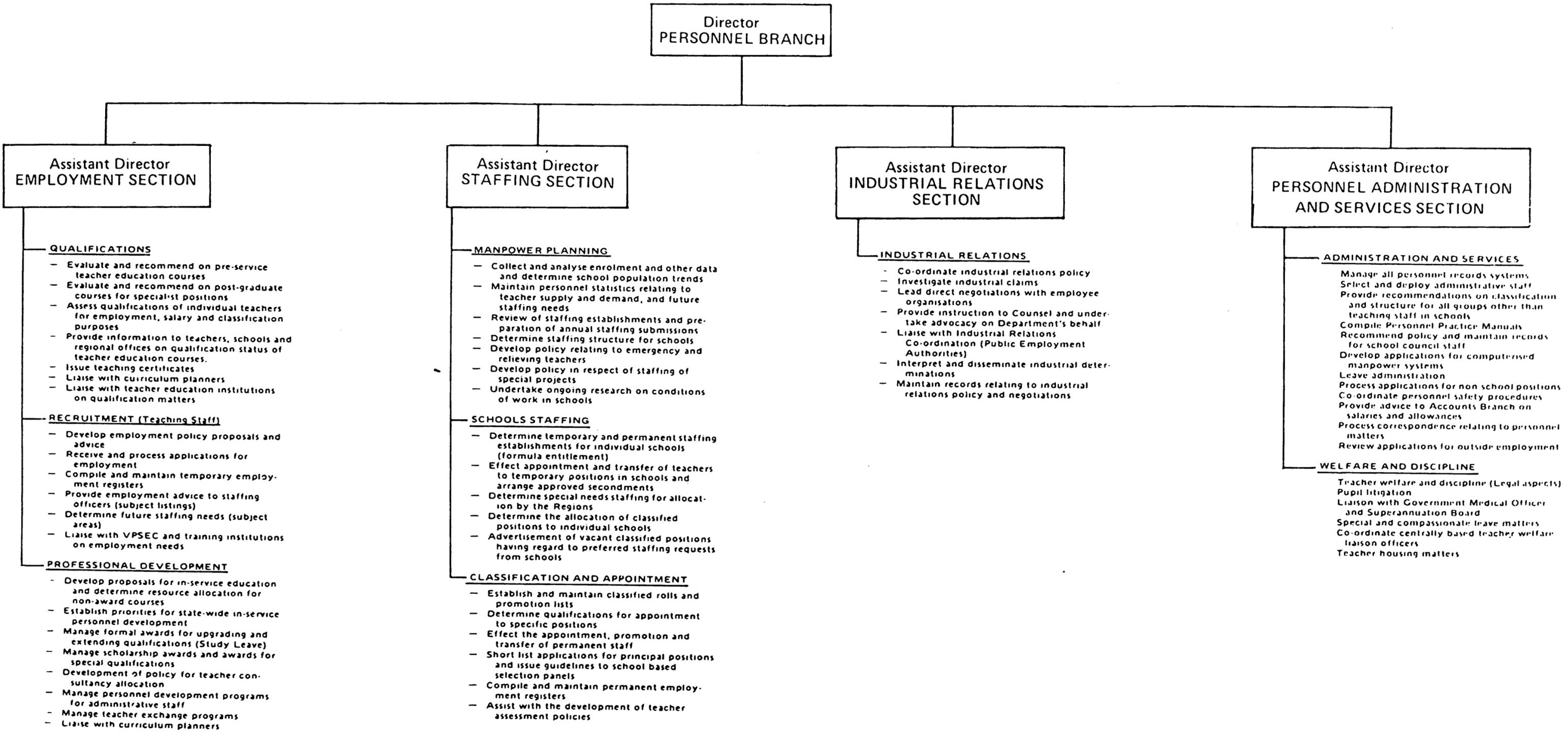
9.6.1 Introduction

It has been possible to allocate the many activities which comprise the consolidated personnel function into four discrete yet inter-related areas. Within each of the four areas, further functional grouping of related activities has been possible with the result that identifiable positions in the structure, with precise job responsibilities, have emerged. These areas are:

- Employment.
- Staffing.
- Industrial Relations.
- Personnel Administration and Services.

Figure 14 gives the structure of the Branch. Detailed job specifications are in Appendix 4, whilst Appendix 5 contains Personnel Decision Matrices which define the relationships with the other areas of the Department.

FIGURE 14: PERSONNEL BRANCH CONCEPTUAL STRUCTURE



9.6.2 Employment

This sub-function has three component groupings of related activities, namely Qualifications, Recruitment, and Professional Development.

In the Qualifications Section specific activities will relate to course evaluation and accreditation; evaluation of qualifications of individual teachers for appointment salary and classification purposes, and liaison with teacher training institutions and faculties. It will also relate to individual students, on departmental requirements, employment policies etc. The unit will maintain a Qualification Register of qualifications acceptable for employment in Departmental schools.

Responsibilities in the qualifications area are currently shared by the boards of studies, registration boards, Primary Certificate Committee, and the Teachers Tribunal. It is considered that a three man Committee comprising persons specialised in either primary, secondary or technical education and with appropriate support staff, could satisfactorily administer all functions carried out by these bodies, and satisfy all Departmental requirements related to qualifications. The separate qualifications bodies currently in existence should be abolished, and the Teachers Tribunal powers in the area transferred to the Department.

There has been no co-ordinated approach to recruitment and a degree of competition has developed, particularly in the post-primary divisions, for available resources. Recruitment and development of employment policy will in future be co-ordinated through this area only, although representation from each of the current teaching divisions is desirable, at least in the short term.

Functions will include the processing of applications for employment, maintenance of temporary employment registers, and the drawing up of employment lists (in subject areas where necessary), for appointment purposes. This unit would also advise on future staffing needs across all types of schools entailing liaison with VPSEC and the training institutions. One senior, i.e. current Assistant Director level appointment, with support staff, is recommended for this function.

Professional development initiatives are currently the responsibility of Teacher Education Division with significant involvement of regional personnel. Statewide policy development and a major role in the determination of priorities for statewide programs will in future be exercised by this Section together with the Education Programs area.

Program approval within statewide guidelines, and development of local programs, will be a regional responsibility, as will be the development and promulgation of clear policies for the funding of regional in-service programs. Regions will also be responsible for co-ordinating program funding and leave approval, with final determination in respect of individual teacher participation resting with the school principal.

Study leave, teacher exchange and scholarships will be managed by the Professional Development Group in consultation with regional offices.

One senior appointment, with support, staff will be the minimum requirement for this function.

9.6.3 Staffing

This sub-function incorporates a personnel planning groups and units responsible for temporary staffing of schools, and the appointment transfer and promotion of permanent staff.

The Personnel Planning group will be responsible for analysis of staff needs, including maintenance and analysis of supply and demand statistics, staffing submissions and establishment levels.

In the policy area, the group will be responsible for policy relating to emergency and relieving teachers, and in consultation with regional directors will develop policy relating to consultants, and staff for special projects. A number of these activities is currently undertaken by an officer attached directly to the Assistant Director-General Personnel. The bulk of the Statistics/Operations Research Group of Planning Services Division will be incorporated into the Personnel Planning Group.

(Staff involved in statistical co-ordination which has cross-functional application will be located in the Information Services Group within the Finance and Administration Branch.)

One senior appointment, with support staff, is recommended.

9.19

A Schools Staffing Group is recommended. In order to maintain horizontal equity, i.e. equal share of resources for units with equal need, base staffing ratios for all types of schools should continue to be applied. A consequence of the equity principle is the need to retain central appointment processes in order to achieve the required even distribution in terms of teacher quantity and quality irrespective of geographic area or the socio-economic levels of school communities. Apart from temporary staffing, the Group will determine individual school establishments/formula entitlement, and prepare submissions relating to the permanent staffing structure in schools (Numbers Case).

In the field of special needs staffing, the Group will collate overall numbers from regional submissions based on the policy guidelines developed, but regional directors will be responsible for actual allocation of special needs teachers. In liaison with the Classification and Assessment Group, (see below) the Group will determine and advertise permanent vacancies taking into account preferred staffing requests of regions and schools.

The Schools Staffing Group should comprise, at the senior management level, three officers, each with expertise in the requirements for temporary staffing of either primary, secondary or technical schools. Substantial support staff would be essential.

Arguments advanced for the equitable distribution of temporary teachers are equally valid when the permanent service is considered. Accordingly, it is recommended that the appointment, promotion and transfer of permanent members of the teaching service continue to be a central function, and that the function become the responsibility of a new Group entitled Classification and Assessment Group. This Group, at the management level, will be similarly constituted to the staffing Unit. An Appointments Committee, with ultimate responsibility to the Director-General representation will be developed within the Classification and Assessments Group, and will replace the present committees of classifiers. The new Appointments Committee will exercise the functions currently performed by the various committees of classifiers including the maintenance of permanent employment registers, classified rolls, and other records deemed necessary. However in the area of professional appointments the Director-General will determine the composition of selection panels.

The Group will assist with the development of policy related to teacher assessment, and will provide guidelines to those school councils wishing to be involved in the selection of principal and vice principal. It will also provide short lists of applicants for Principal Class positions to school councils. Present appeal rights will be safeguarded.

Substantial support staff will be required to service each of the three Units in the Staffing sub-function.

9.6.4 Industrial Relations

We recommend the elevation of the current Industrial Relations Section within the Personnel Division, to a separate Group with specific responsibilities in the industrial relations field.

The Department will be the employer of some 60,000 personnel whose salary and terms and conditions of employment are currently determined in a number of industrial jurisdictions. The Group will face problems of a complex nature in a variety of industrial arenas. There is therefore a need for experienced and competent officers to investigate claims, settle disputes, handle direct negotiations, appear as advocates, and instruct counsel.

The Group will maintain appropriate records, including records of negotiations and agreements, disseminate information on industrial matters, and liaise with the Department of Industrial Relations Co-ordination (Public Employing Authorities). The minimum requirement will be for one senior industrial relations expert, with expert support from a number of competent industrial relations practitioners.

9.6.5 Personnel administration and services

This sub-function has two component groupings, namely, an Administration and Services Group and a Welfare and Discipline Group.

The Administration and Services Group will be responsible for the selection and deployment of administrative and clerical support to other sub-functions of the personnel function, and to the Department as a whole.

It will undertake the support functions of the current Teacher Education, Primary, Secondary and Technical Division as appropriate, and will be responsible for administration of the present Leave Branch. It will assume responsibility for safety, which is currently the responsibility of Building Operations Division. Officers within the Group will continue to assist with the development of computerised manpower transaction systems, and the maintenance of Personnel Practice Manuals. Other routine tasks will include processing of correspondence, including Ombudsman and Ministerial letters relating to personnel, regular contact with the Accountant on salaries and allowance matters, acts and regulations interpretation, determining applications to undertake outside employment, and initial processing of applications for professional officer positions.

The Group will be a focal point of contact with the Public Service Board on matters relating to Public Service Staff, and will prepare submissions on staff numbers and structure and classification matters as directed by the Executive Director (Personnel and Resources). Irrespective of how the organisation employment question is resolved it is clear that this role will be a major one for the Group, as the Public Service Board has indicated that it would delegate structure and classification to the Department. The Group will be the focal point of contact for school councils in relation to clerical and ancillary staff, and cleaning staff, employed in schools (other than where the matter is of an industrial nature.)

The Welfare and Discipline Group will co-ordinate legal aspects of teacher welfare and discipline, and pupil litigation. The Group will be the central point of contact with the Government Medical Officer and the State Superannuation Board. The senior officer in the Group will liaise with "staffing officers" and regional staff as appropriate in determination of special or compassionate leave applications and will exercise general oversight of the centrally based Teachers Welfare Liaison Officers and the present Teacher Housing Officer. With the legal officers and as appropriate, the Group will provide evidence in disciplinary cases before the Tribunal (Disciplinary Board), or other appropriate body.

A senior officer will be required to head each of the above Groups. Support staff required in Administration and Services Group will be extensive.

10. THE FACILITIES FUNCTION

10.1 INTRODUCTION

The White Paper on Strategies and Structures for Education in Victorian Government Schools is a statement of Government policy with regard to new administrative arrangements necessary to achieve already established aims and objectives for education, including the development and maintenance of physical learning environments that enable schools to pursue programs of quality in education.

The term 'educational facilities' is taken to include all the components of the physical learning environment, i.e. buildings, grounds, furniture and equipment. It is considered a more comprehensive term than the narrower concept of 'buildings' which is used currently.

10.2 ISSUES AND PROBLEMS ARISING FROM THE INTERVIEW PROGRAM

Many issues and problems arose from the interview program and were identified from the data collection stage. The more significant of these are as follows:

- A clear need was expressed for the definition of a facilities policy formulation process which allows for the participation of legitimate interest groups. An inherent requirement was the communication of those policies to all levels of the organisation and the involvement of central, regional and school level personnel.
- The Education Department must be seen as the real and effective client, and the Public Works Department as a service/consultant provider for the full range of facilities provision. The formal relationships with the Public Works Department should be recast accordingly.
- The Education Department client for a facilities project, whether located at central, regional or school level, must be readily and unambiguously identified.
- The provision of adequate, clearly understood and practised control and management mechanisms are required for each phase of the facilities process: at the facilities planning stage; at the program planning and budget control stage; at the operations stage.
- A clear identification of the roles and responsibilities at each level of the facilities function was regarded as being most essential, so that there would exist an identification and awareness of those roles and responsibilities which should be incorporated in all personnel duty statements.

- The adequate provision of personnel who have the necessary skills, expertise and experience at all levels of the facilities function was regarded as being important.
- The continuing input of education and curriculum expertise into the planning of facilities provision, including the development of standards was regarded as being essential.
- Ongoing evaluation of facilities provision, particularly by user groups, was regarded as being essential to ensure that educational facilities are designed and constructed to meet user needs.

In addition to the above issues and problems which were identified from the interview program, there are further administrative matters which have a major influence on the efficient and effective operations in all facilities areas, viz:

- The extent to which funds in the Works and Services account are allocated between the Education Department and the Public Works Department.
- The absence of an adequate structure to offer advice and recommendations to those making decisions on a wide range of facilities matters e.g. Standards.
- The absence of a statement of policies and procedures consistent with the directions of the White Paper.

10.3 ORGANISATIONAL AND MANAGEMENT CRITERIA

The White Paper requires that decision making functions be transferred away from the central office to regions and schools wherever possible. Organisation and management criteria consistent with this thrust include:

- A statement and definition of the functions to be performed e.g. facilities planning, program and budget, operations.
- The identification of different levels within the organisation to perform the various functions e.g. Executive Director (Personnel and Resources), regional director, school principal.
- The allocation of specific stages of administration of the functions to appropriate levels within the organisation. e.g. policy approval, operational decision making.

The application of these management and organisational criteria allows for the development of structural proposals which will ensure that:

- There is development and implementation of corporate goals.
- Rational policy analysis and development is encouraged.
- There is evaluation and review of all policies, procedures, processes and outcomes in facilities provision.
- The two way channels of communication are open and clear at all levels of the organisation.
- The levels and places of decision making are clear, unambiguous and identifiable.
- The line of accountability is clear at each level of the operation.
- A speedy response to enquiries from all levels of the Department is provided.
- Co-ordination within all functions is undertaken.
- There is specific responsibility to resolve conflict between competing needs and the availability of resources, ie. priority setting.
- The span of control at each level of responsibility is practicable.

10.4 PROPOSED DEPARTMENTAL MODUS OPERANDI

A key task in the re-organisation process has been to determine the way in which the Education Department facilities function should operate, so that the decentralisation, accountability, efficiency and control requirements of the White Paper can best be satisfied.

Inherent in meeting the requirements listed above is the assumption that all activities within the facilities function should be undertaken within clear centrally developed systems wide policies and guidelines, and all regions and schools should operate within those policies and guidelines, to ensure a coherent and co-ordinated approach within the function.

To ensure this, discussions were held with officers of the Public Works Department and Treasury during which the following topics were explored:

- Whether facilities maintenance should be a charge against recurrent or capital funds.

- The possibility of funds for facilities maintenance being allocated as a direct grant to the school or region.
- The development of the 'client' role of the Education Department.
- Investigation of a 'fee for service' basis for the provision of services external to the Education Department.
- The split of Works and Services funds between the Education and Public Works Departments.

The purpose of these discussions was not to negotiate an arrangement, but rather to:

- Canvass a wide range of points of view.
- Identify legislative or other constraints.
- Develop practical recommendations for this report.

The presentation of the following proposals does not in any way imply that these other Departments are in agreement with the views expressed in this report.

10.4.2 Facilities Maintenance

We propose that the cost of maintenance of facilities be a charge against recurrent funds, and be allocated directly to the regions. The actual amount for each region would depend upon the application of a general formula which addresses the maintenance needs of all schools in an equitable fashion.

The subsequent allocation of facilities maintenance funds from the regional office to each school in the region will depend upon:

- The extent of devolution of responsibility and accountability to school councils which is finally determined.
- The willingness of the school council to be responsible for the ongoing maintenance of its buildings and grounds.

Details of this proposal are contained in Appendix 8.

10.4.3 The Education Department Client Role

We propose that:

- The Education Department becomes a more effective client for facilities projects.
- All facilities services external to the Education Department are provided on a fee-for-service basis.

A key issue with respect to the effective client role relates to the contractual identification of the true client. Currently the contractual client for facilities projects is:

- The Education Department for land purchase.
- The respective school council for school council contracts.
- The Public Works Department for all other construction contracts.

We propose that the contractual client for all non-school council construction contracts is the Education Department, specifically the regional director, and that management of these projects is undertaken at the regional level. We consider that legislative change to the Public Lands and Works Act will be required unless the Department were to become a statutory authority.

The proposed client role for the Education Department will be able to support any division of Education works between school councils, the Public Works Department and other agencies.

Details of this proposal are contained in Appendix 9.

10.5 THE STRUCTURE IN CONCEPT

The Facilities Function in the Education Department has moved towards the decentralisation of activities and decision making over a number of years since the division of the State into eleven regions was introduced in 1974.

The existing levels of activity and decision making

Existing administrative arrangements give the regions the following responsibilities:

- Regions, through the Regional Priority Review Committee, set out the priorities for both their Major and Minor Works Programs.

- The regional director has delegated power to authorise expenditure to \$10,000, and it has been proposed that this be increased to \$20,000.
- The regions are closely involved in forward land use planning and approval of site purchase, and are directly responsible for site extensions within the Region.
- The regions, through their Building Liaison Officers and the Public Works Department Inspectors of Works, monitor the progress of the established Works Program and of individual projects.

Schools have the following existing responsibilities:

- Furniture credits are made available directly to schools, and furniture orders for PWD furniture are at the discretion of the school but forwarded through Buildings Operations Division. Schools can, if they wish, use their credits outside of the PWD area.
- There is a notional component of the recurrent direct grant which is allocated to buildings and grounds maintenance.
- School councils can undertake both major and minor works projects with funds made available by either the central office or regional office.

The overall direction is to reduce the role of the central office in operational matters where possible, and to transfer major operational activities to the region, while retaining at central office the major emphasis in system-wide planning, policy guidelines, overall co-ordination, and standards.

The proposed structure envisages further decentralisation of Operational Decision Making as shown in the decision matrices in Appendix 6. Changes are proposed in the following categories of activity.

10.5.1 Management of Construction Projects

We propose that there will be two categories of construction project:

- Regional projects.
- School council projects.

Regional projects will remain essentially as at present, except that the regional director will become the contractual client with management of each project undertaken at the regional level.

School council projects will continue as at present, with the school council accepting full responsibility for the construction phase of the project. However, for support and advice on school council projects, the school would relate directly to the regional office.

There will be additionally, projects or programs which the Minister would wish to be developed to documentation stage under central control. In these cases, central office would set the budget, define the brief and allocate priorities, but for the construction phase the regional office will supervise the project and carry the project through to the handover.

The major thrust in the facilities project area is that all projects in the construction phase will be a regional responsibility, either directly, or indirectly in the case of the school council projects.

10.5.2 School Maintenance

School maintenance proposals represent a major movement from the existing situation.

Firstly, we propose that funds for the maintenance of facilities, presently incorporated in the Works and Services Account, become an item in the Recurrent Account.

Secondly, we propose that maintenance funds be allocated to schools at the discretion of the regional director. The schools themselves will be responsible for arranging for the carrying out of all activities needed to maintain the building fabric and general grounds maintenance using the allocated funds. At the present time it is only the most minor maintenance activities which are carried out by the school using direct grant funds while all larger maintenance projects are incorporated in minor and major works programs undertaken by the PWD, or school council contracts.

If particular schools do not wish to accept this additional responsibility for ongoing maintenance, it can be arranged through the regional office.

10.5.3 Purchase and Movement of Relocatable Buildings

The purchase of individual relocatable buildings and their initial movement to site is seen to be a joint responsibility of central and regional Office, with the region setting the priorities and defining their requirements for new relocatable stock. For administrative simplicity and for benefits of economies of scale, central office would continue to place the total order.

In the longer term, regions may order directly from the manufacturer if no major benefits are seen to result from central co-ordination.

The movement of existing relocatable buildings to new locations would be the total responsibility of the regional office, rather than the Properties and Services Group of Buildings Operations Division as at present.

10.5.4 Furniture and Equipment

We propose that funding of furniture and equipment replacement and repair will be incorporated within the general maintenance activity as explained above. This will result in the establishment of a single maintenance account for schools, covering all items related to the maintenance of the fabric of the building, grounds maintenance and replacement items of furniture and equipment. Furniture or equipment purchase for schools will not be handled at central level.

Single items of equipment which cost above a threshold limit would be incorporated in the Minor Works Program, and be a responsibility of the regional office. (See Appendix 10).

10.5.5 Waste Disposal

At the present time the organisation of contracts for the collection of waste from schools is handled centrally. We propose that these contracts be handled by the regional office where practicable, but where a contract is across regions the contract would be handled by the central office in conjunction with the regions.

10.6 PROPOSED STRUCTURE AND FUNCTIONS

The present facilities activities at central office are spread across a number of divisions, but in the proposed structure most of the present activities are grouped within the new Facilities Branch. This is shown in Figure 15.

Within the proposed Facilities Branch these activities have been grouped as follows:

- Facilities Planning.
- Program and Budget.
- Facilities Operations.

Activities in each of these groupings are carried out at central, regional and school levels. The activities proposed at each level are detailed in Appendix 11.

We propose that the administration of these functional groups within the Facilities Branch be undertaken by two sections under the Branch Director.

- Facilities Planning Section will administer the Facilities Planning central functions.
- Program, Budget and Operations Section will administer the Program and the Operations central functions.

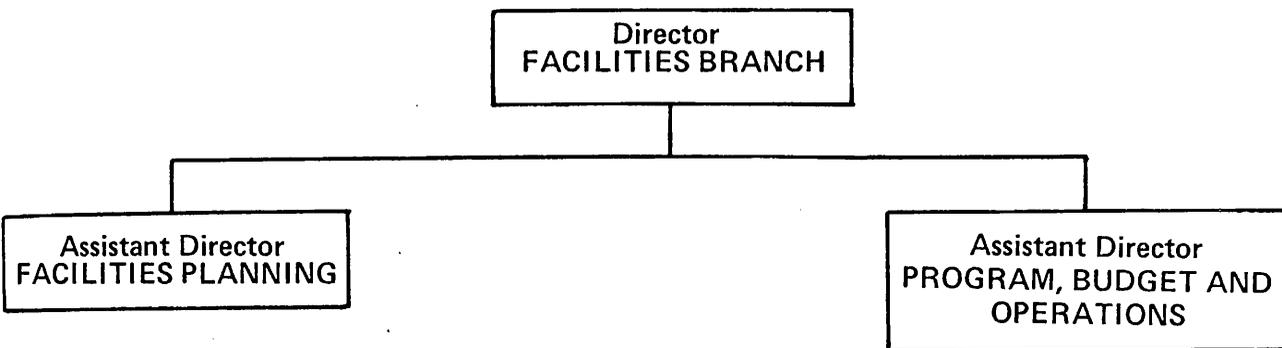
Within the regional office the administrative structure for the facilities function will be at the discretion of the regional director. Job description for key positions are given in Appendix 5.

10.7 COMMITTEES AND COUNCILS

We propose that a number of committees be incorporated within the structure of the facilities function to enable:

- Informed advice to be offered to decision makers within the facilities function.
- The broad participation by parents, community members, service organisations, principals and teachers in the process of policy formation within the facilities function.

FIGURE 15: FACILITIES BRANCH CONCEPTUAL STRUCTURE



- Facilities location and strategy planning
- Site planning
- Co-ordination of policy guidelines and advice for land use and forward planning
- Development of appropriate system wide standards and specifications for educational facilities
- Research into all aspects of educational facilities
- Development of appropriate cost standards and practices for educational facilities
- Development of guidelines and procedures for the evaluation of educational facilities
- Provision of planning advice and assistance to regions when requested.

- Monitor the State Works and Services program and budget.
- Management of the distribution of facilities funds to regions
- Liaison with P.W.D. and Treasury on State budget and total program commitment control
- Provision of advice and assistance to regions in project management when requested
- General policy and guideline development for statewide facilities operational procedures
- Organisation and control of security in Education Department facilities
- The reservation, purchase, transfer and disposal of land as directed
- Arrangement of the leasing of properties

- The establishment of linkages among persons working in different specialist areas at central, regional and school level who can offer input to the facilities function from a range of perspectives needed to ensure that facilities policies and practices meet the client needs.

At present there are four major committees as follows:

1. Building Council

The Building Council is a group formed with a membership predominantly internal to the Education Department and with the aim of providing policy advice to the Minister of Educational Services and the Assistant Director General (Building).

Member	Number of Representatives	Voting or Non-voting
A.D.G. (Building)	1	Voting
Regional Directors of Education	11	Voting
Service Agencies		
- Education Divisions	4	Non-Voting
- Planning Services	1	Non-Voting
- Building Operations	1	Non-Voting
- P.W.D.	1	Non-Voting
- Secretary	Personal Assistant to the A.D.G. (Building)	

2. Advisory Committee to the Building Council

This committee comprises representatives of teacher organisations, teaching divisions, principal and school community organisations with demonstrated interests in the building program. The committee is chaired by the ADG (Building) to formulate advice to the Building Council and consider detailed policy recommendations in some cases prior to their consideration by the Building Council.

10.12

3. Facilities Executive Group (FEG)

This group was established in September, 1980 to "accept responsibility for all aspects of the management of the building function". The FEG was formed to take over the roles of both the Standards and Sites Committees and to provide an executive forum for decisions in the building function.

Membership was originally to be four voting members -

- ADG (Building) - Chairman.
- Director of Planning Services.
- Director of Building Operations.
- Regional Director.

Each of the voting members would have a non-voting service member to provide support.

4. Regional Priority Review Committees (PRC)

At the regional level the PRC is given responsibility for recommending the relevant priorities for maintenance, minor works, regional grants and major works.

Membership of these committees reflects as closely as possible the nature and composition of the school community in its membership. The PRC is chaired by the regional director.

We consider that the role of the Facilities Executive Group and previously the Sites Committee, in approving site reservations and site purchases and disposals should now be organised as an internal administrative function directly under the control of the Executive Director (Personnel and Resources) and the Director of Facilities.

We therefore propose four committees as follows:

1. Facilities Council

We propose that a Facilities Council replace the existing Building Council. The role of the Council will be to advise the Deputy Director-General and the Director-General with respect to:

- General facilities policies.
- Facilities standards.

- Allocation of priorities in the formulation and budget.
- The operation of regional facilities committees.

We propose that the Facilities Council should have the following members:

- Executive Director (Personnel and Resources) - Chairman.
- Executive Director (Educational Programs) or nominee.
- Regional directors or nominees.
- Director of Facilities.
- Service members as required including a nominee from the PWD.

The Facilities Council should meet at least three times per year.

2. Advisory Committee to the Facilities Council

We propose that this committee be chaired by the Executive Director (Personnel and Resources) and meet at least three times per year.

The committee should be appointed by the Minister and comprise persons drawn from parent, school council, teachers', principals' organisations and wider school community groups. Contained within the membership should be representatives of the regional offices, the Facilities Branch and the Educational Programs office. The role of the Advisory Committee will be to advise Facilities Council with respect to:

- General facilities matters initiated within the Committee.
- Facilities matters which have been referred to the Committee for consideration.

10.14

3. Facilities Standards Committee

A Facilities Standards Committee should be re-established to undertake one of the roles of the present Facilities Executive Group in advising the Facilities Council on appropriate facilities standards. The Facilities Standards Committee may establish sub-committees to investigate matters concerned with Buildings, Sites, Furniture and Equipment Standards if required by the Director of Facilities.

We propose that Standards Committee should have the following membership:

- Director of Facilities (Chairman).
- Director of Curriculum Programs.
- Three representatives from the Curriculum Planning Branch.
- Two nominees from the Regional Directors.
- Two nominees from the Facilities Branch.

The Standards Committee should meet when required.

4. Regional Facilities Committee

At the regional level we propose that a Regional Facilities Committee be established. The Regional Facilities Committee would be a sub-committee of the Regional Education Council, and offer advice and make recommendations on facilities matters to the Regional Director, specifically:

- Allocation of priorities in the Regional Works and Services program and budget.
- Allocation of maintenance funds to schools in the Region.

The Regional Facilities Committee, chaired by the Assistant Regional Director (Resources), will have a membership of both educational and lay members. The functions of the existing Regional Priority Review Committees will be subsumed in the proposed regional facilities committees.

11. FINANCE AND ADMINISTRATION

11.1 INTRODUCTION

Finance is a major resource of the Education Department. Thus the thrust towards decentralisation calls for the transfer of decision-making on a number of financial matters away from the centre.

In this chapter we set out the financial and administrative issues identified both in the White Paper and in the data gathered, and develop a structure to resolve them.

11.2 ISSUES IDENTIFIED

1. Major themes or thrusts of the White Paper

There are three major thrusts or themes in the White Paper which have a direct bearing on the proposed structure for the finance and administration function of the Department:

- First, is the requirement that power and responsibility be decentralised where appropriate to regions and schools.
- Second, is the concern for economy and efficiency in management of funds and resources.
- Third is the need to provide for more effective co-ordination of functions and policies at all levels in the Department.

The first of these themes, i.e the transfer of power and responsibility to regions and schools is taken to be the main thrust of the whole regionalisation and reorganisation project.

2. Schools in Victoria have considerable financial autonomy and this needs to be preserved in the new structure

While the regions have had, relative to the centre, only a small role in the funds allocation and accounts payable functions, the same has not been true for individual schools in Victoria. Compared with schools in other State systems, government schools in Victoria have exercised a considerable measure of financial autonomy.

This has been a development over the last decade in the case of primary and secondary high schools. The secondary technical schools have enjoyed considerably more financial degrees of freedom for many years. School-level financial autonomy is to be further encouraged and the new regional structures will have to assist, facilitate, and not frustrate such developments.

Decisions about the degree and specific coverage of financial autonomy to be given to schools have until now been made by the teaching divisions. The Technical Schools Division provides each secondary technical school with a maintenance grant to cover the costs of virtually all of the schools' operating expenses including the cost of employing ancillary staff. Schools submit their own budgets and the specific financial needs of each school are considered individually in the centre.

Primary and secondary high schools receive direct grants to cover expenses such as school administration, postage, telephone, and electricity. Such grants are allocated between schools by the Divisions on a formula basis. These formulae have attempted to allow for locality-related differences in the operating costs of schools. No attempt has been made to formally take into account differing educational and curriculum needs of schools. However, the Directors of Primary and Secondary Education have small discretionary reserve allocations to disperse to schools with acknowledged special needs.

The White Paper explicitly acknowledges that a diversity of needs exists both within and between schools and local communities (para 3.7). Not only do school and community needs exhibit variation, but so too do the potential and actual resources available to schools for the educational enrichment of their children. The combination of these two factors means that differential allocation of financial resources to regions and schools is necessary if equity in the dispensing of resources is to be achieved. Statewide policy guidelines with respect to pupil resource equity will need to be developed in the centre.

3. The centre should develop broad policy guidelines, but the regions should be responsible for specific individual school allocations of resources

In the future regions will be responsible for inter-school allocation of grant monies. The inter-regional allocation of funds to be distributed to schools will be determined in the centre in accordance with a statewide equity framework.

For consideration at the regional office, all schools will be encouraged to prepare annual budget submissions outlining their financial requirements. This move was proposed in the White Paper (para. 6.3) and was widely supported in the data collection phase of this project.

The claims of all schools within each region for a share of a limited basket of funds will have to be assessed one against the other.

This will mean that the financial resource needs of primary, special, secondary, and secondary technical schools, will be examined together. The centre will develop broad policy guidelines, but the regional directors will be responsible for the specific individual school allocations.

4. Divisional and regional directors should assume line responsibility for their own finances with the Finance section having functional responsibility throughout the Department

Concern was expressed in the data collection phase about the proper roles of the existing Finance Office as against the operating divisions and the regions. If managerial accountability and responsibility in the Department is to be improved in the new structure, the respective finance roles of regional directors and the finance area need clear and deliberate differentiation.

Regional directors should assume line responsibility for their own finance activities within statewide policy guidelines and budget constraints determined by Treasury. The Finance and Administration Branch should assume functional responsibility for the finance operation in the total Department - the maintenance of proper standards and procedures. Decisions about the allocation of resources and the management of financial resources will be the domain of the various directors. To enable branch and regional directors to effectively exercise their line responsibilities, a fully integrated management information system will have to be designed and maintained. Only some very small elements of such a system are currently in place within the Department. In addition procedures manuals relating to finance and accounting will have to be written and regularly updated and maintained.

5. Program budgeting concepts need to be developed to provide for a more efficient allocation of resources

The decade of the 1980's is unlikely to show the same expansion of resources as that which occurred in the 1960's and 1970's. Indeed, decline rather than expansion is more likely to be the order of the day.

Increased attention will have to be given to the financial management of declining resources. The Department will need to give more attention to the efficient utilisation and allocation of resources rather than the quantum of resources per se.

While the Government has as yet given no commitment to program budgeting within the public sector, nevertheless the introduction of this form of budgeting is now well advanced in some other States, notably South Australia, and does have some support within Treasury and the Public Service Board. The limitations of traditional line item budgeting have been clearly highlighted in the recent activities of the Government Economies Committee. A move toward program budgeting in conjunction with forward triennial budgeting as outlined in the White Paper (para 6.29) will enable the Department to tag resources more precisely to the achievement of clearly defined program objectives.

6. The accounting function has until now been highly centralised and a decentralisation of a major part of it is now due

Until now, the finance operation of the Department has been highly centralised. The regional offices have been given very small budgets for their own operating expenses and they have paid directly a small number of local expenses through a modest advance account. However, the accounting function as such is virtually non-existent in the regional offices. Most non-school accounts are passed and paid centrally in the Accounts Branch of Head Office. The Department's manual accounting system can only be described as antiquated. Plans to computerise are a long way behind schedule. Delays in receipt of payment for services provided to the Department are often long and variable. One reason for this is that too many links in the chain exist in the payment process.

The hardware is in urgent need of a major qualitative upgrade. At the same time, a more responsive and effective service can only be provided if a considerable part of the accounts payable function is decentralised to the regions. With operational decision-making in funds allocation being transferred from the centre to the regions, improvements in financial management and control can be expected if regions are also made responsible for the payments process for services provided within the region. The proposed organisational changes in the execution of the accounting function are outlined later in this section of the report.

7. There is a need for re-organisation of administrative practices and management techniques

The White Paper (para 6.27) mentioned concern from previous submissions about delays in decision-making and in dealing with correspondence within the present administrative structure.

In addition, the need for a thorough re-organisation of current administrative practices and management arrangements was called for. These concerns and needs were identified over and over again in the interviews and data collection phase.

The new Administration area will need to be based on, and adopt in a comprehensive fashion the most advanced management practices and procedures. This will require a significant upgrade in the qualifications and breadth of experience of a number of the Department's senior administrative personnel.

8. Duplication and overlapping of functions is widespread

The organisational structure of the Department has grown in a piecemeal fashion over many years. Very little thought seems to have been given to ensuring that the delivery of administrative services has been properly co-ordinated and provided in an efficient and economical fashion. This problem is particularly severe in the whole area of provision of information, printing and publications. Many of the problems resulting from lack of co-ordination of provision of these services were highlighted in the recent inquiry into printing services commissioned by the Minister. The proposed new structure will bring all of the existing organisational inputs into the provision of information services under the one over-arching umbrella.

This will result in a major improvement in the achievement of economy and efficiency in management. Careful consideration to appropriate organisational placement will be given in other areas where duplication and overlap have been identified.

9. The administrative structure and administrative systems have not kept abreast with changes in the growth and structure of the Department and changes in office technology

In addition to experiencing significant change in its organisational structure over the last few years, the Department has also passed through a period of major growth in teacher and student numbers. The last few years has also been a period in which technological change in the provision of office services in the wider community has been widespread.

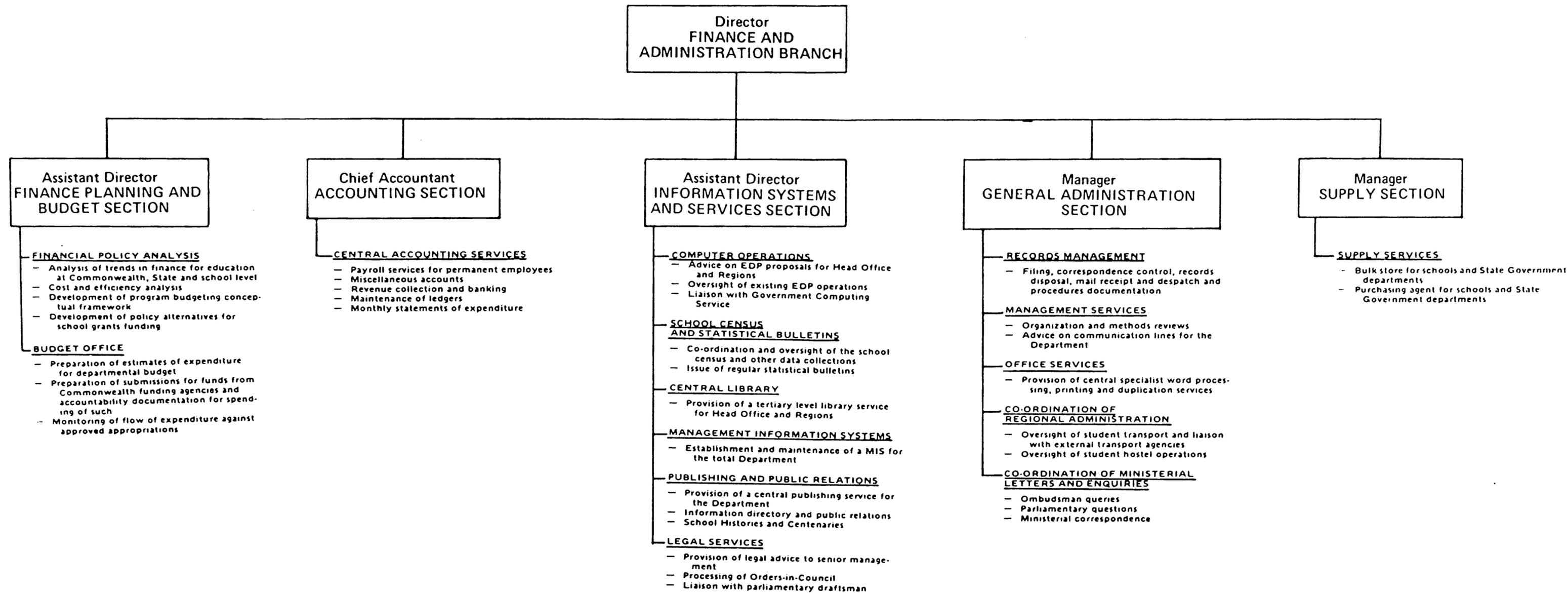
It was most apparent from the data collected in the interviews that the administrative structure of the Department has not sufficiently adapted to these changes. With the proposed new major thrusts towards regionalisation, it is imperative that office technology particularly that related to communications and information be upgraded. Statewide policies and procedures and delegations will have to be written and spelled out and maintained and communicated to all regions.

11.3 THE PROPOSED FINANCE AND ADMINISTRATION BRANCH

11.3.1 General

With the establishment of the new position of Executive Director (Personnel and Resources) it will be necessary to establish a separate Branch responsible for the total finance and administration functions. The Director of Finance and Administration will co-ordinate the two specialist functions of finance and administration. The Finance Section of the Branch will assume functional responsibility for finance throughout the Department. In addition there will be an increased need to strengthen the analytical and forward planning capacity of the central finance office, consistent with the main thrust of the White Paper in developing policies and procedures at the centre. The functions currently performed by the Finance Planning Unit of Planning Services will be incorporated and augmented in the new Finance Section. In particular there is an important need to build up the Department's analytical capacity given the need to develop a program planning and budgeting framework. Job descriptions are included in Appendix 5. Figure 16 shows the proposed structure.

FIGURE 16: FINANCE AND ADMINISTRATION BRANCH CONCEPTUAL STRUCTURE



11.3.2 The finance function of the Branch will be undertaken in three sections:

- a Financial Policy Analysis and Investigations Unit
- a Budget Office
- an Accounts Office

The Officer-in-charge of the Accounting Section (the Chief Accountant) will report directly to the Director of Finance and Administration. An Assistant Director (Finance) will assume responsibility for forward financial planning and budgeting.

The functions of each of these sections are listed as follows:-

1. Financial policy analysis and investigations group
 - . Initiation and commissioning of research and investigations in the areas of government finance for education, school finance, cost and efficiency analysis, program budgeting systems and patterns of resource allocation within the Department.
 - . Analysis of trends in finance for education at Commonwealth, State and school level.
 - . Development of position papers and proposals on alternative methods of providing grants for schools.
 - . Monitoring of the quantitative and qualitative effects of school financing on school operations.
 - . Commenting on and reacting to reports and papers issued by funding agencies.
 - . Preparation and co-ordination of briefing papers and materials for meetings of Executive Directors and the Director-General with the Commonwealth Schools Commission, and the Australian Education Council.

2. Budget Office

- . Preparation of estimates of expenditure for Departmental budget.
- . Preparation of requests for funds under the Treasurer's advance.
- . Preparation of submissions for funds from Commonwealth funding agencies and accountability documentation for spending of such funds in accordance with relevant acts and statutes.
- . Liaison with the TAFE Board in regard to the preparation of the TAFE budget and the funding of TAFE programs within the Department.
- . Monitoring of flow of expenditure against approved appropriations.

3. Accounting Section

- . Payment of salaries and allowances to permanent and temporary teachers, professional officers and appointees, public servants, and ancillary staff in schools.
- . Payment of allowance to students-in-training and teaching scholarships holders.
- . Accounting to organisations for deductions from pay.
- . Payment of accounts for goods and services provided in central office.
- . Maintenance of Departmental general ledger and associated accounting records.
- . Collection of revenue and other public and trust monies.
- . Issuance of advice to schools on proper accounting practices.
- . Preparation of monthly statements of expenditure and financial statistics.

11.3.3 The Administration Function.

The Administration Sections of the Finance and Administration Branch will have a much broader portfolio of functions than the existing Administrative Services Division. These Sections will need a high level of administrative and managerial expertise in its leadership. Central to the concept of these sections is the incorporation of a Information Services Group. This Section will pick up functions currently performed by:

- Part of the Publications and Information Branch of Special Services Division.
- The Education Department Library.
- The School History and Centenaries group.
- Part of the Statistics Operations Research Unit of Planning Services.
- The Computer Operations Branch of Administrative Services Division.

This Section will also incorporate a number of functions which until now have only been done on an ad hoc basis, and/or not as part of the establishment of any division:

- Public relations.
- Development and maintenance of the Management Informations Systems.
- Upgrade and maintenance of communications links.
- Archiving.

The administration sections of the branch will be structured in two broad groups:

<u>Information Services</u>	<u>General Administration</u>
-----------------------------	-------------------------------

- | | |
|---|--|
| <ul style="list-style-type: none"> - EDP systems - Central Library - Publishing and Public Relations | <ul style="list-style-type: none"> - Office Services - Co-ordination of regional administration. - Records management |
|---|--|

- Histories & Centenaries
- School Census
- Statistical bulletins
- Legal services
- Management Information Systems (MIS)
- Management Services
- Co-ordination of replies to letters to Ministers, Ombudsman queries, and parliamentary questions.
- Stores

The detailed organisational groupings of these two broad areas cannot be established at this stage, however the range of functions are described in general terms as follows:

1. Information Services

- EDP Systems

- . Advice on EDP proposals for Head Office and Regions including integration into existing networks.
- . Oversight of existing EDP operations and processing and advice and assist user branches.
- . Liaison with the Government Computing Service.

- Central Library

- . Provision of a tertiary level library service for Head Office and Regional administrators.

- Publishing and Public Relations

- . Provision of a central publishing function for the Department and maintain links with other publishing staff in the Curriculum Support Branch.
- . Provision of a central public relations service for the Department, provide advice on media relations and coordinate itineraries of visitors to Department.
- . Provision of a central information directory for the Department.

- Histories and Centenaries

- . Provision on advisory service on historical matters as it affects the Department and its schools.

- School Census

- . Coordination and oversight the school census and other data collections from within the Department.

- Statistical Bulletins

- . Provision of statistical analyses of material held in the Department by way of regular statistical bulletins.
- . Replies to ad hoc requests for data held and maintained in the Department.

- Management Information System

- . Establishment and maintenance of a Management Information System for the whole department to provide effective and timely information to support operational and policy decisions at all levels.

- Legal Services

- . Provision of advice to senior management and represent the Department as required.
- . Processing of Orders-in-Council and liaison with parliamentary draftsman.

2. General Administration

- Office Services.

- . Provision of central office specialist services including:

typing and word processing facilities.

courier services.

printing and duplication services.

control of the issue of directives.

central stationary stacks.

insurance matters.

- . Oversight and maintenance of motor vehicles fleet records, staff travel arrangements.
- . Maintenance of the departmental Delegations Manual.
- Coordination of Regional Administration
 - . Oversight of the operation of departmental hostels.
 - . Oversight of pupil transport matters including liaison with the Transport Regulation Board and Bus Proprietors Association.
- Records Management
 - . Provision of an effective records management service throughout the Department including filing, correspondence control, records disposal, mail receipt and despatch and procedures documentation.
- Management Services
 - . Conduct of organisation and methods reviews, and recommendation of changes to improve economy and efficiency in management.
 - . Coordination and advice on communication links for the Department covering data processing, voice, paper, and electronic transmissions.
- Coordination of Ministerial letters
 - . Ministerial requests and replies to correspondence.
 - . Ombudsman queries.
 - . Answers to parliamentary questions.
- Stores
 - . Provision of a stores service to schools and other government agencies with access to Tender Board contracts.

11.14

Within the administration sections of the Branch, there will be three section heads - an Assistant Director (Information Systems and Services), a Manager (General Administration) and a Manager (Supply).

11.3.4 The Audit Function

With the passing of the Education (School Councils) Act in 1975 it became a statutory requirement that school accounts be audited annually. Until now only sufficient positions within Internal Audit have been cleared by Treasury to enable post-primary school accounts to be audited. Primary schools have to arrange their own auditor. The accounts of many primary schools still remain to be audited and this has been highlighted in recent reports of the Auditor-General.

The Internal Audit group needs to be expanded to enable development of three separate components of the audit-function:

- i) The audit of primary school accounts in addition to those of post-primary schools.
- ii) the financial audit of non-school accounts in the region and the centre.
- iii) efficiency audits of any organisational entity within the Department.

With a devolved decision-making and a more decentralised administrative structure the need for internal controls and checks and balances will be paramount. An Audit and Review Unit should be established. A central task of this unit will be to assess the adequacy of financial and other operating controls and to promote wherever possible within the Department, effective controls at reasonable cost.

The White Paper (para. 6.37) commits the Department to establishing proper accountability between the school, the region, the Department and the Parliament. For this to occur regular efficiency reviews of administrative procedures and organisational units will be necessary. The Audit and Review will need to take on this broader efficiency audit role. To allow the Audit Unit to discharge its responsibilities effectively and independently it will be necessary for the Manager of the Audit and Review Unit to report directly to the Director-General.

11.4 THE CHANGES PROPOSED

1. In the new structure decision-making and responsibility with respect to the allocation and distribution of resources will need to be clearly defined. A new structure for the Departmental budget will have to be drawn up and negotiated with Treasury. The format of the budget should clearly resemble the new organisational structure. Ideally, the budget should identify the separate respective costs of central administration and services, regional administrations and services, and school operations. Preliminary discussions have been held with Treasury over the new budget structure.
2. The White Paper gives the Deputy Director-General general supervision over the distribution of all resources amongst schools (para 5.30). Such a role received strong support in the data collection phase, and is a fundamental organisational principle around which the new structure has been formulated. In the structure allocative decisions will be made within the operations line. Specifically:
 - The Deputy Director-General will be responsible for decisions about the distribution of resources between regions and the development of general policy guidelines concerning resource distribution and allocation throughout the Department.
 - The regional directors will allocate grant monies amongst all schools within their region subject to guidelines developed in the centre. This power is thus to be transferred from the Directors of the existing teaching divisions to the regional directors.
3. With responsibility for the allocation of funds to schools and teachers to be made in the regions as compared with the teaching divisions at present, the power to commit funds and the management of funds once committed will be transferred to the regions. Figures 17 and 18 show the present and proposed flows of recurrent funds.

With the proposed decentralisation of part of the accounts payable function to the regions, power and responsibility as to when payment of regional accounts is to take place will be transferred from the present central Accounts office to the regional director. The Chief Accountant will continue to have a system wide functional responsibility over the accounts receivable and accounts payable functions throughout the Department to ensure that accounts are maintained consistently.

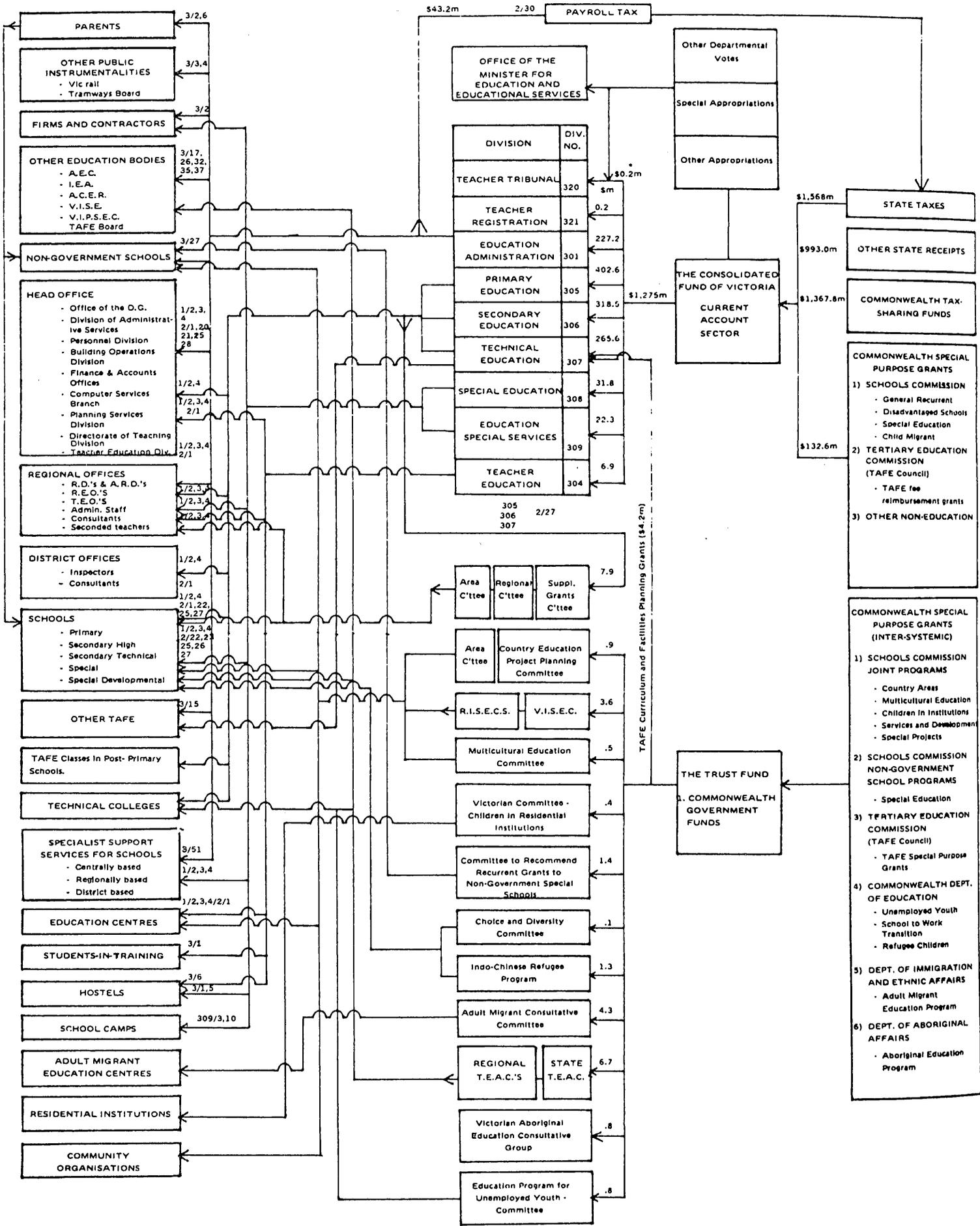
In administration, day-to-day responsibility for both hostels and student transport is to be transferred from the centre to the region. Regional directors will be responsible for establishment and discontinuance of contract bus services. The administration and payment of pupil conveyance allowances will also be handled in the region. Policy guidelines in each case will be developed in the centre.

11.5 COMMITTEES.

The concept of the existing Finance and Accounting Liaison Committee (FALCOM) should be retained in the new management structure. The committee should be appointed by the Director-General on the advice of the Executive Director (Personnel and Resources) and be chaired by the Executive Director. The role of the committee should be expanded from its existing finance and accounting functions to incorporate administration. The committee should advise the Executive Director on financial procedures, methods of accounting and administrative procedures in schools. The membership should comprise the Director of Finance and Administration, The director Manager of the Councils Services Unit and persons nominated by the School Councils' Consultative Group.

FIGURE 17:

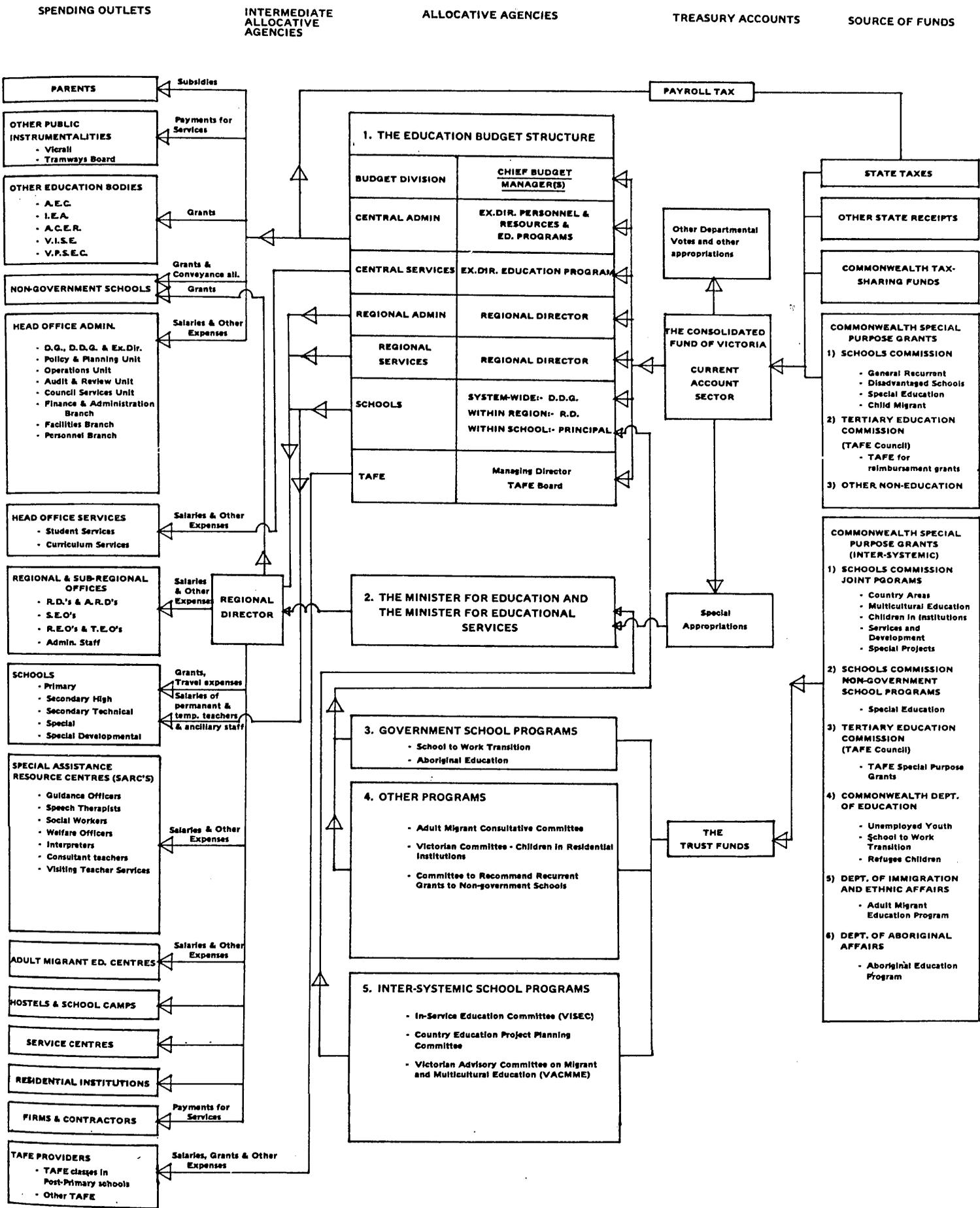
FLOW OF RECURRENT FUNDS FOR EDUCATION IN VICTORIA



* NOTE: 1. Amounts listed in \$(millions) are budget estimates for the 1980/81 financial year in the case of monies paid into and expended from The Consolidated Fund and actual 1980 outlays for monies flowing through the Trust Fund.
 2. Numbers asterisked identify line-item and sub line-item allocation. e.g. PARENTS 3/2,6 refers to DIV 301:3 Other Expenses: 2 Bus Services & 6 Education Allowances.
 3. Amounts for Commonwealth Government Funds are for the 80/81 financial year in some cases and the 1980 calendar year in others.

FIGURE 18:

PROPOSED FLOW OF RECURRENT FUNDS FOR THE EDUCATION DEPARTMENT



12.1

12. VARIOUS UNITS

12.1 INTRODUCTION

In our analysis of functions there were several matters which were most appropriately located as separate units.

Four such units are recommended as follows:

- Councils Services Unit.
- Operations Unit.
- Audit and Review Unit.
- Policy and Planning Unit.

Each of these is discussed below.

12.2 COUNCILS SERVICES UNIT

12.2.1 Introduction

The re-organisation of the Education Department requires the provision of Councils Services Units at both central and regional levels to support the proposed Victorian Education Council, regional education councils, and increased responsibilities envisaged for school councils.

The Councils Services Unit at central level, under the Deputy Director-General, should provide a secretariat for the Victorian Education Council and resources for the development of policies and guidelines relating to regional and school councils.

The Councils Services Unit at regional level, under the regional director of education, should provide a secretariat for the regional education council and resources for the provision of constitutional and procedural advice and support for school councils.

12.2.2 Functions at Central Level

1. To provide a secretariat for the Victorian Education Council, under the direction of the Chairman, and specifically to:

12.2

- Prepare agendas.
 - Prepare minutes of meetings and maintain all associated records.
 - Prepare discussion and policy papers as required.
 - Advise the council on any matter as required.
2. To provide services to regional education Councils, and specifically to:
- Maintain a central registry of the constituting orders and membership of regional councils.
 - Liaise with regional directors and regional councils on matters affecting the constitution of regional education councils as required, and liaise with officers responsible for the drafting of Orders-In-Council matters concerning regional councils.
 - To provide information and advice concerning regional education council policies and procedures.
3. To be responsible for developing the role of the school councils in policy formation and implementation by:
- Preparing information manuals to assist school councils on all matters pertaining to their roles and responsibilities.
 - Preparing and publishing information materials concerning school councils for general distribution and to provide non-English language editions of these materials as appropriate.
 - To initiate and respond to invitations to assist school councils and other groups in the conduct of in-service programs for or concerning school councils.
 - To propose appropriate devolution of powers and functions from time to time, within policy guidelines, and to liaise with functional divisions, regions and schools in implementation of such devolution.

- To liaise with the Victorian Council of State School Organizations and the Victorian Federation of State Schools' Parents Clubs, Association of Councils of Technical Institutions of Victoria, and other interested organisations on all matters concerning school councils and any other matters as appropriate.
4. To be responsible for the constitutional and legal aspects of school councils operation by:
 - Ensuring compliance with the Education Act.
 - Ensuring that a registry of all school council constituting orders and membership of each school council is maintained in regional offices.
 - Assisting in the amendment of constituting orders and regulations as required.
 - Preparing advice and policy papers, including legislation, in any matters concerning school councils, as directed.
 5. To liaise with and provide a secretariat for the School Councils' Consultative Group.
 6. To establish and maintain an awareness among all officers of the Education Department of the functions and needs of regional councils and school councils and to assist officers in meeting these needs as appropriate.
 7. To promote and undertake research into all matters associated with council governance, by:
 - Establishing information sources concerning other school systems.
 - Monitoring experience relevant to school council governance from interstate and overseas sources.
 - Providing a public information exchange and reference service for literature and other materials concerning system-wide school governance.

The re-organisation of the Education Department, with a major devolution of operational responsibilities to regions and school level, and the creation of regional education councils, requires the provision of appropriate councils services units in each regional office to support the regional education council and school councils.

Each regional Councils Services Unit would provide a secretariat for the regional educational council with associated information resources, together with resources and support for school councils as required.

Each councils services unit at regional level should be located in the regional headquarters and report to the regional director.

12.2.4 Functions of the Unit

1. To provide a secretariat for the regional education council under the direction of the chairman and specifically to:
 - Prepare agendas for meetings.
 - Prepare minutes of meetings and maintain all associated records.
 - Provide secretarial services to the council.
 - Maintain constitutional documents and membership records of the council.
 - Prepare discussion and policy paper as required.
 - Advise the council on any matters as required.
2. To liaise with the central Councils Services Unit on all matters concerning regional and school councils, with particular reference to:
 - Forwarding of information concerning the constitution and membership of regional and school councils.
 - advice concerning regional and school councils.

3. To supervise the constitutional provisions relating to school councils, and specifically to ensure:
 - That provisions concerning the conduct of annual elections, statutory meetings and financial reporting observed and reported.
 - Maintain a regional registry of the constituting orders and membership of school councils in the region.
4. To provide information and support to school councils on all matters as required and specifically to:
 - Advise on constitutional and electoral procedures.
 - Advise on duties and responsibilities of councils.
 - Advise on legal and insurance matters associated with the role of councils.
 - Intitiate or participate in in-service programs designed to assist school councils.
 - Assist councils to establish and maintain contact with all agencies relevant to the operation of councils.
 - Publish or distribute significant policy statements and procedure manuals relating to school council operations, in conjunction with the Councils Services Unit at central level.
 - Provide translations into community languages of basic policy statements about education and school councils.
 - Initiate exercises within the region which will assist the development and exchange of information about policy and practices related to the functioning of school councils.
5. To establish and maintain an awareness among all officers of the region of the functions and needs of school councils, and to assist officers in meeting these needs as appropriate.

6. To promote an understanding of research into matters concerning the operation of councils within the region, and to maintain a regional referral point for information concerning school governance.

12.3 OPERATIONS UNIT

The Operations Unit should be located under direction of the Deputy Director-General who will have line responsibility for regional offices and schools.

It will have the following functions:

- To monitor and report to the Deputy Director-General, the interface among functional areas to ensure that the distribution of resources to regions and schools is co-ordinated.
- To monitor and report to the Deputy Director-General, applications for resources from regions and schools so the decisions as to allocation can be based on equity and efficiency.
- To evaluate the interface between the central functional areas and the regions and to make recommendations for change where appropriate.
- To receive and respond to reports of school reviews and to draw to the attention of the Deputy Director-General any extraordinary item arising from the reports of school reviews.
- To co-ordinate the system of reporting by regional offices.
- To monitor at the specific request of the Deputy Director-General and in association with the regional director, specific operations at the regional level.
- To liaise with the Council Services Unit on policy proposals related to community and professional educator involvement in regional education councils and school councils.
- To assist in any action that cannot be handled exclusively at the regional level or within a functional area.

12.7

- To continue the work of the Implementation Task Force in implementing the White Paper.
- To address specific tasks relating to operations on a short term basis as directed by the Deputy Director-General.
- To address other duties as identified by the Deputy Director-General.

12.4 AUDIT AND REVIEW UNIT

With the passing of the Education (School Councils) Act in 1975 it became a statutory requirement that school council accounts be audited annually. Until now only sufficient positions within Internal Audit have been cleared by Treasury to enable post-primary school accounts to be audited. Primary schools have to arrange their own auditor. The accounts of many primary schools still remain to be audited and this has been highlighted in recent reports of the Auditor-General.

The Internal Audit group needs to be expanded to enable development of three separate components of the audit function.

- The audit of primary school accounts in addition to those of post-primary schools.
- The financial audit of non-school accounts in the region and the centre.
- Efficiency audits of any organisational entity within the Department.

With devolved decision-making and a more decentralized administrative structure the need for internal controls and checks and balances will be paramount. A central task of the audit group will be to assess the adequacy of financial and other operating controls and to promote wherever possible within the Department, effective controls at reasonable cost.

The White Paper (para. 6.37) commits the Department to establishing proper accountability between school, the region, the Department and the Parliament. For this to occur regular efficiency reviews of administrative procedures and organizational units will be necessary. The Internal Audit group will need to take on this broader efficiency audit role. To allow the Audit group to discharge its responsibilities effectively and independently it will be necessary for the Manager in charge of Audit to report directly to the Director-General.

An Audit and Review Unit should be established with the Manager responsible directly to the Director-General.

The Unit will have three specific functions.

- To conduct the audit of schools pursuant to Section 15F (2) of the Education (School Councils) Act 1975.
- To advise principals and their staff and school councillors on all aspects concerning the financial operations of schools.
- To conduct efficiency audits of any organizational entity or procedure within the Department and make available to the Director-General any analyses, recommendations and pertinent comments concerning the entities or procedures which have been reviewed.

12.5 POLICY AND PLANNING UNIT

The Unit will operate on a task force basis. It will comprise a nucleus of three or four officers with other officers from functional areas to maintain linkages with these areas.

The Unit will work under the direct supervision of the Director-General and the Deputy Director-General.

The functions of the Unit will include the following:

To develop corporate long-term policy options at the request of the Director-General by such activities as:

- Reviewing the structure and organisation of the Education Department.
- Analysing policy options for allocation of resources to schools.
- Undertaking research into long-term staffing needs of schools in concert with personnel officers.
- Developing alternative role specifications for personnel in schools and in system management positions.
- Developing policy options for making grants to schools and to regional administrations.
- Creating a range of experimental designs for school facilities in conjunction with Facilities personnel;

- Developing policy options for alternative schooling patterns.
- Identifying curriculum development needs conjointly curriculum planning personnel.

To synthesize research findings that impinge on policy issues in education by such activities as:

- Maintaining contacts with educational researchers in tertiary institutions in Australia and in ACER.
- Establishing means for utilization of the research findings of teachers in Education Department schools who are undertaking post graduate research.
- Suggesting to teachers enrolled as students in post-graduate courses areas where research findings would be useful to the Education Department.
- Reviewing published research on issues of specific importance to the Education Department.

To arrange investigations into broad educational issues by:

- Developing research briefs for research projects requested by the Ministers and/or the Victorian Education Council.
- Commissioning research to be undertaken by appropriate research organisations.
- Managing research teams comprised of personnel drawn from external agencies and the Education Department.

To respond to national research proposals developed by such bodies as the Australian Education Council, the Schools Commission or the Commonwealth Department of Education by:

- Contributing research expertise from the Policy and Planning Unit to the national research team.
- Commissioning investigations into the Victorian aspects of the national research projects.

To monitor the long-term trends and developments in society which have implications for education by:

- Synthesizing the research writings of the futurists.
- Monitoring statistical trends published by the Australian Bureau of Statistics and other bodies.
- Analysing and synthesizing statistical data and making extrapolations as appropriate.

WHO WAS INTERVIEWED?

The Implementation Task Force has carried out interviews, more than once on some occasions, with the following parties:

SCHOOLS

- Primary	- Principals	14
	- Members of school councils	5
- Secondary	- Principals	14
	- Members of school councils	5
- Technical	- Principals	14
	- Members of school councils	9
- Special	- Principals	3
	- Members of school councils	3

REGIONS

- Regional Directors of Education	9
- Assistant Regional Directors of Education	9
- Senior Administrative Officers	8
- Consultants	2

CENTRAL ADMINISTRATION

- Minister of Education
- Minister of Educational Services

OFFICE OF DIRECTOR-GENERAL

- Director-General	
- Deputy Director-General	
- Assistant Directors-General	4
- Research Assistant	1

BUILDINGS OPERATIONS DIVISION

- From Director to Manager level	7
----------------------------------	---

FINANCE AND ADMINISTRATION DIVISION

- Director of Administrative Services	
- Finance Officer	1
- Accounts	2
- Computing Services	1
- Finance	1
- General Correspondence	1
- Internal Audit	1
- Miscellaneous Accounts	1
- Salaries	1
- Stores	3
- Transport	1

PERSONNEL DIVISION

- Director	
- Assistant Director	
- Examinations	1
- Primary Schools	1
- Special Schools	1
- Teacher Education	1
- Teacher Welfare	1

PLANNING SERVICES DIVISION

- Director	
- Assistant Director	
- Community Education	1
- Curriculum	1
- Facilities	3
- School Councils Consultant	

PRIMARY SCHOOLS DIVISION

- Director	
- Assistant Directors	6
- District Inspectors	10
- District Advisors	2

SECONDARY SCHOOLS DIVISION

- Acting Director	
- Assistant Directors	5
- Inspectors	6
- Executive Officer (Faculty)	

TECHNICAL SCHOOLS DIVISION

- Acting Director	
- Assistant Directors	3
- Inspectors	6
- Educational Area Supervisors	3
- Professional Assistant	1
- Executive Officer	1

SPECIAL SERVICES DIVISION

- Director	
- Assistant Directors	5
- Audio-Visual Resources Branch	3
- Counselling, Guidance and Clinical Services	2
- Curriculum Services	7
- Demonstration Units	2
- Ethnic Education	4
- Health and Human Relations	1
- Library	1
- Publications and Information	1

- Speech Therapy 1
- Special Education (including SEUs) 3
- Social Work 1

TEACHER EDUCATION

- Acting Director
- Assistant Directors 2
- Senior Teacher Education Officer 2
- Teacher Education Officer 5

OTHER BODIES/DEPARTMENTS/ORGANISATIONS

- Victorian Primary Principals' Association
- Department of Youth, Sport and Recreation
- Health Commission
- Ministry for the Arts
- Public Works Department
- Victorian Post-Secondary Education Commission
- Victorian Institute of Secondary Education
- Catholic Education Office
- Victorian Commerical Teachers' Association
- Public Service Board
- Committee of Classifiers
- Teachers' Tribunal
- Office of Industrial Relations
- Gould League of Victoria
- Victorian High Schools Principals' Association
- Association of Principals of Victorian Technical Institutions
- Regional Directors of Education Executive
- Institute of Educational Administration
- Victorian Public Service Association - Schools Groups
- Zoo Education Unit
- Victorian Federation of State School Parents' Clubs
- Victorian Council of School Organisations
- Auditor General's Department
- Victorian Association of Teachers
- Association of Councils of Technical Institutions of Victoria

INTERSTATE

- Department of Education, Queensland
- Department of Education, New South Wales

The following organisations were invited to participate in the interview program but declined:

- Victorian Teachers' Union
- Victorian Secondary Teachers' Association
- Technical Teachers' Union of Victoria

APPENDIX 2

CODINGS FOR DATA COLLECTION

Personal	P1	Establishments/Manpower Planning
	P2	Employment
	P3	Appointments : Promotions
	P4	Development and Training
	P5	Assessment
	P6	Welfare Counselling and Discipline
	P7	Department as Employer
	P8	Personnel Administration and Records
	P9	Industrial Relations
Curriculum	C16	Making Curriculum Policy
	C17	Operating School Programs
	C18	Resourcing Curriculum Programs
	C19	Supporting Curriculum Programs
	C20	Reviewing Curriculum Programs
Administration and Finance	A26	Accounts - Receipts and Payments
	A27	Accounts - Salaries
	A28	Budgets and Finance
	A29	Efficiency, Effectiveness, and Audit
	A30	Information Systems (including Data Processing)
	A31	Supply
	A32	Transport
	A33	Administrative Services
Buildings	B39	Policy Priorities Planning
	B40	Standards (user requirements, curriculum)
	B41	Finance (budget for work and services)
	B42	Control (cost/time/quality)
	B43	Co-ordination and Administration within the Education Department
	B44	Personnel (Staffing)
	B45	Interface with Public Works Department; other government departments, statutory authorities and local government
Top Management	T70	Plan
	T71	Set Objectives
	T72	Determine Priorities
	T73	Develop Policies
	T74	Implement Action
	T75	Assess Results
	T76	Make Republic Representations
	T78	Provide Advice
Futures	F55	Futures (long term)

Regions,
Districts,
Schools, and
Other

R62	Planning at Regional, district, school level
R63	Co-ordination at regional, district, school level
R64	Implementing policy at regional, district school level
R65	Decision making at regional, district school level
R66	Control at regional, district school level
R67	Devolution
R68	Councils

List of Studies carried out within or on the Education Department since 1960 relating to structure or organisation of the Department as a whole or of major functional Divisions.

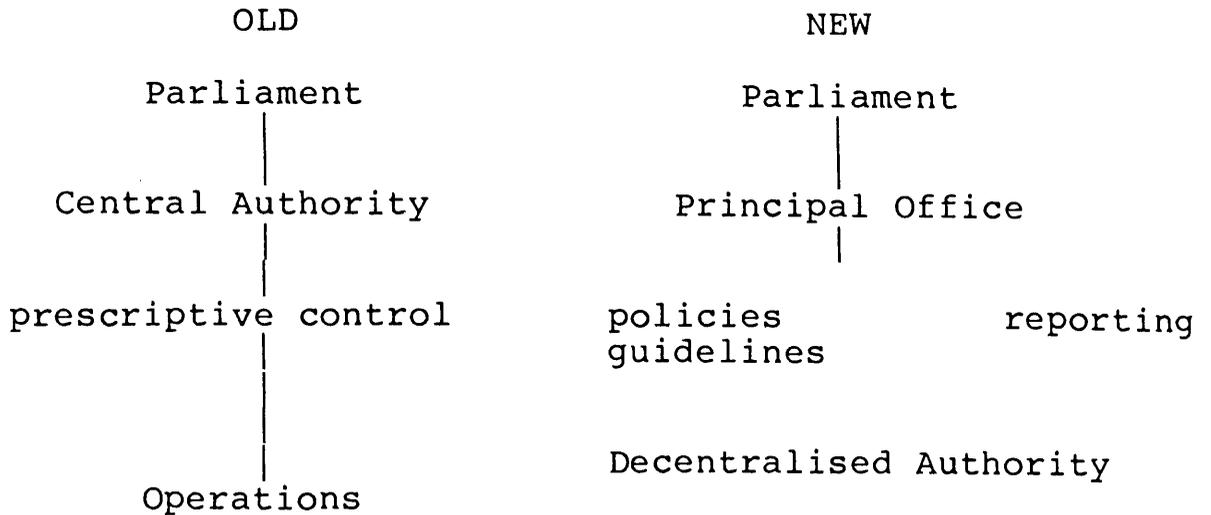
- Curriculum Services Inquiry (Draft Report)
- Third Report of the Board of Inquiry into the Victorian Public Service by Sir Henry Bland.
- Report of the Committee on Service Centres.
- A Survey of Teacher Opinion and Use of Curriculum Services in Victorian State Schools.
- Teacher Education in Victoria.
- Report of the Committee on State Education in Victoria (Ramsay Report)
- W.D. Scott report on Action Program to improve administrative procedures.
- In-service Training and Education, October 1967.
- Review of Education Support Services, Interim Report October 1980.
- CSA report on the feasibility and computing requirements study for the Victorian Department of Education.
- CSA report on a feasibility and requirements analysis for regional computing facilities.
- CSA report on the Forward Planning Study prepared for the Victorian Education Department.
- August 1972 "A Draft Statement of Roles and Responsibilities of Regional Directors". - Dobell, Moyle and Falk.
- November 1974 "Decentralization to RDE's of some Financial Autonomy".
- May 1975 Regional Development.

ACCOUNTABILITY AND REPORTING

1. The White Paper is insistent that there must be established "accountability between the school, the region, the Education Department and ultimately the Parliament" (para 6.37). The reason for this is also made clear: "The Westminster system demands that a government shall be accountable to the people for the spending of public funds and that every segment of every department which expends them shall in turn be accountable through the Minister to Parliament" (para. 3.6). Thus, in the new structure for the Department, "measures to ensure accountability and the observance of constraints must safeguard the ultimate responsibility of government" (para. 3.6).
2. The White Paper does not define accountability or the related term responsibility. Both of these terms are defined in a variety of ways in the literature, but definitions of accountability almost always include:
 - i) an explanation of what has been done with resources available for use, and
 - ii) some form of corrective action if this use of resources has not been within authorized boundaries.

Both of these aspects of accountability need to be covered in the new structure.

3. Accountability is an aspect of control, which is an essential managerial function. The traditional form of control in most public sector organizations is by means of fairly tight centralized prescription of the use of resources. Matters such as line-item budgets, very low petty cash limits, reference to Tender Board of comparatively low-cost items, central approval in advance of many activities and payments, precise central control of staffing types and numbers, and so on, all represent traditional forms of prescriptive control. This form of control largely takes accountability away from the nominal manager: this control is centrally imposed in a one-way top-down process (see diagram).
4. Control is required in the new structure, but this traditional form is not appropriate to a decentralized power structure. When functions and responsibilities are decentralized and carried out in accordance with central policies and guidelines, the process of reporting back from the Decentralized Authority to the Central Office becomes crucial: this process sets up a closed "control loop". There may be more than one level of "control loop", with Central Office and Regional Office as one, and Regional Office and School as a second level. In the following, the terms "Principal Office" and "Decentralized Authority" will be used, to cover both of these levels of control loop.



5. On the control loop model, a Principal Office issues policies and guidelines, and the Decentralised Authority reports back to the Principal Office on its activities, after they have been carried out. The reporting must include (amongst other things) specific comment on the extent to which the activities match the policies and the guidelines. Thus the reports must be expressed so as to convey this information, and the policies and guidelines need to be written so as to facilitate this reporting. The reporting may be at any frequency, depending upon the extent of the delegation of authority and the seriousness of the consequences of activities extending outside the policies and guidelines.
6. It is most important that, on this model, it is not part of the role of a Principal Office to approve of decisions or activities made or proposed by Decentralised Authorities within approved policies. Nor is it a Principal Office role to ensure in advance that proposals are within policy, unless the Principal Office has explicitly been asked for advice on this by the Decentralised Authority.
7. A Decentralised Authority may on occasion wish to obscure or disguise some aspects of its activities, and so the format of the Report needs to be designed and prescribed in order to prevent misrepresentation, whether intentional or otherwise.

Decentralised Authorities may wish to emphasise a variety of matters in their reports, and should be free to do so. Reports thus should be two-stage: first, an optional free-format section, in which the Authority can comment on whatever it likes in whatever manner it likes, and second, a prescribed-format section to fulfil the formal accountability requirements.

It may be desirable to give the format of the second section, and the obligation to submit such reports by some nominated date, statutory recognition - possibly by incorporating them in regulations. There is a parallel here with company reports: the content of part of these is prescribed by statute (various financial details) and the remainder is up to the company itself.

8. On receiving reports from Decentralised Authorities, the Principal Office must carefully review each to assess the extent to which activities have matched approved policies and guidelines, and the extent to which activities have been effective and efficient in achieving specified aims.

When they do not match, or have not been effective and efficient, the Principal Office must consider what response is called for. Possible responses included revised policies, more clearly expressed policies, better guidance on implementing policies, training or development programs for individual officers, and assorted disciplinary measures if non-compliance has been wilful. It is important that actions or activities found to be outside policies and guidelines should not in general be cancelled (unless they are illegal or manifestly dysfunctional). Instead, the Principal Office should take steps to ensure future compliance, by amending the system under which Decentralised Authorities make decisions rather than by reverting to centralised prescription of what is to be done.

9. In this model, accountability and central control are ensured by prescribing the format and content of reports on the use of resources, rather than by prescribing the actual use of resources.

Review of and reaction to reports then becomes an essential and standard part of the Principal Offices' activities, with the possible reactions including proposals for changes to policies or guidelines, or to various aspects of behavior within the Decentralised Authorities. This model emphasizes the task within the Decentralised Authority of reviewing and assessing its own performance and that of its staff for presentation in the Report, and the task for each Principal Office of assessing the performance of the Authorities that report to it.

10. The precise nature of the prescribed-format part of reports will have to be worked out with considerable care after the new structure has been decided upon. This is probably most appropriately done within the Finance and Administrative Division, although its novel nature may require extensive involvement of outside skills. In any case, it will require substantial contributions from all other parts of the Department. The reporting process is also related to the needs for various financial statistics and for a departmental "Management Information System", and all should be considered together.

11. In the new structure proposed, the relationship between regional directors on the one hand, and executive directors and their branches on the other, needs to be carefully noted.

The Executive Directors are in a staff relationship to the managerial or operational line, which passes directly from Deputy Director-General through regional directors to schools. Each executive director is responsible to the Deputy Director-General for:

- a) The quality of the output of branches under the executive director, including in particular explanatory memoranda and operational manuals produced to assist regional offices and schools, and
- b) Reporting on the extent to which the activities of regions, as described in the formal reports from regional directors to the Deputy Director-General, comply with approved policies and guidelines.

There is no direct line of control from the executive directors to the regional director or to any other person in the regional office. Each regional director is responsible to the Deputy Director-General for:

- a) All aspects of operations within the region, and
- b) Reporting in the prescribed format on these operations.

The regional director does not report to any executive director, even on matters for which the executive director has immediate responsibility for policy. Each executive director is responsible to the Deputy Director-General for the policies themselves, and each regional director is responsible to the Deputy-Director for the implementation of these policies.

12. The accountability and control mechanism proposed here represents a major change in principle and in procedure from what is usual in the public sector. The key changes should be repeated for emphasis: the Principal Office does not approve of decisions made or activities proposed by Decentralised Authorities that are within policies. Nor does the Principal Office ensure in advance that proposals are within policy, unless it has explicitly been asked for advice on this by the Decentralised Authority. Some people may have difficulty in adapting to such changes. It is, however, essential if the thrust of the White Paper towards decentralisation of functions, responsibilities and powers is to be realised.

FUNCTION STATEMENTS AND JOB SPECIFICATIONSCONTENTSA. Function Statements

	Page No.
I. Director General and Deputy Director General	4
II. Executive Director (Personnel and Resources)	7
II.1 Director of Facilities	9
II.1.i Assistant Director of Facilities Planning	
II.1.ii Assistant Director of Program, Budget and Operations	
II.2 Director of Finance and Administration	11
II.2.i Assistant Director of Finance Planning and Budget	
II.2.ii Assistant Director of Information Systems and Services	
II.2.iii Chief Accountant	
II.2.iv Manager, General Administration	
II.2.v Manager, Supply	
II.3 Director of Personnel	13
II.3.i Assistant Director of Employment	
II.3.ii Assistant Director of Staffing	
II.3.iii Assistant Director of Industrial Relations	
II.3.iv Assistant Director of Personnel Administration and Services	

(Function statements for the Assistant Directors listed above are not included in this Appendix.)

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A. FUNCTION STATEMENTS

I. DIRECTOR GENERAL AND DEPUTY DIRECTOR GENERAL

The major roles of the Director General are:

- . to advise the Ministers on matters relating to educational aims and objectives, and on the achievement of these, and
- . to approve of specific policies developed within the Department to achieve aims and objectives determined or approved by the Ministers.

Functions of the Director General

Subject to the Minister of Education and the Minister of Educational Services, the Director General is required:

- . to administer the Education Act and other appropriate Acts as the Permanent Head of the Education Department;
- . to authorise and direct the implementation of policies determined or approved by the Ministers and the Government;
- . to advise the Ministers of matters relating to educational aims and objects and to recommend to them policies and actions to effect the adopted aims and objectives;
- . to initiate the development of a range of policies and actions to effect approved aims and objectives;
- . to consult, advise and direct senior officers on matters relating to the operation of the Department;
- . to decide which of a range of policy proposals submitted by senior officers should be approved and to authorise the implementation of these;
- . to monitor and review the performance of senior officers in the Education Department;
- . to evaluate the operation of the Department, and to plan and implement changes in response to evaluation findings;
- . to report to the Ministers on the operations of the Department;

- to act as chairman of the Corporate Management Group and to oversee its operation;
- to interpret and explain departmental policy to the community;
- to represent the Department on various boards, councils, and committees as required by the Ministers or as considered necessary;
- to act as a member of such boards, councils and committees as are required by statute.

The major roles of the Deputy Director General are:

- to assist the Director General in all aspects of the Director General's job,
- to supervise the operations of the Regional Directors and Executive Directors, and
- to co-ordinate the operations of the Regional Directors and the Executive Directors.

Functions of the Deputy Director General

Subject to the Minister of Education and the Minister of Educational Services, the Deputy Director General is required to act as Director General when the Director General is absent.

Under the Director General, the Deputy Director General is required:

- as necessary, to assist the Director General in any function that is the responsibility of the Director General;
- to confer with the Director General and to advise him on matters related to the operations of the Department;
- to approve the allocation of resources among regions on the basis of advice from Executive Directors and Regional Directors in accordance with departmental policies;
- to co-ordinate the preparation of submissions to the Treasury and the Cabinet;
- to approve resource allocation recommendations in accordance with departmental policy;

- . to co-ordinate the operations of the Executive Directors and the Regional Directors and to decide between competing needs of these officers for resources;
- . to monitor the operations of the Executive Directors and the Regional Directors and to direct those operations as necessary;
- . to review operational reports from all areas of the Education Department, to report to the Director General on the findings of those reviews, and to initiate action to make operations more efficient and effective.

II. EXECUTIVE DIRECTOR (PERSONNEL AND RESOURCES)

The major roles of the Executive Director (Personnel and Resources) are:

- . to advise the Deputy Director General on policy matters relating to the use and distribution of Personnel and Resources, and
- . to exercise general management over the Personnel, Facilities, and Finance and Administration functions in Central Office, including the co-ordination of these functions with one another and with the Executive Director (Educational Programs).

Functions of the Executive Director (Personnel and Resources)

Under the Deputy Director General, the Executive Director (Personnel and Resources) is required:

- . to be responsible for the development of draft aims, policies, priorities and guidelines for statewide use of personnel and resources by:
 - receiving submissions from the Executive Director (Educational Programs), Regional Directors, Directors of Personnel and Resources Branches and appropriate interest groups, and
 - contributing to, co-ordinating, developing and submitting recommendations (including options) to the Deputy Director General;
- . to be responsible for the effective dissemination of statewide aims, policies, priorities and guidelines on the use of personnel and resources by:
 - co-ordinating the preparation, publication and distribution of policy statements and of appropriate explanatory materials, and
 - overseeing the interpretation of aims, policies, priorities and guidelines on personnel and resources use to Branch Directors, Regional Directors and others as requested;
- . to evaluate the implementation and effectiveness of statewide aims, policies, priorities and guidelines on the use of personnel and resources by:

- receiving formal reports from Regional Directors, through the Deputy Director General, and reporting to the Deputy Director General on the extent to which the aims have been achieved, the priorities have been observed, and the guidelines have been complied with in the use of personnel and resources in the activities being reported upon, and
- receiving formal reports from Personnel and Resource Branches, and reporting to the Deputy Director General on the extent to which aims have been achieved, the priorities have been observed, and the guidelines have been complied with in the activities being reported upon;
- . to recommend to the Deputy Director General priorities relating to personnel and resources being sought by:
 - receiving submissions from the Executive Director (Educational Programs), Regional Directors, and Directors of Personnel and Resource Branches on resources needed and desired, and
 - co-ordinating the development in Personnel and Resource Branches of recommendations (including options) on priorities for allocations of personnel and resources, for submission to the Deputy Director General;
- . to be responsible for the allocation of available resources to Regions and the Central Office by:
 - recommending allocations (including options) to the Deputy Director General,
 - supervising the distribution of resources in accordance with approved allocations, and
 - monitoring the management of Personnel and Resource Branches;
- . to manage, within the Deputy Director General's policies, the operation of the Office of Personnel and Resources;
- . to undertake other duties as assigned by the Deputy Director General.

II.1 Functions of the Director of Facilities

Under the Executive Director (Personnel and Resources) the Director of Facilities is required:

- to develop draft aims, policies, priorities and guidelines for facilities matters by:
 - receiving submissions from Executive Directors, Regional Directors, Directors of Personnel, Finance and Administration and Educational Program Branches as appropriate, and other appropriate bodies, and
 - contributing to and supervising the development of recommendations (including options) and submitting these to the Executive Director (Personnel and Resources) for decision;
- to disseminate approved policy decisions and procedures concerning facilities to relevant members and sections of the Department by:
 - arranging for the preparation of policy statements, procedure manuals and other explanatory materials,
 - arranging for the publication and distribution of these materials, and
 - interpreting these statements and manuals as necessary in order to secure uniform interpretation;
- to monitor the implementation and effectiveness of approved policy decisions and of approved procedures by:
 - receiving reports from Assistant Directors within the Branch and from other officers as appropriate, and
 - preparing reports on facilities activities and presenting these reports to the Executive Director (Personnel and Resources);
- to manage the operations of the Facilities Branch within policy set by the Executive Director (Personnel and Resources) by:
 - determining policy and priorities for sections within the Branch, and
 - allocating resources and responsibilities within the Branch and monitoring the use of these;

- . to represent to the Executive Director (Personnel and Resources) resource requirements considered desirable for the Branch to carry out its task by:
 - co-ordinating and evaluating submissions prepared by senior officers within the Branch, and
 - submitting a report on these submissions to the Executive Director (Personnel and Resources);
- . to represent the Director General and the Executive Director (Personnel and Resources) on committees within and external to the Department as required;
- . to attend to other matters as the Executive Director (Personnel and Resources) directs.

II.2 Functions of the Director of Finance and Administration

Under the Executive Director (Personnel and Resources) the Director of Finance and Administration is required:

- . to develop draft aims, policies and priorities for finance and administration matters by:
 - receiving submissions as appropriate from the Executive Directors, Regional Directors, and Directors of Facilities, Personnel and Educational Program Branches, and
 - contributing to and supervising the development of preferred recommendations and submitting these to the Executive Director (Personnel and Resources) for decision;
- . to determine procedures for administrative and financial activities within the Department, taking into account the views and needs of those who will use the procedures;
- . to disseminate approved policy decisions and procedures concerning finance and administration to relevant members and sections of the Department by:
 - arranging for the preparation of policy statements, procedural manuals and other explanatory materials,
 - arranging for the publication and distribution of these materials, and
 - interpreting these statements and manuals as necessary in order to ensure uniform interpretation;
- . to monitor the implementation and effectiveness of approved policy decisions and of approved procedures by:
 - receiving reports from Assistant Directors within the Branch and from other officers as appropriate, and
 - preparing reports on financial and administrative activities and presenting these reports to the Executive Director (Personnel and Resources);
- . to manage the operations of the Finance and Administration Branch within policy set by the Executive Director (Personnel and Resources) by:
 - determining policy and priorities for sections within the Branch, and
 - allocating responsibilities and resources within the Branch and monitoring the use of these;

- . to represent to the Executive Director (Personnel and Resources) resource requirements considered desirable for the Branch to carry out its tasks by:
 - co-ordinating and evaluating submissions prepared by senior officers within the Branch, and
 - submitting a report on these submissions to the Executive Director (Personnel and Resources);
- . to represent the Director General and the Executive Director (Personnel and Resources) on committees within and external to the Department as required;
- . to attend to other matters as the Executive Director (Personnel and Resources) directs.

II.3 Functions of the Director of Personnel

Under the Executive Director (Personnel and Resources) the Director of Personnel is required:

- . to develop draft aims, policies, priorities and guidelines for personnel matters by:
 - receiving submissions from Executive Directors, Regional Directors, Directors of Facilities, Finance and Administration, and Education Program Branches as appropriate, and other appropriate bodies, and
 - contributing to and supervising the development of recommendations (including options) and submitting these to the Executive Director (Personnel and Resources) for decision;
- . to disseminate approved policy decisions and procedures concerning personnel to relevant members and sections of the Department by:
 - arranging for the preparation of policy statements, procedure manuals and other explanatory materials,
 - arranging for the publication and distribution of these materials, and
 - interpreting these statements and manuals as necessary in order to secure uniform interpretation;
- . to monitor the implementation and effectiveness of approved policy decision and approved procedures by:
 - receiving reports from Assistant Directors within the Branch and from other officers as appropriate, and
 - preparing reports on personnel activities and presenting these reports to the Executive Director (Personnel and Resources);
- . to manage the operations of the Personnel Branch within policy set by the Executive Director (Personnel and Resources) by:
 - determining policy and priorities for sections within the Branch, and
 - allocating resources and responsibilities within the Branch and monitoring the use of these;

- . to represent to the Executive Director (Personnel and Resources) resource requirements considered desirable for the Branch to carry out its tasks by:
 - co-ordinating and evaluating submissions prepared by senior officers within the Branch, and
 - submitting a report on these submissions to the Executive Director (Personnel and Resources);
- . to represent the Director General and the Executive Director (Personnel and Resources) on committees within and external to the Department as required;
- . to attend to other matters as the Executive Director (Personnel and Resources) directs.

III. EXECUTIVE DIRECTOR (EDUCATIONAL PROGRAMS)

The major roles of the Executive Director (Educational Programs) are:

- . to advise the Deputy Director General on policy matters relating to Educational Programs affecting students and staff of the Department, and
- . to exercise general management over the Curriculum Programs, Curriculum Services and Student Services functions in the Central Office, including the co-ordination of these functions with one another and with the Executive Director (Personnel and Resources).

Functions of the Executive Director (Educational Programs)

Under the Deputy Director General the Executive Director (Educational Programs) is required:

- . to be responsible for the development of draft aims, policies, priorities and guidelines for statewide educational programs by:
 - receiving submissions from the Executive Director (Personnel and Resources), Regional Directors, Directors of Educational Programs Branches and appropriate interest groups, and
 - contributing to, co-ordinating, developing and submitting recommendations (including options) to the Deputy Director General;
- . to be responsible for the effective dissemination of statewide aims, policies, priorities and guidelines on educational programs by:
 - co-ordinating the preparation, publication and distribution of policy statements and of appropriate explanatory materials, and
 - overseeing the interpretation of aims, policies, priorities and guidelines on educational programs to Branch Directors, Regional Directors and others as requested;
- . to evaluate the implementation and effectiveness of statewide aims, policies, priorities and guidelines on educational programs by:

- receiving formal reports from Regional Directors, through the Deputy Director General, and reporting to the Deputy Director General on the extent to which the aims have been achieved, the priorities have been observed, and the guidelines have been complied with in the activities being reported upon,
 - receiving formal reports from Educational Program Branches, and reporting to the Deputy Director General on the extent to which the aims have been achieved, the priorities have been observed, and the guidelines have been complied with in the activities being reported upon,
 - commissioning studies to identify problems associated with the policies and the guidelines and with their implementation, and
 - commissioning studies to identify curriculum areas for statewide review;
- . to recommend to the Deputy Director General priorities relating to personnel and resources being sought to develop educational programs by:
- receiving submissions from the Executive Director (Personnel and Resources), Regional Directors, and the Directors of Educational Programs Branches on resources needed and desired, and
 - co-ordinating the development in Educational Program Branches of recommendations (including options) on priorities for allocations of personnel and resources for submission to the Deputy Director General;
- . to manage, within the Deputy Director General's policies, the operation of the Office of Educational Programs;
- . to establish and chair the Curriculum Co-ordination Committee;
- . to represent the Education Department on committees associated with educational institutions and statutory bodies;
- . to undertake other duties as directed by the Deputy Director General.

III.1 Functions of the Director of Curriculum Programs

Under the Executive Director (Educational Programs) the Director of Curriculum Programs is required:

- . to develop draft aims, policies, priorities and guidelines for curriculum programs and planning by:
 - receiving submissions from officers of the Curriculum Programs Branch, Directors of Curriculum Services and Student Services, Regional Directors, Executive Directors, and other appropriate bodies, and
 - contributing to and supervising the development of recommendations (including options) and submitting these to the Executive Director (Educational Programs);
- . to disseminate approved policy decisions on curriculum programs to relevant members and sections of the Department by:
 - arranging for the preparation of policy statements, procedure manuals and other explanatory materials,
 - arranging for the publication and distribution of these materials, and
 - ensuring uniform interpretation of these decisions by members of the Curriculum Programs Branch;
- . to monitor the implementation and effectiveness of approved planning and policy for curriculum programs by:
 - receiving reports from Assistant Directors within the Branch, Regional Directors, and from other officers as appropriate, and
 - preparing reports on the curriculum program activities and presenting these reports to the Executive Director (Educational Programs);
- . to represent to the Executive Director (Educational Programs) resource requirements considered necessary for the Curriculum Program Branch by:
 - co-ordinating and evaluating submissions prepared by senior officers within the Branch, and
 - submitting a report on to these submissions to the Executive Director (Educational Programs);

- . to manage within the policy set by the Executive Director (Educational Programs) the operation of Curriculum Programs Branch by:
 - determining policy and priorities for sections within the Branch,
 - allocating resources and responsibilities within the Branch and monitoring the use of these, and
 - determining relationships between the Student Group Programs and Field of Study Programs;
- . to be a member of the Curriculum Co-ordination Committee;
- . to represent the Director General and the Executive Director (Educational Programs) on committees within and external to the Education Department;
- . to attend to such other matters as the Executive Director (Educational Programs) may direct.

III.1.i Functions of Assistant Director of Student Group Programs

Under the Director of Curriculum Programs, the Assistant Director of Student Group Programs is required:

- . to develop policy proposals, priorities and operational guidelines for the provision of Student Group Programs by:
 - identifying issues,
 - considering recommendations from all interested parties, and
 - identifying preferred options within alternative proposals;
- . to disseminate approved policy by:
 - preparing and publishing policy statements, and
 - ensuring uniform interpretation of these;
- . to monitor the implementation and effectiveness of policy and guidelines by:
 - receiving reports from appropriate officers, and
 - preparing reports for the Director of Curriculum Programs;
- . to make recommendations about resources desirable for implementing policies and guidelines by advising on:
 - teacher recruitment, qualifications and development,
 - educational specifications for facilities and equipment, and
 - funds for curriculum programs;
- . to make recommendations for specific curriculum development projects and services by:
 - co-ordinating the Student Group Programs Executive Officers,
 - liaising with the Assistant Director of Fields of Study Programs, and
 - prioritising submissions;
- . to represent the Education Department on committees and councils.

Functions of the Executive Officers of Student Group Programs

In relation to their respective Student Groups, and under the Assistant Director of Student Group Programs, Executive Officers are required:

- . to develop policies and guidelines by:
 - identifying needs wants, issues and trends,
 - considering recommendations from all interested parties, and
 - maintain close liaison with relevant Executive Officers and Supervisors;
- . to disseminate policies and guidelines to regions and schools;
- . to monitor the effectiveness of policies and guidelines by:
 - receiving reports from appropriate officers, and
 - preparing reports for the Director of Curriculum Programs;
- . to make recommendations about the resources desirable for implementing policies and guidelines by advising on:
 - teacher recruitment, qualifications and development,
 - educational specifications for facilities and equipment, and
 - funds for curriculum programs;
- . to make recommendations about curriculum services necessary to implement policies and guidelines by advising on:
 - personnel requirements,
 - consultancy, and
 - resource centres;
- . to make recommendations for specific curriculum development projects and services by:
 - liaising with relevant Executive Officers and Supervisors to ensure consistency and continuity, and
 - prioritising submissions for each area;

- . to commission curriculum projects within priorities determined by the Executive Director (Educational Programs) and by the Director of Curriculum Programs;
- . to maintain close consultation with project teams;
- . to monitor and manage the operation of committees of advice by:
 - recommending membership, and
 - receiving committee reports;
- . to liaise with:
 - Education Department Committees at the centre and at the region, and
 - external agencies;
- . to undertake other duties as required by the Director of Curriculum Programs.

III.1.ii Functions of Assistant Director of Field of Study Programs (P-12)

Under the Director of Curriculum Programs the Assistant Director of Field of Study Programs is required:

- . to develop policy proposals, priorities and operational guidelines for the provision of Field of Study Programs by:
 - identifying issues,
 - considering recommendations from all interested parties, and
 - identifying preferred options within alternative proposals;
- . to disseminate approved policy by:
 - preparing and publishing policy statements, and
 - ensuring uniform interpretation of these;
- . to monitor the implementation and effectiveness of policy and guidelines by:
 - receiving reports from appropriate officers, and
 - preparing reports for the Director of Curriculum Programs;
- . to make recommendations about resources desirable for implementing policies and guidelines by advising on:
 - teacher recruitment, qualifications and development,
 - educational specifications for facilities and equipment, and
 - funds for curriculum programs;
- . to make recommendations for specific curriculum development projects and services by:
 - co-ordinating the Field of Study Supervisors;
 - liaising with the Assistant Director of Student Group Programs, and
 - prioritising submissions;
- . to represent the Education Department on committees and councils.

III.2 Functions of the Director of Curriculum Services

Under the Executive Director (Educational Programs) the Director of Curriculum Services is required:

- . to develop aims, policies, priorities and guidelines for curriculum services by:
 - receiving submissions from officers of Curriculum Services Branch, the Directors of Curriculum Programs and Student Services, Regional Directors, Executive Directors, and other appropriate bodies, and
 - contributing to and supervising the development of recommendations (including options) and submitting these to the Executive Director (Educational Programs);
- . to disseminate approved policy decisions on curriculum services to relevant members and sections of the Department by:
 - arranging for the preparation of policy statements, procedure manuals and other explanatory materials,
 - arranging for the publication and distribution of these materials, and
 - ensuring uniform interpretation of these decisions by members of the Curriculum Services Branch;
- . to monitor the implementation and effectiveness of approved curriculum services policy, priorities and activities by:
 - receiving reports from the Assistant Directors within the Branch, Regional Directors, and from other officers as appropriate, and
 - preparing reports on the effectiveness of the curriculum services activities and presenting these reports to the Executive Director (Educational Programs);
- . to represent to the Executive Director (Educational Programs) resource requirements considered desirable for the Curriculum Services Branch by:
 - co-ordinating and evaluating submissions prepared by senior officers within the Branch and,

- submitting a report on these submissions to the Executive Director (Educational Programs);
- . to manage within the policy set by the Executive Director (Educational Programs) the operation of the Curriculum Services Branch by:
 - determining policy and priorities for sections within the Branch,
 - allocating resources and responsibilities within the Curriculum Branch and monitoring the use of these,
 - determining relationships between the sections in the Branch, and
 - accepting commissions for curriculum services from the Executive Director (Educational Programs);
- . to be a member of the Curriculum Co-ordination Committee;
- . to represent the Director General and the Executive Director (Educational Programs) on committees within and external to the Education Department;
- . to attend to such other matters as the Executive Director (Educational Programs) may direct.

III.2.i Functions of Assistant Director of Curriculum Research and Development

Under the Director of Curriculum Services, the Assistant Director of Curriculum Research and Development is required:

- . to manage curriculum development services to ensure that appropriate developmental strategies are adopted and desired outcomes are achieved by:
 - assisting in the preparation of project development briefs,
 - advising on curriculum development resource needs and on how allocated resources should be assigned to specific tasks,
 - ensuring that appropriate dissemination procedures are adopted,
 - monitoring the effectiveness of curriculum development services and to provide regular reports to the Director of Curriculum Services, and
 - advising the Director on the membership of Expert Committees, and where appropriate to be a member;
- . to provide research services to curriculum groups in the centre and Regions by:
 - assisting in the preparation of research briefs,
 - monitoring the effectiveness of research services and providing regular reports to the Director,
 - advising on research resource needs and on how allocated resources should be assigned to specific tasks,
 - supervising the operation of research projects to ensure the use of appropriate methodologies,
 - overseeing the operation of the test library,
 - liaising with external agencies carrying out internal and external research for the Education Department.

III.2.ii Functions of Assistant Director of Curriculum
Information and Resources

Under the Director of Curriculum Services the Assistant Director of Curriculum Information and Resources is required:

- . to oversee the operation of Curriculum Materials Library and other scarce operations within the Division of Curriculum Services by:
 - managing the provision of curriculum information services to ensure the adoption of appropriate abstracting, storage and retrieval procedures,
 - liaising with regional information services to ensure compatibility and comprehensiveness of the central information bank and of the regional information services,
 - supervising the preparation of information materials for Ministers, administrators and staff at each organisational level,
 - advising on resource needs and their allocation to specific tasks, and
 - arranging regular evaluation of services provided and reporting on their operation to the Director of Curriculum Services.

III.2.iii Functions of Assistant Director of Curriculum
Materials Production

Under the Director of Curriculum Services the Assistant Director of Curriculum Materials Production is required:

- . to manage the operation of publication services by:
 - advising on resource needs for allocation to specific tasks,
 - planning the utilization of production resources to ensure their efficient and effective use,
 - assisting in the costing of curriculum and research briefs for clients,
 - liaising with the Victorian Government Printer, Film Victoria and others, in the production of curriculum materials,
 - arranging distribution of materials and ensuring that legal deposits are met, and
 - monitoring the effectiveness of production services and providing regular reports to the Director of Curriculum Services.

III.3 Functions of the Director of Student Services

Under the Executive Director (Educational Programs) the Director of Student Services is required:

- . to develop draft aims, policies, priorities and guidelines for student services by:
 - receiving submissions from officers of the Student Services Branch, the Directors of Curriculum Programs and Curriculum Services, Executive Directors, Regional Directors and other appropriate bodies (including government and non-government welfare agencies), and
 - contributing to and supervising the development of recommendations (including options) and submitting these to the Executive Director (Educational Programs) for decision;
- . to disseminate approved policy decisions on student services to relevant members and sections of the Department and in particular to members of the Student Services Branch by:
 - arranging for the preparation of policy statements and information material,
 - arranging for the publication and distribution of these materials, and
 - interpreting these policy statements as necessary in order to ensure uniform interpretation across the State;
- . to monitor the implementation and effectiveness of approved policy decisions by:
 - receiving reports from the Assistant Directors within the Branch, Regional Directors, and from other officers as appropriate,
 - preparing reports on the operation and effectiveness of the Student Services Branch for presentation to the Executive Director (Educational Programs);
- . to manage within the policy set by the Executive Director (Educational Programs) the operation of the Student Services Branch by:
 - approving policy and priorities for sections within the Branch, and

- allocating responsibilities and resources within the Student Services Branch and monitoring the use of these;
- . to represent to the Executive Director (Educational Programs) resource requirements considered desirable for the Student Services Branch by:
 - co-ordinating and evaluating submissions prepared by senior officers within the Branch, and
 - submitting a report on these submissions to the Executive Director (Educational Programs);
- . to co-ordinate the operation of statewide centres providing services requiring scarce expertise and resources;
- . to monitor the provision of professional development, supervision and accreditation required of specialist professional staff within Special Assistance Resource Centres by:
 - approving professional training courses developed within guidelines determined by legislation and professional associations by professional sections within the Branch,
 - monitoring the maintenance of ethical and professional standards of behaviour of members of all professional staff within the Branch,
 - authorising the procedure for accrediting professional staff members for membership of professional associations and the requirements of legislation (e.g. Psychological Practices Act), and
 - approving of accreditation recommendations;
- . To make recommendations to the Executive Director (Educational Programs) on the employment of specialist staff by:
 - developing criteria for the selection of psychologists, speech therapists, social workers and interpreters, and
 - recommending to the Executive Director (Educational Programs) these criteria, and the employment of approved personnel;

- . to co-ordinate the development of information materials for dissemination to clients, regions, schools and the community;
- . to represent the Director General and the Executive Director (Educational Programs) on such councils and committees as may be required;
- . to attend to such other matters as the Executive Director (Educational Programs) may direct.

III.3.i Functions of Assistant Director of Guidance Services

Under the Director of Student Services, the Assistant Director of Guidance Services is required:

- . to develop policy proposals, priorities and operational guidelines for the provision of psychological services by:
 - identifying issues,
 - considering recommendations from all interested parties, and
 - identifying preferred options within alternative proposals;
- . to disseminate approved policy by:
 - preparing and publishing policy statements, and
 - ensuring uniform statewide interpretation;
- . to monitor the effectiveness of policy and guidelines by:
 - receiving reports from appropriate officers, and
 - preparing reports for the Director of Student Services;
- . to monitor the maintenance of high standards of ethical and professional practice by:
 - consulting other appropriate officers,
 - co-ordinating the supervisors of psychologists in training,
 - recommending appropriate professional development programs, and
 - recommending research and investigations;
- . to make recommendations about resources necessary to implement policies and guidelines;
- . to liaise with senior psychological staff in other government departments and other agencies;
- to represent the Education Department on committees and councils.

III.3.ii Functions of Senior Speech Therapist

The functions of the Senior Speech Therapist are exactly as described for the Assistant Director of Guidance Services in III.3.i above, except for the substitution of the term "speech therapy" for "psychological" wherever it occurs.

III.3.iii Functions of Senior Social Worker

The functions of the Senior Speech Therapist are exactly as described for the Assistant Director of Guidance Services in III.3.i above, except for the substitution of the term "social work" for "psychological" wherever it occurs.

III.3.iv Functions of Senior Specialist Consultant

The functions of the Senior Specialist Consultant are exactly as described for the Assistant Director of Guidance Services in III.3.i above, except for the substitution of the term "specialist consultant teacher" for "psychological" wherever it occurs.

IV. REGIONAL DIRECTOR OF EDUCATION

The major roles of the Regional Directors of Education are:

- . to advise the Deputy Director General and the Executive Directors on the development of educational policies within the Education Department and on matters relating to the provision of educational services within their Regions,
- . to manage the implementation of statewide educational policies within their Regions, and
- . to manage the provision of educational services within their Regions.

Functions of the Regional Director

Under the Deputy Director General, the Regional Directors of Education are required:

- . to be responsible for the development of regional aims, policies, priorities and guidelines within parameters established for statewide use by:
 - receiving submissions from regional officers and appropriate interest groups, including the Regional Education Council, and
 - co-ordinating submissions and developing proposals (including options), obtaining feedback and advice as appropriate on these proposals, and then deciding upon one of these options;
- . to be responsible for the communication of advice on policy and on resource requirements to the Deputy Director General by:
 - presenting to the Deputy Director General critical reviews of the implementation and effectiveness of policies, priorities and guidelines of the Department within the Region, including suggestions for revision of policies, priorities, guidelines and allocations, and
 - preparing specific reports on resource requirements in the region and submitting these to the Deputy Director General for use in the preparation of the statewide allocations;

- . to be responsible for the effective dissemination of regional aims, policies and priorities by:
 - presenting by any appropriate means to selected groups, organisations and bodies within a Region explanations of the policies, procedures and views of the Department and of the Region;
- . to be responsible for the co-ordination and management of all education activities in a Region by:
 - facilitating the development of co-operative relationships between school communities, School Councils, Local Government, and other agencies within a Region in matters of common interest,
 - allocating available resources to schools and to educational centres within the Region, and
 - overseeing the management of the operations of all regional personnel and of all regional officers;
- . to be responsible for the organisation and operation of the Regional Education Council and regional and sub-regional committees, working parties and task forces which are appropriate for effective regional administration;
- . to establish and maintain regular and effective communication links with local Members of Parliament;
- . to undertake other duties as assigned by the Deputy Director General.

IV.1 Functions of the Assistant Regional Director of Education (Operations)

Under the Regional Director of Education the Assistant Regional Director of Education (Operations) is required:

- . to be responsible for the development of draft regional policies, within state policies and guidelines, in relation to curriculum planning, management and support, and the provision of school, teacher, student and council support services by:
 - receiving submissions from the Assistant Regional Director (Resources), Senior Education Officers and appropriate interest groups, and
 - contributing to, co-ordinating and developing draft recommendations (including options) on curriculum and services for consideration by the Regional Education Council and for decision by the Regional Director;
- . to be responsible for the effective dissemination and implementation of regional policies and guidelines in relation to curriculum and services by:
 - co-ordinating the preparation and publication of policy and procedure manuals relating to curriculum and services for the information of Senior Education Officers and of schools, and
 - co-ordinating the distribution and interpretation of guidelines on curriculum and services to Senior Education Officers and schools;
- . to evaluate the implementation and effectiveness of regional policies and guidelines on curriculum and services by:
 - receiving reports from Senior Education Officers and schools on the extent to which policies have been upheld and guidelines have been complied with, and
 - receiving similar incidental reports from the curriculum and services function within the Region on the extent to which policies have been upheld and guidelines have been complied with;
- . to recommend to the Regional Director priorities relating to required resources in curriculum and services by:
 - receiving submissions from Senior Education Officers with regard to needs and expectations concerning resources for curriculum and services, and

- arranging through the curriculum and services function the development of draft recommendations (including options) concerning curriculum and services needs for consideration by the Regional Education Council and for decision by the Regional Director;
- . to be responsible for the distribution of available curriculum and services resources to sub-regions and schools by:
 - recommending allocations (including options) to the Regional Director for discussion with the Regional Education Council, following discussions with the Assistant Regional Director of Education (Resources) and Senior Education Officers, for decision by the Regional Director,
 - supervising the distribution of curriculum and services resources in accordance with approved allocations and
 - monitoring the management of curriculum and services functions;
- . to be responsible for supervising the work of Senior Education Officers in the region or in a sub-region;
- . to be responsible for administration of a Regional Office, if necessary;
- . to undertake other duties as assigned by the Regional Director.

IV.2 Functions of the Assistant Regional Director of Education (Resources)

Under the Regional Director of Education the Assistant Regional Director of Education (Resources) is required:

- . to be responsible for the development of draft regional policies, within state policies and guidelines, in relation to personnel and resources (finance, administration, facilities and personnel) by:
 - receiving submissions from the Assistant Regional Director of Education (Operations), Senior Education Officers and appropriate interest groups, and
 - contributing to, co-ordinating and developing draft recommendations (including options) on personnel and resources for consideration by the Regional Education Council and for decision by the Regional Director;
- . to be responsible for the effective dissemination and implementation of regional policies and guidelines in relation to personnel and resources by:
 - co-ordinating the preparation and publication of policy and procedure manuals in each resource function, for the information of Senior Education Officers and of schools, and
 - co-ordinating the distribution and interpretation of guidelines for each resource function to Senior Education Officers and schools;
- . to evaluate the implementation and effectiveness of regional policies and guidelines with regard to personnel and resources by:
 - receiving reports from Senior Education Officers and schools through the Assistant Regional Director of Education (Operations) on the extent to which policies have been upheld and guidelines have been complied with, and
 - receiving similar reports from resource functions in the Regional Office on the extent to which policies have been upheld and guidelines have been complied with;
- . to recommend to the Regional Director priorities relating to required resources by:
 - receiving submissions from Assistant Regional Director of Education (Operations) and Senior Education Officers with regard to needs and expectations concerning personnel and resources, and

- arranging through the resource functions the development of draft recommendations (including options) concerning personnel and resources for consideration by the Regional Education Council and for decision by the Regional Director;
- . to be responsible for the distribution of available resources to sub-regions and schools by:
 - recommending allocations (including options) to the Regional Director for discussion with the Regional Education Council, following discussions with the Assistant Regional Director of Education (Operations) and Senior Education Officers, for decision by the Regional Director,
 - supervising the distribution of resources in accordance with approved allocations, and
 - monitoring the management of resource functions;
- . to undertake other duties as assigned by the Regional Director.

IV.3 Senior Education Officer

The major roles of the Senior Education Officer are:

- . to advise the Regional Director of Education on matters relating to the management of a geographical network of school on a P-12 (Preparatory to Year 12) basis, and
- . to advise the Regional Director and school principals on the development and implementation of curriculum programs for primary, secondary or technical schools, and in a specific subject area.

Functions of the Senior Education Officer

Under the Regional Director of Education, the Senior Education Officers are required:

- . to contribute to the development of regional aims, policies, priorities and guidelines by:
 - identifying and reporting to the Regional Director on principal, teacher, student and community expectations for schools in the region,
 - advising schools on the development of curriculum policy and on the planning of curriculum programs,
 - leading or participating in the evaluation of schools through school reviews, and
 - reviewing specific aspects of educational programs in schools in the region;
- . to assist in the management of schools by advising the Regional Director on:
 - the staffing needs of individual schools,
 - the special needs staffing requirements of individual schools, and
 - the allocation and management of resources in relation to finance, support personnel and facilities;
- . to monitor and manage regional education support services by:
 - participating in the identification of needs and priorities for support services,

- supervising the operations of units providing support services, and
- making representations in Regional Office on behalf of support centres on requirements for facilities, finance and personnel;
- . to be responsible for the provision of regional curriculum consultancy services by:
 - identifying curriculum areas to be serviced by consultants,
 - managing the work of regional consultants, and
 - co-ordinating the development of regional curriculum materials;
- . to stimulate improvement in the quality of schools by:
 - managing the dissemination and implementation of new or revised curriculum materials,
 - supporting the professional development of teachers,
 - facilitating the organisation of in-service education activities by consultants, education support units and other interested parties, and
 - supporting staff development of School Councils and their members;
- . to provide references, as required, for principals and teachers;
- . to investigate, conduct inquiries and report on matters as requested by the Regional Director;
- . to undertake other duties as assigned by the Regional Director.

B. JOB SPECIFICATIONS

This section lists, in considerable detail, precise specifications of the stages in the management of each function that is the responsibility of the Director General and Deputy Director General, Executive Director (Personnel and Resources), Executive Director (Educational Programs), and Regional Directors of Education.

The "stages in the management of each function" are described briefly in this section: they are discussed in a little more detail in Appendix 6, which also contains the full "decision matrices" from which the following specifications are derived. In this analysis there are four stages, numbered 1 to 4, of which 1 and 3 are frequently subdivided. A brief description of these stages is:

1. Policy Development - This stage is usually subdivided into:

- 1A: Contribution to policy development - submitting ideas data or advice to the person responsible for the development of policy options.
- 1B: Policy development work - the detailed work of working through one or more policy options, utilizing contributions under stage 1A and under the general supervision of stage 1C.
- 1C: Responsible for policy development - identification of policy directions, criticism of drafts and ideas, general supervision of stage 1B, submission of draft policy to approving authority.

2. Approval of policy - Formal approval of one selected option, after revision as necessary.

3. Operational Decision Making - This stage is frequently subdivided into:

- 3A: Making formal recommendations - deciding upon and making a formal recommendation of one proposed operational decision within the policies of stage 2, to stage 3B.
- 3B: Approving or rejecting formal recommendations - approving of formal recommendation received from stage 3A (after ensuring it is within the policies of stage 2), or rejecting it, and giving authority to whatever decision is made.

4. Execution of decisions - a largely mechanical process of carrying out the operational decisions of stage 3.

Professional Development

In-service education policy
Resource allocation for non-award courses
Priorities for state-wide professional development
Allocation of consultancy establishment
Teacher exchange programs

Manpower Planning

Teacher supply and demand, present and future
Reviews of staffing establishments
Preparation of annual staffing submissions
Reviews of school staffing structures

Classification and Appointment

Qualifications and criteria for appointment to promotional positions
Teacher assessment policies

Industrial Relations

General industrial relations policy
Major industrial issues at school level

Personnel Administration

Computerised manpower systems
Job classifications and structures (except school-based teaching staff)
Leave (all types)
Selection and deployment of administrative staff
Policies on school council staff
Outside employment

Welfare and Discipline

Teacher discipline
Teacher welfare
Pupil litigation
Liaison with Government Medical Officer and State Superannuation Board
Teacher housing

STUDENT SERVICES

Statewide special assistance
Student welfare and discipline

Employment
 Statewide planning of centres
 Statewide resourcing of centres
 Regional planning of centres
 Regional resourcing of centres
 Statewide inter-agency relations
 Statewide internal relations
 Investigations and information

Stages 3 or 3B - APPROVING OR REJECTING FORMAL RECOMMENDATIONS

ADMINISTRATION

Legislation (DG directly)

CURRICULUM

-

FACILITIES

Facilities standards (including maintenance and cleaning costs: DDG directly)
 State facilities programs and budget formulation (DDG directly, 3B: 3A from Facilities Council)
 Program and budget negotiations with Treasury (DDG directly)

FINANCE

Budget negotiations with Treasury (DDG directly)
 Allocation of funds between Regions (DDG directly)

PERSONNEL

-

STUDENT SERVICES

-

II. EXECUTIVE DIRECTOR (PERSONNEL AND RESOURCES)

Stage 1A - CONTRIBUTION TO POLICY DEVELOPMENT

ADMINISTRATION

-

CURRICULUM

General curriculum planning statewide
Core curriculum planning statewide
Fields of study programs
Student group programs

FACILITIES

-

FINANCE

-

PERSONNEL

-

STUDENT SERVICES

-

Stage 1C - RESPONSIBLE FOR POLICY DEVELOPMENT

ADMINISTRATION

Computer operations - priority allocation
- central and regional data processing systems
Publishing priority allocations
Press releases from central office
Displays and exhibitions by central office
Central library priority allocation
Management information systems
School census and data surveys
Histories and centenaries
Legal services (all aspects except legislation)
Central office administrative services priority allocation
Responses to queries from Minister, Ombudsman, Parliament
Liaison with transport industry
School bus services
Interstate and overseas staff travel
Student hostels

Employment

Employment policy
Future staffing needs
Liaison with tertiary institutions on employment needs

Professional Development

In-service education policy
Resource allocation for non-award courses
Allocation of consultancy resources

Manpower Planning

Teachers supply and demand, present and future
Reviews of staffing establishments
Preparation of annual staffing establishments
Review of staffing structures in schools

Classification and Appointment

Qualifications and criteria for appointment to promotional positions
Teacher assessment policies

Industrial Relations

General industrial relations policy

Personnel Administration

Job classifications and structures (except school-based teaching staff)
Leave (all types)
Selection and deployment of administrative staff
Policies on school council staff
Outside employment

Welfare and Discipline

Teacher discipline
Teacher welfare
Pupil litigation
Liaison with Government Medical Officer and State Superannuation Board
Teacher housing

STUDENT SERVICES

PERSONNEL

Qualifications

Assessment for employment purposes of qualifications of individuals
Advice to public on qualifications
Issue of teaching certificates

Recruitment

Employment applications
Temporary employment registers
Advice to staffing officers on subject listings

Professional Development

Study leave (upgrading and extending qualifications)
Scholarships and special qualifications awards
Development programs for administrative staff

Manpower Planning

Analysis of enrolment and other data
Emergency and relieving teachers
Staffing of special projects
Research on conditions of work in schools

Schools Staffing

Staffing establishments for individual schools (formula entitlement)
Appointments and transfer of teachers to temporary positions, including secondments
Special staffing needs for regional allocation
Allocation of classified positions to individual schools
Advertisement of vacant classified positions

Classification and Appointment

Classified rolls and promotion lists
Appointment, promotion and transfer of permanent staff
Short-listing of applicants for principal's positions
Guidelines for selection panels
Permanent employment registers

Industrial Relations

Investigation of claims
 Conduct negotiations
 Lead advocacy
 Instruct counsel
 Liaise with Industrial Relations Office (Public Employing Authorities)

Personnel Administration

Records systems for all personnel groups
 Personnel safety
 Advice to Accounts on salaries and allowances
 Personnel practices manuals

Welfare and Discipline

Teacher Welfare Liaison Officers

STUDENT SERVICES

-

Stage 3A - MAKING FORMAL RECOMMENDATIONS

-

Stages 3 or 3B - APPROVING OR REJECTING FORMAL RECOMMENDATIONSADMINISTRATION

-

CURRICULUM

-

FACILITIES

Land strategy planning (3B: 3A from Director of Facilities or Regional Director)
 Site reservation documentation (3B: 3A from Director of Facilities or Regional Director)
 Land purchase documentation (3B: 3A from Director of Facilities or Regional Director)
 Facilities priority re-allocation - land
 Project expenditure control - major projects (3B: 3A from Regional Director)
 - land
 - school council, centrally and major regionally funded (3B: 3A from Regional Director)

Site purchase (3B: 3A from Regional Director)
Site disposal (3B: 3A from Regional Director)
Site reservation (3B: 3A from Regional Director)
Central facilities tender acceptance (3B: 3A from
construction agency)

FINANCE

Budget preparation - new and changed policies
Allocation of funds - within central level
- to statewide programs (shared with
E.D. [E.P.])

PERSONNEL

Future staffing needs (3B: 3A from Director of Personnel)
Job classifications and structures except school-based
teaching staff (3B: 3A from Director of Personnel)
Leave - all types (3B: 3A from Director of Personnel or
Regional Director)
Selection and deployment of administrative staff (3B:
3A from Director of Personnel)
Outside employment (3B: 3A from Director of Personnel)
Teacher discipline - serious cases (3B: 3A from Director
of Personnel)
Teacher welfare - serious cases (3B: 3A from Director of
Personnel)
Pupil litigation (3B: 3A from Director of Personnel)

STUDENT SERVICES

-

PERSONNEL

Qualifications

Evaluation of pre-service and post-graduate courses
Assessment for employment purposes of qualifications of individuals
Liaison with tertiary institutions on qualifications and courses

Recruitment

Employment policy
Future staffing needs
Liaison with tertiary institutions on employment needs

Professional Development

In-service education policy
Priorities for state-wide professional development
Study leave (upgrading and extending qualifications)
Scholarships and special qualifications awards
Resource allocation for consultancy
Teacher exchange programs

Manpower Planning

Teacher supply and demand, present and future
Reviews of staffing establishments
Preparation of annual staffing submissions
Reviews of school staffing structures

School Staffing

Staffing establishments for individual schools (formula entitlement)
Appointments and transfers of teachers to temporary positions, including secondments
Special staffing needs for regional allocation
Allocation of classified positions to individual schools

Classification and Appointments

Qualifications and criteria for appointment to promotional positions
Appointment, promotion and transfer of permanent staff
Teacher assessment policies

Industrial Relations

General industrial relations policies

STUDENT SERVICES

Stage 1C - RESPONSIBLE FOR POLICY DEVELOPMENTADMINISTRATION

-

CURRICULUM

General curriculum planning statewide
 Core curriculum statewide planning
 Fields of study programs
 Student group programs

FACILITIES

-

FINANCE

-

PERSONNEL

-

STUDENT SERVICES

Statewide special assistance
 Regional special assistance
 Student welfare and discipline
 Employment
 Statewide planning for centres
 Statewide resourcing of centres
 Regional planning of centres
 Regional resourcing of centres
 Statewide inter-agency relations
 Statewide internal relations
 Investigations and information

Stage 2 - APPROVAL OF POLICYADMINISTRATION

-

CURRICULUM

Core curriculum development
 Core curriculum servicing
 Option curriculum general planning
 Curriculum services - general planning
 Curriculum services - high cost

FACILITIES

-

FINANCE

-

PERSONNEL

-

STUDENT SERVICES

Training of professional staff
Supervision of professional staff

Stage 3A - MAKING FORMAL RECOMMENDATIONS

-

Stages 3 or 3B - APPROVING OR REJECTING FORMAL RECOMMENDATIONS

ADMINISTRATION

-

CURRICULUM

-

FACILITIES

Facilities Evaluation

FINANCE

Allocation of funds - to statewide programs (shared with
E.D. [P. & R])

PERSONNEL

-

STUDENT SERVICES

Statewide planning of centres (3B: 3A from Director,
Student Services)
Statewide inter-agency relations
Statewide internal relations
Investigations and information

Project expenditure control - minor projects
- land
- school council
Intra-regional maintenance funds allocation
Facilities maintenance expenditure - regional
Statewide program control works and services (all aspects)

Site purchase
Site disposal
Site reservation

Central project management - contract administration and
- supervision
- contract variation
- facility acceptance

Regional project management (all aspects)
School council project management (all aspects)
School council standard contracts
Purchase and movement of individual relocatable buildings
Waste disposal
Repair and replacement of minor furniture and equipment
Maintenance of buildings and grounds
Major furniture and equipment
Facilities security
Leasing of properties - as lessee, regional
- as lessor, regional
State schools nursery
Project management manpower

FINANCE

Allocation of funds - between statewide programs
- between Regions
- within schools
Expenditure control and monitoring of funds
Payment of salaries
Payment of accounts in schools and regional offices
Ledgers and accounting records, regions and schools
Accounting systems and accounting equipment
Payment of education allowances
Payment of grants
Revenue decisions

PERSONNEL

Qualifications

Evaluation of pre-service and post-graduate courses
Assessment for employment purposes of qualifications of individuals
Advice to public on qualifications
Liaison with tertiary institutions on qualifications and courses

Recruitment

Employment policy
Future staffing needs
Liaison with tertiary institutions on employment needs

Professional Development

In-service education policy
Resource allocation for non-award courses
Priorities for statewide professional development
Study leave (upgrading and extending qualifications)
Scholarships and special qualifications awards
Allocation of consultancy resources
Development programs for administrative staff
Teacher exchange programs

Manpower Planning

Analysis of enrolment and other data
Teacher supply and demand, present and future
Reviews of staffing establishments
Preparation of annual staffing submissions
Review of staffing structures in schools
Emergency and relieving teachers
Staffing of special projects
Research on conditions of work in schools

Schools Staffing

Staffing establishments for individual schools (formula entitlement)
Appointment and transfer of teachers to temporary positions, including secondments
Special staffing needs for regional allocation
Allocation of classified positions to individual schools

Classification and Appointment

Qualifications and criteria for appointment to promotional positions
Appointment, promotion and transfer of permanent staff
Short-listing of applicants for principal's positions
Guidelines for selection panels
Permanent employment registers
Teacher assessment policies

Industrial Relations

Industrial issues at school level

Personnel Administration

Manage records systems for all personnel groups
Computerised manpower systems
Job classifications and structures (except school-based teaching staff)
Leave (all types)
Personnel safety
Selection and deployment of administrative staff
Personnel practices manuals

Welfare and Discipline

Teacher discipline
Teacher welfare
Pupil litigation
Liaison with Government Medical Officer and State Superannuation Board
Teacher housing

STUDENT SERVICES

Employment
Regional planning of centres
Regional resourcing of centres

Stage 1C - RESPONSIBLE FOR POLICY DEVELOPMENT

ADMINISTRATION

Regional office publishing service
Media relations - regional
Departmental displays and exhibitions - regional

CURRICULUM

General curriculum planning regional
Curriculum services low cost

FACILITIES

Demographic analyses regionwide

FINANCE

Budget preparation - regional submission to centre
Allocation of funds - between schools

PERSONNEL

STUDENT SERVICES

-

Stage 2 - APPROVAL OF POLICYADMINISTRATION

Regional office publishing services
Media relations - regional
Departmental displays and exhibitions - regional

CURRICULUM

General curriculum planning regional
Curriculum services low cost

FACILITIES

Demographic analyses - regionwide

FINANCE

Budget preparation - regional submission to centre

PERSONNEL

-

STUDENT SERVICES

Regional special assistance - S.A.R.C
Regional inter-agency relations
Regional intra-departmental relations

Stage 3A - MAKING FORMAL RECOMMENDATIONSADMINISTRATION

-

CURRICULUM

-

FACILITIES

Land strategy planning
Site reservation documentation
Land purchase documentation
Facilities priority re-allocation - school council,
centrally funded

Project expenditure control - major projects
- school council centrally funded
- school council major regionally funded

Site purchase
Site disposal
Site reservation
Central project management (all aspects except tender acceptance, contract administration and supervision, contract variation)
Regional and school council purchase of relocatable buildings
Movement of new relocatable buildings
Major furniture and equipment
Regional leasing of properties - as lessee
- as lessor

FINANCE

-

PERSONNEL

Leave (all types)

STUDENT SERVICES

-

Stages 3 or 3B - APPROVING OR REJECTING FORMAL RECOMMENDATIONS

ADMINISTRATION

Data processing systems in regions
Regional office publishing services
Media relations - regional
Records management in regional offices
School bus operations
Motor vehicle fleet allocations - regional offices
Student hostels operations

CURRICULUM

General curriculum planning region
Core curriculum servicing
Option curriculum development (3B: 3A from school principal)
Fields of study programs
Student group programs
Curriculum services low cost

FACILITIES

Facilities joint usage planning
 Education unit locational planning
 Demographic analyses regionwide
 Educational specifications - individual (3B: 3A from regional office, schools or Student Services Branch)
 Facilities briefs - regional
 Regional facilities programs and budget formulation (3B: 3A from regional facilities committee)
 Facilities priority re-allocation - major and minor projects (3B: 3A from regional facilities committee)
 - school council regionally funded (3B: 3A from regional facilities committee)
 Project expenditure control - minor projects
 - school council, minor regionally funded
 Facilities maintenance expenditure - region (3B: 3A from school)
 Central project management - contract administration and supervision and facility acceptance (3B: 3A from a construction agency)
 Regional project management - all aspects (3B: 3A from school except for contract administration and supervision, when from PWD or other agency)
 School council project management - all aspects except contract administration and supervision, and facility acceptance (3B: 3A from school council)
 Movement of existing individual relocatable buildings (3B: 3A from school)
 Waste disposal
 Major furniture and works

FINANCE

Recurrent funds submission for budget submission
 Allocation of funds between schools
 Expenditure control and monitoring of funds in regional office
 Payment of salaries - emergency teachers
 Payment of accounts for goods and services in regional office

Ledgers and accounting records in regional office
Accounting systems and equipment in regional office
Payment of grants to schools
Revenue decisions in region

PERSONNEL

Priorities for statewide professional development
Study leave (upgrading and extending qualifications)
Scholarships and special qualifications awards
Allocation of consultancy resources
Teacher exchange programs
Emergency and relieving teachers
Staffing of special projects
Special staffing needs for regional allocation
Teacher assessment policies
Personnel safety
Teacher discipline (not serious)
Teacher welfare (not serious)

STUDENT SERVICES

Student welfare and discipline
Regional planning of centres (3B: 3A from Director, Student Services)
Regional resourcing of centres (3B: 3A from Director Student Services)
Regional inter-departmental interactions
Regional intra-departmental interactions

Stage 4 - EXECUTION OF DECISIONS

ADMINISTRATION

Data processing systems in regions
Publishing services regional office
Media relations in regions
Departmental displays and exhibitions in regions
Records management in regional office
School bus operations
Motor vehicle fleet allocations in regional office
Student hostels

CURRICULUM

General curriculum planning regional
Core curriculum servicing
Option curriculum development, low cost
Curriculum services low cost

Resource allocation for non-award courses
Priorities for statewide professional development
Emergency and relieving teachers
Teacher assessment policies
Personnel safety
Teacher discipline (not serious)
Teacher welfare (not serious)

STUDENT SERVICES (through S.A.R.C.)

Special assistance services - regional
Student welfare and discipline
Regional inter- and intra-departmental representations

DECISION MAKING MATRICES

As a tool for analysing jobs proposed in the new structure, and for ensuring that all stages of each function are placed in the structure, decision making matrices have been drawn up. Across the top, these list the most significant offices and organisational units within the structure, and down the left-hand-side they list functions to be carried out. The performance of these functions has been divided into a number of stages, indicated by the following code-letters:

1. Policy Development. This stages is usually subdivided into:
 - 1A: Contributions to policy development - submitting ideas, data or advice to the person responsible for the development of policy options.
 - 1B: Policy development - the detailed work of working through one or more policy options, utilizing contributions under stage 1A and under the general supervision of stage 1C.
 - 1C: Responsible for policy development - identification of policy directions, criticism of drafts and ideas, general supervision of stage 1B, submission of draft policy to approving authority.
2. Approval of Policy. Formal approval of one selected option, after revision as necessary.
3. Operational Decision Making. This stage is frequently subdivided into:
 - 3A: Making formal recommendations - deciding upon and making a formal recommendation of one proposed operational decision, within the policies of stage 2, to stage 3B.
 - 3B: Approving or rejecting formal recommendations - approving of the formal recommendation received from stage 3A (after ensuring it is within the policies of stage 2), or rejecting or revising it, or returning it to 3A for revision, and giving authority to whatever decision is made.
4. Execution of Decisions. The largely mechanical process of carrying out the operational decisions of stage 3.

The matrices concern processes involved in functions, not content. They attempt to ensure that before a policy on any matter is approved (stage 2), all concerned areas of the Department have been consulted (1A), and that detailed work on the options and their implications has been carried out (1B) under the direction of a more senior officer (1C). The matrices make no attempt to recommend what policies should be, only how they should be developed, approved and implemented, and who should be responsible for each stage.

The matrices do not indicate workloads, and nor do they indicate how matters are to be organised within each unit (Regional Office, Branch, etc.). Ministers do not appear in the matrices because it is inappropriate to incorporate them into ongoing, formal structures. Committees of advice (such as Corporate Management Group, Regional education Councils &c) do not generally appear because the aim of the charts is to locate responsibility with individuals. However these committees often have major contributions to stages 1A and 3A, and have been included in some of the matrices.

ADMINISTRATION

- 1A CONTRIBUTING ADVICE ON POLICY
- 1B DETAILED WORK ON OPTIONS
- 1C SUBMISSION FOR APPROVAL
- 2 POLICY APPROVAL
- 3A FORMAL RECOMMENDATION
- 3B OPERATIONAL DECISION
- 3 3A + 3B ABOVE
- 4 EXECUTION OF DECISION

DIRECTOR-GENERAL	DEP. DIR.-GENERAL	EXEC. DIR.-GENERAL	EXEC. DIR. EDUC. PROG.	DIR. DIR. PERS. & RES.	CURR. PROG. PROGRAMS	DIR. CURR. BRANCH	CURR. SERV. SERVICES	DIR. STUDENT SERVICES	STUD. SERV. BRANCH	DIR. PERSONNEL	PERSONNEL BRANCH	DIR. FACILITIES	FACILITIES BRANCH	DIR. FIN. & ADMIN.	FIN. & ADMIN. BRANCH	REGIONAL DIRECTOR	SCHOOL PRINCIPAL	SCHOOL COUNCIL	COUNCIL SERVICES UNIT	OPERATIONS UNIT	POLICY & PLANNING UNIT	AUDIT & REVIEW UNIT	CLIENT
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6. School census and data surveys	2	1C											3	1B 4										
7. Histories and centenaries	2	1C											3	1B 4										
8. Legal Services																								
i) priority allocation	2	1C											3	1B 4								1A		
ii) provision of legal advice	2	1C												3,4								1A		
iii) representing the Department	2	1C										1B	3,4											
iv) Orders-in-Council	2	1C										3	1B 4											
v) Legislation	2,3	1C												4										
B. General Administration																								
1. Records Management																								
i) Central office			2										1C	3,4										
ii) Regional Offices			2										1C		3,4									

DECISION-MAKING MATRIX

ADMINISTRATION

- 1A CONTRIBUTING ADVICE ON POLICY
- 1B DETAILED WORK ON OPTIONS
- 1C SUBMISSION FOR APPROVAL
- 2 POLICY APPROVAL
- 3A FORMAL RECOMMENDATION
- 3B OPERATIONAL DECISION
- 3 3A + 3B ABOVE
- 4 EXECUTION OF DECISION

DIRECTOR-GENERAL	DEP. DIR.-GENERAL	EXEC. DIR. GENERAL	EXEC. DIR. EDUC. PROG.	DIR. CURR. PERS. & RES.	CURR. PROG. PROGRAMS	DIR. CURR. BRANCH	CURR. SERV. SERVICES	DIR. SERV. BRANCH	STUD. SERVICES	DIR. SERV. BRANCH	PERSONNEL	PERSONNEL BRANCH	DIR. FACILITIES	FACILITIES BRANCH	DIR. FIN. & ADMIN.	FIN. & ADMIN. BRANCH	REGIONAL DIRECTOR	SCHOOL PRINCIPAL	SCHOOL COUNCIL	COUNCIL SERVICES UNIT	OPERATIONS UNIT	POLICY & PLANNING UNIT	AUDIT & REVIEW UNIT	CLIENT
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ii) School bus operations	2	1C														A, 3, 4	1A								
iii) Staff travel arrangements (within state)			2										1C	1B 3,4											
iv) staff travel-interstate and overseas	2	1C												3,4											
v) motor vehicle fleet allocation																									
a) central office			2										1C	1B 3,4											
b) regional offices			2										1C	1B	1A, 3, 4										
6. Student Hostels																									
i) pricing		2	1C					1A					3	1B	4										
ii) operations		2	1C													3, 4									

EXPLANATORY NOTES

SYMBOLS

1A 1B 1C 2

These symbols, where shown on the chart, indicate the areas of decision making in the general policy area described by the descriptor stub to the left of the chart. They refer to decisions related to general policy formulation required to give guidance to the initiation, format, procedures and authorization stages necessary for the activity listed in the descriptor.

SYMBOLS

3 3A 3B 4

These symbols refer to the areas of decision making related to the performance of individual specific tasks as in the given descriptor.

E.G. LAND STRATEGY PLANNING

1A 1B 1C 2

Indicate the areas of decision making in the formulation of general policy covering land strategy planning. Such policy being required to give guidance to the initiation, the format, process, procedures and authorization stages necessary for the preparation of strategy plans.

3 3A 3B 4

Indicate the areas of decision making in the preparation of a particular strategy plan, its acceptance and authorization.

FACILITIES PLANNING:

1. LAND STRATEGY PLANNING
The planning process required to produce a strategy plan which indicates the location of more than one educational unit, the rationale for location, and the interrelationships of the units.

A 3A is shown against both the Director of Facilities and the Regional Director in this descriptor line to indicate that the process of approval of strategy plans requires formal recommendation from both parties indicated.
- 2.1 SITE RESERVATION DOCUMENTATION
The preparation of documentation required to justify in planning terms, and to provide an official authorization for, the formal reservation or purchase of a specific parcel of land.
- 2.2 LAND PURCHASE DOCUMENTATION
A 3A is shown against both the Director of Facilities and the Regional Director in both these descriptor lines to indicate that the process of approval to purchase or reserve a particular parcel of land requires formal recommendation from both parties indicated.
3. FACILITIES JOINT USAGE PLANNING
The process of planning facilities developments which involve the Education Department with other users outside the Education Department.
4. EDUCATIONAL UNIT LOCATIONAL PLANNING
The planning process required to decide and justify the location of a particular educational unit whether school, a S.A.R.C., a Regional Office or other.

FACILITIES PLANNING:

5. DEMOGRAPHIC ANALYSIS
The documentation and analysis of population location and movement, related to the assessment of the need for the provision of educational facilities.

6. FACILITIES STANDARDS
Standards which indicate the State-wide acceptable level of provision of individual facilities e.g. the acceptable size of a standard primary classroom, the required standards for the cleaning and maintenance of such a classroom.

A 3A is shown against both the Facilities Council and the Standards Committee in the descriptor line indicating that the Standards Committee will make formal recommendation to the Facilities Council, which will in turn make recommendations to the Deputy Director General regarding particular standards to be adopted, and the Deputy Director General will make the operational decision, to approve, reject or modify those recommendations.

- 7.1 GUIDELINES AND PROCEDURES FOR EDUCATIONAL SPECIFICATIONS
Guidelines and procedures to enable individual educational units to write their particular educational specification where required.

FACILITIES PLANNING:

- 7.2 INDIVIDUAL EDUCATIONAL SPECIFICATIONS A description of the philosophy, aims, the programs, the number of students, the equipment etc. required to conduct educational programs within a particular educational unit, and defines the particular "resource needs" of that unit to operate effectively.
8. FACILITIES MASTER SPECIFICATIONS A description or brief specifying the total facilities requirements of a built structure. e.g. the facilities requirements of a primary school of a given pupil enrolment. The purpose of such a specification is to guide planners in the preparation of a brief for individual facilities.
9. FACILITIES BRIEFS Facilities Briefs are the request to the designer detailing what specific facilities are required in an individual proposed built structure.
10. FACILITIES EVALUATION The process of evaluating if particular facilities meet the needs of the user.
11. ALLOCATE PLANNING MANPOWER TO THE
IONS The allocation to a Region of "scarce" planning skills, located centrally, to assist with particular assignments.

PROGRAM AND BUDGET:

1. SCHOOL FACILITIES PROJECT/BUDGET FORMULATION
The formulation of a project needs submission and associated budget by an individual educational unit, for submission to the Region, indicating the estimated cost of a requested works project.
2. REGIONAL FACILITIES PROGRAM/BUDGET FORMULATION
The formulation of the yearly regional works program and budget, prepared by the region for submission to the Central Office. This would be an amalgamation and prioritisation of all proposed regional projects. The Regional Facilities Committee would make a formal recommendation to the Regional Director in this regard.
3. STATEWIDE FACILITIES PROGRAM/BUDGET FORMULATION
The formulation of the yearly Statewide Education Department works program and budget, prepared centrally, being the amalgamation of all regional and central programs. This descriptor line assumes that Minor Works are projects of less than \$20,000 value.
4. STATEWIDE FACILITIES PROGRAM/BUDGET NEGOTIATION (BETWEEN THE ED. DEPT/TREAS.)
The process of negotiation between Treasury and the Education Department to match the Education Department requests and the Treasury offers, and to arrive at the final Works and Services budget funds available. A parallel task with respect to maintenance would be undertaken for the recurrent component of the budget.

PROGRAM AND BUDGET:

5. FACILITIES
PRIORITY
RE-ALLOCATION
(POST-BUDGET) The process of adjustment to the facilities program to accommodate any necessary changes to match budget funds available, after negotiation with Treasury.
6. PROJECT EXPENDITURE The process required to authorize the release of funds for individual projects at all levels indicated. The 3B shown in more than one column indicates the delegations at various levels, to authorize expenditure. It is assumed that Regional Directors will have the authority to commit expenditure up to \$20,000.
7. INTRA-REGIONAL
MAINTENANCE FUNDS
ALLOCATION The process of the division of the total Regional maintenance funds provided to the Region from Central Office, between the various users within the Region.
8. FACILITIES
MAINTENANCE
COMMITMENT
(RE-CURRENT) The process required to authorize the release of funds for maintenance projects.
9. STATE WIDE PROGRAM
CONTROL (WORKS AND
SERVICES) The process of control required to ensure that the State works program is proceeding as planned with respect to both projects and funds committed.

OPERATIONS:

1. LAND OPERATIONS
The actual operational process of acquisition, formal reservation, transfer or disposal of particular parcels of land after approval has been gained as an earlier planning process. Before the final contract is executed, or the process finalized, the Region should recommend in the case of sites and the Region and School Council in the case of site extensions.

2. MANAGEMENT OF FACILITIES PROJECTS
The process of the development of an individual project through all the stages indicated e.g. feasibility, design, contract, variation and handover.
 - 2.1 Central Projects are those where the funds are provided centrally and final decisions regarding concept, design and budget are decided centrally, after appropriate recommendations as indicated. However, no construction projects will be controlled centrally and the Regional Director will be the "client" in all cases. Once the project proceeds to construction, only variations outside the contract will come to Central Office for approval.
 - 2.2 Regional Projects cover all non-School Council construction contracts. Both School Councils and school principals would offer recommendations at appropriate stages of the project as required.
 - 2.3 School Council Projects are those projects where funds are made available directly to the School Council, which then controls the project directly, within regional and central guidelines.

OPERATIONS:

- 3. SCHOOL COUNCIL STANDARD CONTRACT DOCUMENTATION AND ADVICE. The process of development of standard contract documentation to be made available to School Councils and Regions to facilitate the School Council contract process, and the provision of advice on the "Contract Process" on request.
- 4. INDIVIDUAL RELOCATABLE BUILDINGS
 - 4.1 The process of purchase of individual relocatable buildings by central, regional, and school council authorities. These purchases are separated as a category from major contracts involving relocatables within the total contract.
 - 4.2 The moving of relocatable buildings. For new buildings the original move would be organized centrally as part of the purchase process, but for existing buildings the move would be under regional control.
- 5. WASTE DISPOSAL The process of organizing waste removal contracts for those schools within the accepted geographical areas for such contracts. These contracts will be organized at the regional level, but where advantages may be gained by across region contracts, Central Office may be involved in the execution of such contracts.

OPERATIONS:

6. MAINTENANCE

The operational process of carrying out maintenance procedures required to replace minor items of furniture and equipment (up to a threshold limit), and to maintain the building fabric and grounds at an acceptable level.

Responsibility for this process would rest with the individual educational unit, however, should the individual unit not wish to carry out this function, maintenance procedures would be organized by the Regional Office at the request of that individual unit.
7. FURNITURE AND EQUIPMENT (MAJOR).

The replacement of items of furniture and equipment with a value greater than the threshold limit. The operational decision will be made at the Regional Office for all regional matters, but at Central Office if it is a Central Office furniture or equipment item.
8. FACILITIES SECURITY.

The organization of security measures affecting Education Department facilities. The security unit will remain a central function, but will co-operate with Regional Offices in the execution of operational decisions.
9. LEASING OF PROPERTIES.

The process of arranging property leases, in which the Education Department may be lessee or lessor. The arrangement of property leasing will remain a central function. For property within regional control, leases will be arranged after formal recommendation from the region and the educational unit concerned. For property controlled centrally, no regional recommendation is indicated.

OPERATIONS:

10. STATE SCHOOL NURSERY State Schools Nursery will be oversighted by the Director of Facilities Branch, and will operate within general policy guidelines approved by the Executive Director (Resources). Operational decisions will be at the levels indicated, and according to given delegations to approve expenditure.
11. ALLOCATE PROJECT MANAGEMENT MANPOWER TO REGIONS The allocation to a Region on request, of "scarce" project management skills which are located centrally, to assist Regions or Schools with particular projects.

- 1A CONTRIBUTING ADVICE ON POLICY
- 1B DETAILED WORK ON OPTIONS
- 1C SUBMISSION FOR APPROVAL
- 2 POLICY APPROVAL
- 3A FORMAL RECOMMENDATION
- 3B OPERATIONAL DECISION
- 3 3A + 3B ABOVE
- 4 EXECUTION OF DECISION

DIRECTOR-GENERAL
 DEP. DIR.-GENERAL
 EXEC. DIR. EDUC. PROG.
 EXEC. DIR. PERS. & RES.
 DIR. CURR. PROGRAMS
 DIR. CURR. BRANCH
 CURR. SERV. SERVICES
 DIR. STUDENT SERVICES
 STUD. SERV. BRANCH
 DIR. PERSONNEL
 PERSONNEL BRANCH
 DIR. FACILITIES
 FACILITIES BRANCH
 DIR. FIN. & ADMIN.
 FIN. & ADMIN. BRANCH
 REGIONAL DIRECTOR
 SCHOOL PRINCIPAL
 SCHOOL COUNCIL
 COUNCIL SERVICES UNIT
 OPERATIONS UNIT
 POLICY & PLANNING UNIT
 AUDIT & REVIEW UNIT
 FACILITIES COUNCIL
 ADVISORY COMMITTEE TO
 FACILITIES COUNCIL
 STANDARDS COMMITTEE

8. FACILITIES MASTER SPECIFICATIONS	2	1A	1C	1A		1A					1B 3	1B 4			1A							1A	1A	1A
9. FACILITIES BRIEFS																								
9.1 CENTRAL			2								1C 3	1B 4												
9.2 REGIONAL			2								1C	1B 4		3B, 4		3A								
9.3 SCHOOL COUNCIL			2								1C	1B 4		1A 4		3 4								
10. FACILITIES EVALUATION	2	1A 3	1C	1A	4	1A	1A				1B	1B		1A 4	4	4						1A	1A	
11. ALLOCATE PLANNING MANPOWER TO THE REGIONS ON REQUEST	2		1C								1B 3	1B 4		1A										

DECISION-MAKING MATRIX

FACILITIES FUNCTION PROGRAM & BUDGET 1/3

- 1A CONTRIBUTING ADVICE ON POLICY
- 1B DETAILED WORK ON OPTIONS
- 1C SUBMISSION FOR APPROVAL
- 2 POLICY APPROVAL
- 3A FORMAL RECOMMENDATION
- 3B OPERATIONAL DECISION
- 3 3A + 3B ABOVE
- 4 EXECUTION OF DECISION

DIRECTOR-GENERAL	DEP. DIR.-GENERAL	EXEC. DIR.-GENERAL	EXEC. DIR. EDUC. PROG.	DIR. CURR. PERS. & RES.	CURR. PROG. PROGRAMS	DIR. CURR. BRANCH	CURR. SERV. SERVICES	DIR. STUDENT SERVICES	STUD. SERV. BRANCH	DIR. PERSONNEL	PERSONNEL BRANCH	DIR. FACILITIES	FACILITIES BRANCH	DIR. FIN. & ADMIN.	FIN. & ADMIN. BRANCH	REGIONAL DIRECTOR	SCHOOL PRINCIPAL	SCHOOL COUNCIL	COUNCIL SERVICES UNIT	OPERATIONS UNIT	POLICY & PLANNING UNIT	AUDIT & REVIEW UNIT	FACILITIES COUNCIL	REGIONAL FACILITIES COMMITTEE
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1. SCHOOL FACILITIES PROJECT/BUDGET FORMULATION (TO FORWARD TO THE REG)																									
2	WORKS AND SERVICES . LAND			2							1C	1B			1A 4	4	3	4							
	. MINOR WORKS			2							1C	1B			1A 4	4	3	4							
	. MAJOR WORKS			2							1C	1B			1A 4	4	3	4							
2. REGIONAL FACILITIES PROGRAM/BUDGET FORMULATION (TO FORWARD TO THE CENTRE)																									
	WORKS & SERVICES . LAND	2		1C							1B	1B			3B 4							1A	3A		
	. MINOR WORKS	2		1C							1B	1B			3B 4							1A	3A		
	. MAJOR WORKS	2		1C							1B	1B			3B 4							1A	3A		
3. STATE FACILITIES PROGRAM/BUDGET FORMULATION																									
	WORKS AND SERVICES . LAND	2	3B	1A	1C	1A					1B	4 1B												3A	
	. MINOR WORKS	2	3B	1A	1C	1A					1B	4 1B												3A	
	. MAJOR WORKS	2	3B	1A	1C	1A					1B	4 1B												3A	
	RECURRENT . MAINTENANCE	2	3B		1C						1B	1B	1A	4 1A										3A	

Assume <\$20,000
Assume >\$20,000

FACILITIES FUNCTION PROGRAM & BUDGET 2/3

- 1A CONTRIBUTING ADVICE ON POLICY
- 1B DETAILED WORK ON OPTIONS
- 1C SUBMISSION FOR APPROVAL
- 2 POLICY APPROVAL
- 3A FORMAL RECOMMENDATION
- 3B OPERATIONAL DECISION
- 3 3A + 3B ABOVE
- 4 EXECUTION OF DECISION

DIRECTOR-GENERAL	DEP. DIR.-GENERAL	EXEC. DIR.-GENERAL	EXEC. DIR. EDUC. PROG.	DIR. DIR. PERS. & RES.	CURR. PROG. PROGRAMS	DIR. CURR. BRANCH	CURR. SERV. SERVICES	DIR. STUDENT SERVICES	STUD. SERV. BRANCH	DIR. PERSONNEL	PERSONNEL BRANCH	DIR. FACILITIES	FACILITIES BRANCH	DIR. FIN. & ADMIN.	FIN. & ADMIN. BRANCH	REGIONAL DIRECTOR	SCHOOL PRINCIPAL	SCHOOL COUNCIL	COUNCIL SERVICES UNIT	OPERATIONS UNIT	POLICY & PLANNING UNIT	AUDIT & REVIEW UNIT	FACILITIES COUNCIL	REGIONAL FACILITIES COMMITTEE
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STATE FACILITIES PROGRAM/BUDGET NEGOTIATION (BETWEEN ED. DEPT & TREAS.)

. WORKS AND SERVICES	2	3	1A	1C							1B 4	1B 4												
. RECURRENT	2	3	1A	1C							1A	4	1B 4											

FACILITIES PRIORITY REALLOCATION POST BUDGET NEGOTIATION (4) ABOVE

DEPT. . MAJOR PROJECTS	2		1A	1C							1B 3	1B 4		1A 3B 4										
. MINOR PROJECTS	2		1A	1C							1B	1B 4		1A 3B 4										
. LAND	2			1C 3							1B	1B 4		1A										
. OTHER	2			1C							1B 3	1B 4												
SCHOOL COUNCIL . CENTRALLY FUNDED	2		1A	1C							1B 3B	1B 4		3A										
. REGIONALLY FUNDED	2			1C										1A 3B 4										

PROJECT EXPEND. COMMITMENT/CONTROL (APPROVE THE RELEASE OF PROJ. FUNDS)

DEPT. . MAJOR PROJECTS	2			1C 3B							1B 3B	1B 4		3A										
. MINOR PROJECTS				2							1C	1B 4		1A 3										
. LAND	2			3							1C	1B 4		1A										
. OTHER				2							1C 3	1B 4												
SCHOOL COUNCIL . CENTRALLY FUNDED	2			1C 3B							1B 3B	1B		1A 3A		4								
. MAJOR PROJECTS REGIONALLY FUNDED	2			1C 3B							1B 3B	1B		1A 3A		4								
. MINOR PROJECTS REGIONALLY FUNDED	2			1C							1B	1B		1A 3		4								

in accordance with delegations of approval of level of expenditure

DECISION-MAKING MATRIX

FACILITIES FUNCTION OPERATIONS 1/4

- 1A CONTRIBUTING ADVICE ON POLICY
- 1B DETAILED WORK ON OPTIONS
- 1C SUBMISSION FOR APPROVAL
- 2 POLICY APPROVAL
- 3A FORMAL RECOMMENDATION
- 3B OPERATIONAL DECISION
- 3 3A + 3B ABOVE
- 4 EXECUTION OF DECISION

DIRECTOR-GENERAL	DEP. DIR. -GENERAL	EXEC. DIR. EDUC. PROG.	EXEC. DIR. PERS. & RES.	DIP. CURR. PROGRAMS	DIP. CURR. BRANCH	CURR. SERV. SERVICES	DIP. SERV. BRANCH	STUD. SERV. SERVICES	DIP. PERSONNEL	PERSONNEL BRANCH	DIP. FACILITIES	FACILITIES BRANCH	DIP. FIN. & ADMIN.	FIN. & ADMIN. BRANCH	REGIONAL DIRECTOR	SCHOOL PRINCIPAL	SCHOOL COUNCIL	COUNCIL SERVICES UNIT	OPERATIONS UNIT	POLICY & PLANNING UNIT	AUDIT & REVIEW UNIT	FACILITIES COUNCIL	PROJECT DESIGN/AGENCY	MANAGEMENT
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1 .LAND OPERATIONS																									
SITE PURCHASE/EXTENSION PURCHASE	2		1C 3B							1B 4			1A 3A			3A									
SITE DISPOSAL/TRANSFER	2		1C 3B							1B 4			1A 3A												
SITE RESERVATION	2		1C 3B							1B 4			1A 3A												
.MANAGEMENT OF FACILITIES PROJECTS																									
1 CENTRAL PROJECTS																									
.FEASIBILITY STUDY			2							1C 3B	1B 4		3A			3A 3A									
.PROJECT BUDGET			2							1C 3B	1B 4		3A			3A 3A									
.SCHEMATIC DESIGN										2 3B	1B 4		3A			3A 3A						4			
.DESIGN DEVELOPMENT AND FINAL BUDGET			2							1C 3B	1B 4		3A			3A 3A						4			
.FINAL DOCUMENTATION PRE-TENDER			2							1C 3B	1B		3A			3A 3A						4			
.TENDER ACCEPTANCE			3B							1C 3B	1B											3A		3B depends on levels of deleg.	
.CONTRACT ADMINISTRATION AND SUPERVISION										2	1C 1B		1A 3B									3A 4			
.CONTRACT VARIATION			2							1C 3	1B		1A									4			
.FACILITY ACCEPTANCE			2							1C	1B		1A 3B									3A 4			

- 1A CONTRIBUTING ADVICE ON POLICY
- 1B DETAILED WORK ON OPTIONS
- 1C SUBMISSION FOR APPROVAL
- 2 POLICY APPROVAL
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- 3 3A + 3B ABOVE
- 4 EXECUTION OF DECISION

DIRECTOR-GENERAL	DEP. DIR.-GENERAL	EXEC. DIR.-GENERAL	EXEC. DIR. EDUC. PROG.	DIR. CURR. PERS. & RES.	CURR. PROG. PROGRAMS	DIR. CURR. BRANCH	CURR. SERV. SERVICES	DIR. STUDENT SERVICES	STUD. SERV. BRANCH	DIR. PERSONNEL	PERSONNEL BRANCH	DIR. FACILITIES	FACILITIES BRANCH	DIR. FIN. & ADMIN.	FIN. & ADMIN. BRANCH	REGIONAL DIRECTOR	SCHOOL PRINCIPAL	SCHOOL COUNCIL	COUNCIL SERVICES UNIT	OPERATIONS UNIT	POLICY & PLANNING UNIT	AUDIT & REVIEW UNIT
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<u>Expenditure control and monitoring of funds commitment</u>																							
i) centre			2										1C 3	1B 4	1A								
ii) region			2										1C	1B	1A 3, 4								
iii) school			2										1C	1B	1A	4	3						
<u>Payment of Salaries</u>																							
i) Permanent and temporary teachers			2						1A				1C	1B 3,4	1A								
ii) Prof. Officers + public servants in centre, region and school			2						1A				1C	1B 3,4	1A								
iii) Allowances for students -in-training			2						1A				1C	1B 3,4	1A								
iv) Emergency teachers			2						1A				1C	1B	1A 3, 4								
v) Council employed staff in school			2						1A				1C	1B 3,4	1A	4	3						

ADMINISTRATION AND SERVICES.

- 1A CONTRIBUTING ADVICE ON POLICY
- 1B DETAILED WORK ON OPTIONS
- 1C SUBMISSION FOR APPROVAL
- 2 POLICY APPROVAL
- 3A FORMAL RECOMMENDATION
- 3B OPERATIONAL DECISION
- 3 3A + 3B ABOVE
- 4 EXECUTION OF DECISION

DIRECTOR-GENERAL	DEP. DIR.-GENERAL	EXEC. DIR. GENERAL	EXEC. DIR. EDUC. PROG.	DIR. CURR. PKGS. & ILS.	CURR. PROG. PROGRAMS	DIR. CURR. BRANCH	CURR. SERV. SERVICES	DIR. STUDENT FRANCH	STUD. SERV. SERVICES	DIR. PERSONNEL BRANCH	PERSONNEL BRANCH	DIR. FACILITIES BRANCH	FACILITIES BRANCH	DIR. FIN. & ADMIN.	FIN. & ADMIN. BRANCH	REGIONAL DIRECTOR	SCHOOL PRINCIPAL	SCHOOL COUNCIL	COUNCIL SERVICES UNIT	OPERATIONS UNIT	POLICY & PLANNING UNIT	AUDIT & REVIEW UNIT
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PERSONNEL ADMINISTRATION																							
Manage records systems for all personnel groups			2	1A	1A				1C 3	1B 4			1A		1A								
Computerised manpower systems		2		1A	1A				1C 3	1B 4			1A		1A								
Job classification and structures (Except school based teaching staff)		2	1C 3B	1A	1A				1B 3A	1B 4	1A		1A		1A		1A						
Leave (all types)		2	1C 3B						1B 3A	1B 4					1A 3A								
Personnel safety			2	1A					1C 3	1B 4	1A				1A 3A		1A						
Provide advice to Accounts Branch on salaries and allowances			2						1C 3	1B 4			1A										
Process personnel related correspondence									2	3A													
Selection and deployment of administration staff		2	1C 3B	1A	1A				1B 3A	1B 4	1A		1A		1A								
Process applications for non-school positions									2 3	1 4					1A								

A number of working definitions have been adopted. They are as follows:

1. CURRICULUM

Curriculum is the sum of the planned learning experiences to which students are exposed as they pass through the school.

This process involves:

- Identifying curriculum program needs and wants of society and of the individual.
- Considering attitudes, values, knowledge and skills.
- Determining policies and priorities.
- Establishing educational settings which include organisational groups of students, school types and networks for effective and efficient administration and delivery of curriculum activities.
- Designing curriculum programs by considering objectives, courses, content, learning materials, teaching approaches and evaluation.
- Planning strategies for personnel development.
- Disseminating curriculum policy, guidelines and programs.
- Utilising policy, programs, resources and services.
- Evaluating curriculum through review of policies, plans and implementation to ensure forward planning and accountability.

2. CURRICULUM POLICY MAKING, PLANNING AND MANAGEMENT

Curriculum planning across the organisational levels of centre, region and school involve:

- Analysing societal and individual needs and wants for curriculum programs.
- Analysing curriculum trends as they relate to societal and student needs.
- Formulating values, aims, policies, priorities and expectations.

- Determining policies relating to the establishment of educational settings.
- Formulating guidelines for the development of programs, and evaluation procedures which acknowledge differing contexts.
- Dissemination policy and guidelines
- Identifying resource requirements -
 - . their quantity and characteristics - and representation about their acquisition and deployment.
- Implementing programs
- Reviewing of policies, plans and their implementation.

3. CURRICULUM SUPPORT

Curriculum Services are defined as the provision of services to schools from regions, centre and outside the Education Department to assist schools in the development and implementation of their curriculum policies and programs.

This assistance to schools involves:

- Disseminating programs and assisting schools and teachers in the use of such programs through consultancy, in-service education and involvement in the curriculum development process.
- Providing scarce resources not locatable in each school or region.
- Developing programs, setting objectives, selecting content and skills, suggesting teaching strategies and evaluation procedures.
- Producing curriculum information.
- Producing curriculum materials.
- Undertaking curriculum research.

4. STUDENT SUPPORT

Student services include those services directed towards the provision of additional support, assessment and education or therapeutic programs for children; particularly those children requiring specialised or different treatment. This support encompasses those services currently undertaken by Counselling, Guidance and Clinical Services, Special Education Units, Demonstration Units, Visiting Teacher Services, Remedial Physical Education Centres, and Interpreters.

It involves:

- Developing policy in relation to the provision of special educational services and student support services.
- Disseminating policy and guidelines.
- Developing criteria on the selection and employment of staff in each of the associated professions.
- Supervising the professional operation of the members of each of the professions including student services and to ensure that appropriate and ethical professional standards are maintained.
- Providing necessary staff development and training programs for accrediting psychological staff and ensuring appropriate standards for professional operation.
- Developing and maintaining a core of expertise related to low incidence handicaps of educational, emotional social, physical, and sensorial origin and with the capacity to provide advice and assistance to local centres and schools.
- Assisting schools through the provision of scarce resources not locatable in each school or region.
- Co-ordinating the student support services which are provided by various state or federal government departments and non-government agencies.
- Providing research capacity to investigate psychological, social factors associated with the provision of student services in the various educational settings.

FACILITIES MAINTENANCE

1. SUMMARY

It is proposed that the cost of maintenance of facilities be a charge against recurrent funds and allocated to schools at the discretion of the regional director. The actual amount for each region would depend upon the application of a general formula which addresses the maintenance needs of all schools in an equitable fashion.

The subsequent allocation of facilities maintenance funds from the regional office to each school in the region will depend upon:

- The extent of devolution of responsibility and accountability to school councils which is finally determined.
- The willingness and competence of the school council to be responsible for the ongoing maintenance of its buildings and grounds.

This paper proposes an outline scheme to undertake facilities maintenance in an equitable, practical fashion which satisfies the requirements of the White Paper with respect to the transfer of powers and functions from the centre to the regions.

A fully devolved model of facilities maintenance is also discussed. The degree of acceptance of this model will be dependent upon the extent of devolution finally determined.

2. THE CURRENT SITUATION

The Education Works and Services Budget is established from Capital Funds. These funds are used for:

- Major and minor projects at central, regional and school levels. Projects include refurbishing or modifying existing pupil places, or providing new pupil places where required.
- Furniture and equipment provision for existing schools.
- Ongoing maintenance (cyclical and urgent).

For the purpose of this paper maintenance is defined as:

- The upkeep of buildings and grounds.
- The repair of furniture in existing schools.
- The upkeep of equipment.
- The supply of replacement items of furniture and equipment (below a threshold value) to existing schools.

Education Works and Services expenditure has two components:

- Funds allocated by Treasury to Public Works Department (PWD) accounts, for expenditure on behalf of Education, including Design, Supervision and Administration (DSA) charges levied by the PWD.
- Funds allocated by Treasury directly to Education Department accounts.

PWD funds for maintenance can either be applied to:

- Urgent maintenance, from the General Approval (GA) account.
- Cyclical maintenance, whereby individual major or minor projects are identified, costed, prioritised and aggregated to produce a yearly program.
- Furniture and equipment.

Facilities maintenance carried out through PWD Works and Services accounts is almost impossible to quantify. It comprises:

- All expenditure under the GA account.
- Some expenditure under the Expenditure Authority (EA) account (that applicable to maintenance rather than minor works).
- Some major works expenditure (cyclic maintenance projects over \$50,000).
- Expenditure on repair and replacement of furniture and equipment.

The GA account is to cover urgent and essential works for health, safety, welfare and security reasons which are beyond the scope of the maintenance component of the direct grant, typically in the range of \$50 to \$500. This work is arranged by contact between the individual school and the local PWD Inspector of Works.

The various regional priority review committees assess requirements and recommend the allocation of the EA fund as well as all regional major projects priorities.

Education Department Works and Services funds for maintenance are expended by means of school council contracts. In these cases the Minister or regional director makes an offer to the school council to undertake a particular project, which, if accepted, is then managed by the school council.

Additionally there is a notional amount of recurrent funds for routine buildings and grounds maintenance included in each school's direct grant.

Currently the maintenance component of direct grants to schools depends on the type of school (primary, secondary or technical), and is expressed as a dollar amount dependent on:

- Floor area of buildings (all schools, technical is notional amount).
- Number of pupils (primary and technical schools).
- Area of grounds (all schools).
- Number of relocatable/portable classrooms (primary and secondary).
- Number of toilet blocks (primary).
- Existence of caretaker's residence or swimming pool (primary and secondary).

The coefficients applied to the formulae are different for each type of school, and there are additionally different minimum/maximum amounts which may be applicable.

The following problems are evident under the present system of facilities maintenance:

- Costly large scale maintenance is meant to be undertaken on a regular basis (typically 5-7 years). There is therefore the tendency for minor items to escalate to more major problems as the programmed cyclic maintenance approaches. The problem is then exacerbated if the cyclic maintenance is postponed or cancelled due to a shrinking Works and Services budget or changes in priorities.
- There is no routine manner by which schools can fund preventative maintenance required to maintain the building fabric in an ongoing manner other than by making submissions to the region for minor works funding.
- The administrative cost of maintenance is higher for work conducted by the PWD. The DSA charge of approximately 12% is applied to all maintenance tasks, and covers inspection, specification, design, supervision, administration, acceptance and payment.
- Maintenance competes for the same limited funds as capital work; however capital works programs often receive a higher priority than an ongoing maintenance program, resulting in the gradual deterioration of the capital stock of buildings, grounds, furniture and equipment.
- There is an artificial cut-off between the application of direct grant and PWD GA funds towards an urgent item of facilities maintenance. Below the cut-off cost, items are expected to be paid for from direct grant monies held by the school council; above the cut-off figure, the school can apply to the PWD for repair out of the Regional GA allocation. There is thus the tendency to let urgent minor items of maintenance accumulate until they can be repaired by the PWD at no perceived cost to

3. FACILITIES MAINTENANCE AS A RECURRENT GRANT TO REGIONS

Although there is difficulty in quantifying the total need for maintenance across the system, there is a number of reasons for the consideration of maintenance being a charge against recurrent rather than capital funds:

- Maintenance is an ongoing commitment as soon as the capital item is accepted.
- The need for maintenance of existing capital stock should not compete directly with funds required for new capital stock.
- Maintenance is a charge against recurrent funds in accord with standard accounting practices in other States.
- Some maintenance is already allowed for as part of the recurrent direct grant to schools.

Victoria is the only State Education Department in which ongoing maintenance is charged against capital funds.

In accord with the general White Paper themes of decentralisation of power and responsibility economy and efficiency in management, it is considered that Regions must have visible, real control over the allocation of resources, and thus it is proposed that funds for maintenance of facilities be a charge against recurrent funds and allocated to schools at the discretion of the regional director.

A parallel thrust to this proposed change is a change in focus away from cyclical, large scale programs towards a continuous process of preventative maintenance and restoration. Each school will then have an active part to play in the continual, visible application of maintenance funds.

4. ALLOCATION AND MANAGEMENT OF FACILITIES MAINTENANCE FUNDS

Given that funds for facilities maintenance are allocated directly to the regional level, the following factors must be considered:

- How is an equitable amount for the maintenance of each region and school to be calculated?
- Who is to determine the basis of the disbursement process?
- What management and control procedures should be in place?

Each of these points is now discussed.

4.1 Determination of Region and School Maintenance Allocation

It is proposed that the calculation of the statewide facilities maintenance funds requirement should be performed on the basis of a formula which takes into account the appropriate details of each school in the state. Some of the relevant criteria are:

- Type of building (fabric, layout, age etc).
- Details of last significant maintenance activity (e.g. work done, how long ago, etc.).
- Area of building.
- Area of grounds.
- Number of pupils.
- Equipment profile (type, complexity, age, etc.).
- Furniture profile (type, age, etc.).
- Number of portable/relocatable classrooms.
- Certain minimum/maximum constraints.

One method for the application of such a formula would identify an index of need for each school in the state. This index would be the basic parameter for the calculation of an equitable distribution of maintenance funds across all schools.

The next step in the funds calculation process would be the determination of a common cost factor which reflects the actual funds requirement to perform the routine maintenance tasks required to preserve facilities in a sound condition. This factor would vary from year to year dependent upon cost structure of maintenance services and materials. The product of this statewide cost factor and the index of need for each school would determine an estimate of the dollar amount appropriate for the maintenance of each school in the state for a given year. The aggregation of the estimates for each school would then comprise the perceived statewide facilities maintenance funds requirement.

The total funds available for maintenance purposes in any year will depend on the priorities for all forms of recurrent expenditure, but must be based in the first instance on the aggregated estimates of individual school requirements. If maintenance funds eventually allocated are different from the perceived requirement, then the previously determined common factor must be altered in line with the ratio of allocated to requested funds.

To determine the actual allocation of maintenance funds to each school in the State, it is proposed that:

- The Deputy Director-General determines the statewide funds available for facilities maintenance, out of the total allocation of recurrent funds.
- Central office (Personnel and Resources) determines the allocation of maintenance funds to each region by aggregating the share of the available funds for all schools in each region.
- Each regional director would receive an allocation of funds for maintenance of schools within the region, and be advised of the basis of its calculation i.e. the notional funds to each school in the region.
- The regional director, advised by the Facilities Committee of the regional education council, is responsible for the division of maintenance funds between all schools in the region. He may or may not employ the same criteria as the central determination parameters, but must operate within central policy guidelines. The regional director would most probably keep under direct regional control a proportion of the funds for unpredictable maintenance tasks which should not be seen as an ongoing school liability (vandalism, storm damage etc.), and which would not be associated with any particular school.

Thus each school in the state would have a budget for facilities maintenance, allocated by the respective regional director, within which it would be required to operate.

4.2 Management of Facilities Maintenance Operations

It is proposed that the operational decision-making with regard to facilities maintenance within the budgeted funds would be the responsibility of each school council.

Thus school councils would be able to plan and undertake ongoing and preventative maintenance works on a more regular and cost effective basis, and be responsible for:

- Maintenance of buildings and grounds.
- Repair and replacement of furniture.
- Maintenance of equipment and replacement of minor items of equipment.

Items of new equipment above a threshold level would be charged against capital funds, and this would be arranged through the school council submission to the regional office, as are requests for major and minor works.

State or region-wide tendering for furniture and equipment provision, with the consequent savings contained within such a method would still be possible. Appendix 3 contains further details.

At this stage there are seen to be three possibilities for the disbursement of regional funds to pay for the maintenance of school facilities:

- All funds retained in regional accounts, with bills for school maintenance being sent to the regional office for payment.
- Each school's allocation of facilities maintenance funds automatically credited to the school council account as an untied grant.
- An intermediate arrangement, with some funds given to each school council and some discretionary funds kept at the Regional Office.

The first possibility is a step back from the degree of devolution which exists now, since approximately 20% of maintenance funds is currently in the form of an untied direct grant to schools. Although this report is not considering the devolution question, such an arrangement is considered to be counter to the spirit of the White Paper.

The second possibility is clearly a question of a greater degree of devolution than at present, and a movement in this direction must await the outcome of that debate. However a fully devolved model is briefly discussed in the following section.

Thus the third possibility is considered the only practical arrangement at this stage. The proportion of each school's facilities maintenance budget held at the regional office will depend upon:

- A central policy decision as to the criteria to be applied by the Region in allocating maintenance funds as an untied direct grant to each school council
- A central policy decision addressing the ability of a school or cluster of schools to employ a handyman to conduct ongoing maintenance
- The willingness and ability of each school council to undertake the responsibility for facilities maintenance.

- The extent to which the Minister is willing to allow ongoing maintenance to be carried out by means of school council contracts.

Whether the school council or regional office manages (ie. is the 'client' for) a particular maintenance project, a 'fee for service' concept is proposed, with the service provider being any of:

- The PWD.
- Building industry contractors.
- Local government.

Further details of this proposal are contained in Appendix 9.

4.3 A Devolved Model of Facilities Maintenance

In the fully devolved model, regionally-determined maintenance funds would be credited automatically to school council accounts on a regular basis.

A key issue is the extent to which the facilities maintenance component of a direct grant to a school should be tied to that use. In line with the requirements and spirit of the White Paper, these funds need not be tied to maintenance, but the regional director should perhaps be charged with ensuring that facilities maintenance commensurate with the funds allocated is undertaken over a given period.

Additionally, provision must be made for those school councils who are unwilling or unable to undertake the responsibility for facilities maintenance. In these cases, the regional director would hold the total facilities maintenance funds for each of the schools, and the necessary repairs would be organised through the regional office. A further issue is then the extent to which this regional credit should be tied to maintenance.

Implicit in any such devolved model must be the integrity of public funds, i.e. that all contracting procedures are in accordance with appropriate legislation and regulations.

THE EDUCATION DEPARTMENT CLIENT ROLE
WITH RESPECT TO FACILITIES PROJECTS

1. SUMMARY

It is proposed that:

- The Education Department becomes a more effective client for facilities projects.
- All facilities services external to the Education Department are provided on a fee-for-service basis.

A key issue with respect to the effective client role relates to the contractual identification of the true client. Currently the contractual client for facilities projects is:

- The Education Department for land purchase.
- The respective school council for school council contracts.
- The Public Works Department (PWD) for all other construction projects.

It is proposed that the contractual client for all non-school council construction projects is the Education Department, specifically the regional director, and that management of these projects is undertaken at the regional level. It is considered that legislative change to the Public Lands and Works Act will be required unless the Department were to become a statutory authority.

The proposed client role for the Education Department will be able to support any division of Education works between school councils, the PWD and other agencies.

2. THE CURRENT SITUATION

The Education Works and Services budget has two components:

- Funds allocated to the Public Works Department.
- Funds allocated to the Education Department.

In each of the past five years, the PWD has received 80-85% of Education Works and Services funds.

Contracting procedures and the client role assumed by the Education Department and school councils differ depending upon the type and size of the facilities contract.

A brief description of current procedures and problems is now given for:

- PWD construction contracts (major and minor).
- School council contracts.

2.1 PWD Construction Contracts

For any public building project, Section 8 (1) of the Public Lands and Works Act requires that:

"The Minister of Public Works shall consider and determine all matters and questions relating to the adoption of any plans and specifications for public works and shall consider and deal with all requisitions for buildings furniture or repairs and shall decide upon the acceptance of all tenders for such works buildings furniture or repairs and the terms and conditions on which the same shall be accepted together with the nature and amount of security to be given for the performance of any contract arising out of the same and all other acts and questions relating to or concerning the public works and buildings of Victoria."

The only exception mentioned in the Act is a building project undertaken by a statutory authority. e.g. any school council as constituted under the Education Act.

In fact, for all non-school council construction projects, the PWD currently:

- Undertakes the Schematic Design in response to an Education Department brief and budget estimate.
- Undertakes the Detailed Design phase.
- Prepares the Contract Documentation.
- Receives and evaluates the tender responses and selects the successful tenderer.
- Lets the contract.
- Makes payments to the contractor.
- Authorises variations within the contract.
- Accepts the project on completion.

Many problems with these arrangements were highlighted during the interview programme. The more important of these are as follows:

- All Design, Supervision and Administration (DSA) work undertaken by the PWD is funded from a blanket provision of 12% of actual expenditure from the PWD allocation of Education Works and Services funds. The PWD feels that this 12% fee does not adequately reflect the cost of providing current services.

- There is currently no mechanism for PWD design, supervision or administration activities to be charged against a specific project, other than Commonwealth TAFE. Likewise, any PWD work which does not culminate in a construction contract is not charged directly to the Education Department.
- The Education Department brief is sometimes inadequate, resulting in the PWD architect being asked to proceed with the design without a clear idea of what is really required.
- At the completion of Schematic Design, the PWD should request Education Department approval of the project requisition. However in some cases the requisition request does not eventuate until the project is almost ready to go to tender, and time constraints can preclude the correction of any errors or misconceptions which may be inherent in the design. Additionally, in cases where the detailed design is not discussed with the relevant planning committee, problems can occur which lead to a dissatisfied end user.
- The PWD can accept any tender up to the project requisition amount plus a contingency amount (the lesser of 10% or \$50,000). There are no procedures for the Education Department to ratify the post-tender budget.
- The PWD often has difficulty in identifying the Education Department client for a particular project between the school principal, school council, regional director, Planning Services Division, Building Operations Division, the Assistant Director General (Buildings) or the Minister.
- There has been little concerted activity in past years by either the Education or Public Works Departments to critically examine facilities projects in terms of cost effectiveness criteria. This has caused design philosophies to be questioned, both within and outside the Department, either prior to, during or on completion of construction.
- The timing of committal and expenditure of funds is mainly determined by the PWD; however some financial information with respect to the Education Department program is provided by the PWD on a regular basis. There are problems for Education Department spokesmen who cannot answer community inquiries as to the status of a particular school project, specifically minor projects in the range of \$10,000 to \$50,000 which are not individually identified in the PWD information.

- Variations within the contract are authorised by the PWD (allowance is typically 2.5% of the contract amount) in line with common practice; however variations outside the contract but up to the requisition amount plus contingency are also authorised by the PWD. Variations above this amount must be authorised by the Education Department, but often the request for variation approval is presented as a fait accompli after work has commenced.
- The PWD, as the contractual client, accepts the completed project from the builder; however there is no mechanism for formal project handover from the PWD to the Education Department.
- Minor projects under \$10,000 are undertaken and visible at the local level within both the Education Department and PWD, since this is the level of delegation to the regional director. If over \$10,000 the approval, timing and visibility of the project is lost at the local level.
- The continued employment of the PWD Construction Group sometimes takes precedence over the most efficient utilisation of resources for the Education dollar.

2.2 School Council Contracts

It is the Works and Services funds under the direct control of the Education Department which provide the vehicle for school council contracts.

School council contracts are provided for under the Education Act, and enable a school council to commission works outside the PWD system. Such contracts are usually let for minor works costing less than \$10,000; however some major upgrade projects have recently been undertaken in this manner.

A typical sequence of events leading to completion of a school council contract is as follows:

- An offer to undertake a school council contract (which may have been requested by the school in the first place) is made by the Minister or regional director, and accepted by the school council.
- The regional director approves the appointment of a project manager, who may or may not be paid for his services.
- The tender documents are prepared, and after Ministerial approval, tenders are called. For projects less than \$10,000 at least three quotations must be received; projects over \$10,000 must be put out to public tender.

- The regional director receives a copy of all quotes and must approve the selection of the successful tenderer.
- The school council then enters into the contract (copy of contract to regional office), informs unsuccessful tenderers and supervises the work. Payment to the contractor is made centrally.

Problems with the school council contract process which were highlighted during the interview programme were as follows:

- There is no formal control at central or regional level of school council contracts.
- school councils are sometimes inexperienced in building matters, and may get into contractual difficulties.
- The expenditure of public funds by school councils is not always in accordance with Treasury Regulations.
- PWD Officers are sometimes asked to assist in the selection, supervision, administration or inspection stages of the projects without a mechanism to enable the PWD to be paid for their services.

3. THE EFFECTIVE CLIENT ROLE

3.1 The Education Department as Client

The White Paper proposes that the Education Department ensures the effective and proper management and control of programs of work, and that management be as close to the school level as possible.

In line with this requirement, it is considered that the Education Department must:

- Develop its role as an effective client.
- Identify who in the Department is the actual client.

for all Departmental construction projects.

With respect to the first point, it is proposed that the only way to ensure the necessary accountability and control mechanisms is for the Education Department to become the contractual client for the project, i.e:

- Sign the contract.
- Approve payments and variations to the contract.
- Accept the project from the builder on completion.

This role for the Education Department implies no change to the present system of relying on agencies external to the Department to provide the design and project management skills for the Education Works and Services program.

These skills could be provided from the PWD or other public or private agencies, either as a package or individually; but it must be the client who is in overall control, making decisions based on recommendations from those who are managing the project for him.

It is considered that legislative change to the Public Lands and Works Act will be required to place the Education Department in this recommended position. The PWD has detailed information at its disposal concerning the status of the building industry, and could well retain responsibility for such factors as:

- Terms and conditions of the contract.
- Ensuring that all registered contractors receive an equitable share of tenders for all public works.
- Selection of the successful tenderer.

The split of Education works between the PWD and other agencies is a political decision outside the scope of this report; however this proposal enables the Education Department to be the effective client no matter who is providing the design and project management services.

The placement of Education Works and Services funds is a question which does not directly affect the Education Department's proposed effective client role.

If a political decision was made that the PWD was to manage a certain proportion of projects for which the Education Department was the client, then the appropriate funds could be placed in PWD Works and Services accounts. Equally, all Works and Services funds could be in Education Department accounts, and paid directly to service providers and building contractors.

With respect to the identification of the actual client within the Education Department, it is proposed that:

- The Director of the Facilities Branch is the client for all land transactions and statewide non-construction projects.
- A Regional Director is the client for all non-School Council construction projects.

There could well still be statewide projects for which a common design may be commissioned centrally; however once any project gets to the construction phase, the respective regional director would become the client.

Whether or not the nominated Education Department client actually signs the project requisition or contract will depend upon the policy regarding delegations for the various activities.

3.2 The School Council as Client

The school council is already identified as the contractual client under the provisions of the Education Act, and therefore:

- Signs the contract.
- Approves payments (which are then made centrally).
- Accepts the project from the builder on completion.

It is proposed that this existing process be retained, but that the regional director ensures that proper management and effective control procedures are in place for each contract. For instance, he should:

- Make sure that the nominated project manager is competent and has the available time to carry out this task.
- Ensure that the design and contract documentation is properly drawn up and unambiguous.
- Be the approval authority for variations outside the contract.

It is envisaged that school council contracts could be extended to include new schools, with the interim planning committee being incorporated as an interim school council to undertake the client role.

3.3 Fee-for-Service

There are a variety of facilities services which are required by the Education Department, viz:

- Feasibility studies.
- Design and contract documentation.
- Administration of contracts.
- Supervision of construction.
- Inspection.
- Project management.

It is proposed that all such services external to the Education Department are provided on a fee-for-service basis, such fee being agreed prior to the provision of the service.

This concept is compatible with the effective client role of the Education Department, and will promote a more accountable provision of services. In particular it will:

- Enable the cost of a particular service to be identified.
- Force Education Department payment for design work done by the PWD or its consultants for projects which do not proceed to contract.

Similarly, there could well be a case for more project managers for school council contracts to be professionals and paid for their services, e.g. PWD officers, project consultants or architects.

The PWD is currently developing a Project Activity and Resource Cost Analysis System (PARCAS), and this will embrace inter-departmental charging mechanisms for project costs.

There could well be further inter-departmental arrangements in the future which would enable, for instance, PWD Inspectors of Works to be seconded to Education Department regional offices.

APPENDIX 10

FURNITURE AND EQUIPMENT PROVISION

The proposed allocation of recurrent funds for maintenance of schools includes provision for the following segments:

- Ongoing and preventative maintenance.
- The upkeep of grounds and buildings.
- The repair and replacement of furniture in existing schools.
- The repair of equipment and replacement of equipment below a threshold value in existing schools.

1. SCHOOL FURNITURE

During the interview segment many comments were made concerning the current method of furniture provision. The criticisms included:

- Delays in supply of part or all items of furniture ordered.
- Lack of accurate information on quantity and stock of furniture available in the PWD store.
- Lack of accurate information on delivery date and point of delivery.
- Necessity to expend furniture credit although item/items not necessarily required.

To replace the existing system of school credit furniture budgets it is proposed that:

- The provision of a standard specification furniture list to all interested furniture suppliers for central or regional negotiation on an annual tender basis, or for direct supply to schools. Furniture at these agreed tender prices would be available to schools directly from approved suppliers.
- The provision to every school of a catalogue of standard specification furniture available including the agreed price.
- The opportunity for individual schools and or groups of schools to purchase furniture directly from a supplier, this purchase being debited against school maintenance funds. These purchases may include standard furniture at an agreed tender price or custom supplied items, the price of which would be negotiated between the school and the supplier.

2. SCHOOL EQUIPMENT

Similar criticisms to those made about furniture were evident in the supply of equipment.

To replace the existing system of equipment purchase it is proposed that:

- The opportunity be given for individual schools or groups of schools to order minor items of equipment through recurrent funds on a similar basis to the supply of furniture. A catalogue of standard approved minor equipment items including prices would be provided to each school. A standard equipment specification would be available to interested suppliers for central or regional negotiation on an annual tender basis.
- Equipment above the threshold value would be debited against Regional Works and Services funds through school minor works submissions to the region.

3. CENTRAL AND REGIONAL OFFICE FURNITURE AND EQUIPMENT

Similar arrangements will apply for the maintenance and replacement of furniture and equipment in all central and regional administrative locations but charges will be debited to the relevant administrative location funds.

FACILITIES FUNCTION AT CENTRAL, REGIONAL AND SCHOOL LEVEL

1. CENTRAL LEVEL

1.1 Facilities Planning

1. Preparation of facilities strategy plans:
 - Preparation of plans which indicate future land requirements for Education Department needs, existing land stock, and proposed uses of existing land.
 - In conjunction and consultation with the regions, preparation of forward facilities plans indicating facilities location requirements, possible rationalisation options, and clustering options.
 - Co-ordination of Education Department planning activities with other planning authorities, other government department activities, local government, and other interested parties.
2. Preparation of documentation to justify the purchase, disposal and transfer of individual land parcels and the submission of such documentation to the approving authority.
3. Monitoring site extension documentation prepared by regional offices to ensure these meet central guidelines and procedures, before submission to the approving authority.
4. Provision of advice to the regions as requested on land use and facilities location planning.
5. Provision of advice to other bodies, and to be the Education Department focus for inter-departmental and inter-agency locational and facilities planning activities.
6. The forecasting and monitoring of housing development and pupil generation, in particular in small areas and individual school catchments.
7. Liaison with and advice to planning authorities, local government, other government departments, statutory authorities, developers, etc. in regard to facilities location policy and procedures.
8. Preparation of guidelines and procedures for land use and forward planning for education facilities.

9. Research of matters related to site usage, locational characteristics and locational policies and practices in other systems.
10. Preparation of guidelines for the development of educational specifications and facilities briefs for education facilities.
11. The development of appropriate system wide standards for buildings, land, furniture and equipment required for educational use, and the preparation of master specifications for all types of educational facilities.
12. Preparation of guidelines and procedures for the evaluation of built facilities, equipment and furniture to ascertain if they meet user needs.
13. Advice to technical professionals regarding facilities policies and requirements to meet user needs.
14. Research into particular aspects of user requirements related to facilities such as lighting, colour, finishes, furniture and equipment, student behaviors, etc.
15. Provision of advice and technical assistance at regional request regarding the planning of individual projects.
16. Development of appropriate facilities cost standards and development of procedures and practices to allow regions to cost individual projects, including maintenance and advise regions on individual project costs if required.
17. Provision of planning support for individual school councils as requested by regions.

1.2 Program and Budget

1. Development of the State Works and Services budget and the State Maintenance budget (recurrent):
 - Co-ordination and consolidation of regional budget submissions.
 - Preparation of the Education Department facilities draft budget for submission by the Deputy Director-General to Treasury.
 - Provision of support for the Deputy Director-General in budget

2. Management of the distribution of facilities funds to regions:
 - Preparation of procedures and formulae for distribution of funds between regions.
 - Negotiation and liaison with regions on budget matters.
 - Distribution of facilities funds to the regions.
3. Control of any special purpose Commonwealth facilities grants and distribution as required.
4. Control of project commitment for central facilities programs.
5. Monitoring of overall expenditure and commitment within regional programs to ensure that total expenditure and commitment meets state targets.
6. Liaison with PWD and Treasury on State budget and total program commitment control.
7. Provision of funds to school councils for school council contract progress payments if the Minister directs that particular projects are to be centrally controlled.

1.3 Facilities Operations.

1. Management of central facilities programs e.g. the Ecacentre program:
 - Approval of the briefs.
 - Preparation of budgets.
 - Determination of priorities.
 - Approval of variations to centrally funded construction contracts.

The management of the construction of all individual projects is to be at the regional level.

2. Provision of advice and assistance to regions in project management when requested:
 - Advice on budgets and costing.
 - Advice on project control.
 - Advice on quality monitoring and handover procedures.
3. Development of procedure, format and standards for school council contract documents.
4. Purchase of relocatable buildings at regional request and maintenance of an emergency stock of relocatables centrally.
5. Oversight of the State Schools' Nursery.
6. Assistance to regions in the letting and acceptance of contracts for waste disposal.
7. Provision of furniture acquisition advice to regions when requested.
8. Organisation and control of security in Education Department facilities:
 - Control of security services.
 - Arrangement of installation of alarms in schools at risk.
 - Organisation of the manning of the central security alarm board.
 - Provision of security response to alarms through Education Department personnel, police and private security firms through radio hook-up.
9. Provision of advice regarding thermal alarms and sprinkler systems for multi-storey buildings.
10. Arrangement of the rental of properties required for Education Department purposes.
11. The reservation of land in planning schemes, the purchase, transfer, and disposal of land as directed.
 - Arrangement of suitability and technical reports when required.

- Arrangement of valuations.
- Negotiation with the owners.
- Recommendation as to compulsory acquisition procedures when necessary.
- Carrying out compulsory acquisition procedures as directed.
- Organisation of conveyancing of title documents
- Control of payments to vendors.

12. Organisation and control of office management of the Facilities Branch.

2. REGIONAL LEVEL

All functions are to be undertaken within statewide policy guidelines, where appropriate:

2.1 Facilities Planning

1. Identification of regional needs.
2. Provision of advice and assistance in the preparation of regional strategy plans.
3. Provision of advice to central office on the purchase and disposal of individual parcels of land.
4. Identification of and justification for extensions to existing sites.
5. Preparation or approval of facilities briefs for major and minor works.
6. Planning the location of individual educational facilities.
7. Establishment and support of individual interim planning committees.
8. Co-ordination and encouragement of joint facilities development.
9. Co-ordination of the cluster arrangement of educational units.

2.2 Program and Budget.

1. Management and control of all non-school council projects, including authorisation of progress payments.
2. Determination the allocation of maintenance funds to schools.
3. Development and submission of the regional facilities budget to central office.
4. Preparation of the regional facilities program.
5. Control of commitment for non-school council contracts, and authorisation of progress payments for individual projects funded directly by Education Department monies.
6. Approval of individual project budgets.

2.3 Facilities Operations.

1. To act as the contractual client for all building operations other than school council contracts.
2. Arrangement of rubbish removal contracts (in conjunction with central office).
3. Management of the movement of existing relocatables.
4. Management of the regional works program.
5. Management of individual building projects when required.
6. Support to schools in the school council contract process.
7. Authorisation of variations for all regionally funded construction contracts.
8. Individual school maintenance (when requested by school.)

3. SCHOOL LEVEL

All functions are to be undertaken within statewide and regional policy guidelines, where appropriate:

3.1 Facilities Planning.

1. Identification of facilities needs.
2. Preparation of "needs" submissions to the region.
3. Preparation of major or minor works briefs as required, or request for preparation by the region.
4. Advise on building briefs prepared by the region for major or minor works.
5. Planning of joint ventures.

3.2 Program and Budget.

1. Control of all furniture and equipment purchases within given guidelines.
2. Management and control of all maintenance.
3. Management and control of major and minor works for which the school council is client.

3.3 Facilities Operations.

1. Facilities maintenance.
2. Purchase of all furniture and equipment items.
3. The client for all school council contract building operations.

VICTORIA

WATER RESOURCES COUNCIL, VICTORIA

**REVIEW OF THE DRAINAGE OF
LAND ACT**

(PART 1)

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REVIEW OF THE DRAINAGE OF LAND ACT (PART I)

FOREWORD

Late in 1980, the Water Resources Council of Victoria arranged for a review of and report on the effectiveness of Part I of the Drainage of Land Act, 1975, which deals with the rights and duties of landholders in the matter of surface water drainage.

At that stage it had become obvious that the provisions originally enacted to ensure the unobstructed passage of surface waters associated with the reasonable development and use of land (commonly referred to as the free flow principle), were not generally working effectively. The Drainage Tribunal, established to deal expeditiously with, and develop expertise in the resolution of such disputes between landholders, was seriously impeded by limitations in the Act.

Although there are a number of limitations, the main deficiencies concern the inability, at present to -

- o apply the Act where works were constructed prior to its proclamation in December, 1976, (retrospectivity);
- o deal effectively with levees constructed along rivers and streams.

Major floods experienced in Northern Victoria, in July and August, 1981, highlighted these deficiencies and I witnessed many of the inequitable situations that had arisen as a result of the existing legislation.

In particular, I made two visits to Northern Victoria in August and September of this year and was greatly concerned at the effects of private levee banks constructed across natural floodways which caused flows of water to the detriment of adjoining landowners. At Kyabram, works were constructed which caused water to flow back under a major channel and cause substantial road damage. There were a number of examples of waters being so contained as to cause extensive flooding of adjacent roadways and private properties in the Numurkah area.

Any community which establishes itself on a flood plain has an obligation to its neighbours in the widest sense, both upstream and downstream, in considering those works which may cause changes to the flows of waters.

Very considerable feeling is being generated by a number of the developments affecting the passage of floodwaters, to the extent that there have been incidents of levee banks being deliberately destroyed and of threats made involving physical violence. This must not be allowed to continue and I emphasise the need for development of co-operative schemes of drainage such that the interests of both landowners and the community can be made compatible. Only a team effort can reduce the havoc caused by flooding and as I indicated earlier this year the Government must take action to ensure that the rights of all persons are protected.

The attached Committee report develops recommendations which represent expressions of intent to amend the legislation. I have released the report for discussion purposes with the view to an early translation of these recommendations into law. Any person or organization wishing to comment on these matters should forward their comments to the -

Director of Water Resources,
176 Wellington Parade,
East Melbourne. Vic. 3002.

by 6th March, 1982.

Glyn Jenkins,
Minister of Water Supply.

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1.

1. INTRODUCTION

Part 1 of the Drainage of Land Act, 1975 intended to establish the rights and duties of landholders in providing for the unobstructed passage of surface waters associated with the reasonable development and use of land, commonly referred to as the free flow principle.

For a number of reasons the legislation has not fulfilled this objective.

The aims of this report are to identify limitations in the provisions of Part 1 within the context of the legislative arrangements established elsewhere in the Act, then to determine whether these limitations constitute deficiencies which should be corrected.

1.1 The Drainage of Land Act, 1975.

Part 1 of the Drainage of Land Act, 1975 (the Act) which came into operation in December, 1976, was the culmination of many years of investigation by the Joint Select Committee on Drainage (JSCD) which reported to Parliament in 1970. The major floods of 1973, 1974 and 1975 provided the stimulus for translation of many of the JSCD's recommendations into legislation. The resultant Act, amongst many other matters, established the State Rivers and Water Supply Commission (the Commission) as Drainage Authority for those parts of the State not served by the Dandenong Valley Authority (DVA) or the Melbourne and Metropolitan Board of Works (MMBW).

The Act is subdivided into six parts.

Part I - Rights and Duties of Occupiers of Land.

The main sections of this part, which is reproduced as Appendix 1, establish:-

- . Jurisdiction of the Drainage Tribunal.
- . A "right" to discharge drainage water.
- . Liability for damage caused by resisting drainage water.
- . Relevant matters to be taken into account in determining what is reasonable in relation to rights and duties of landholders.

Part II - Acquisition of Drainage Rights.

Part III - Flood Prone Areas.

Part IV - Drainage Courses.

Part V - Drainage Tribunal (establishment).

Part VI - Amendments to Various Acts.

Since the Act was proclaimed amendments have been introduced by:-

The Water Drainage Acts 1978 and 1981, and

The Local Government (Land Liable to Flooding) Act, 1979.

These amendments, however, have not altered Part I.

The Planning Appeals Board Act, 1980, which came into operation on December, 1st, 1981, substantially amended the Drainage of Land Act particularly as it relates to the establishment of the Drainage Tribunal. Part V of the Act was totally repealed and the Tribunal became the Drainage Division of the Planning Appeals Board. However, it is referred to as the Drainage Tribunal in this report.

The Planning Appeals Board Act also introduced significant procedural changes, where relevant these changes are referred to in the body of this report.

1.2 **The Free Flow Principle**

The fundamental issue which the Act attempted to secure was the unobstructed passage of surface waters associated with the reasonable development and use of land, or the **free flow principle**.

This principle, which accords with the recommendations of the JSCD, is the basis of flood plain management policies in Victoria, and applied in Victorian common law for 60 years until superseded by a High Court decision in 1962 (Gartner v. Kidman). This decision established that a downstream landholder was entitled to obstruct a flow of water from his upstream neighbour's land provided he did so in association with the reasonable use of his land and not with the intent of causing damage to the upstream neighbour.

3.

In concept, Part I aimed to re-establish the free flow principle by new statutory provisions which abrogated part of the common law. These provisions were to establish:-

- a right to concentrate and discharge water subject to the reasonable development and use of land.
- a liability for damages incurred if reasonable flow is restricted.

In the four years since the Act was proclaimed only four cases have been finalized under the provisions of Part I although it is well recognised that a multitude of problems exist. It is believed that many other parties have been deterred from bringing cases to the Tribunal, particularly as the provisions of the Act have been held to be not retrospective. Limitations in the jurisdiction of the Tribunal and in the abrogation of common law principles which exist in the current Act have prevented the Tribunal from furthering the free flow principle a situation to which the Tribunal has alluded in its decisions to date.

1.3 Scope of Report

This report reviews the framework of the legislative provisions which attempt to secure the free flow principle and examines whether some or all of the limitations in Part I constitute impediments to the implementation of that principle.

2. EXISTING LEGISLATIVE FRAMEWORK

As previously indicated the existing legislative provisions seek to re-establish the free flow principle by enabling the proclamation of both flood prone areas and drainage courses in addition to establishing rights and liabilities under Part I. Other controls concerning watercourses and levee banks are available under the Water Act, 1958. Planning ordinances exercised by municipalities can provide a complementary mechanism in regulating land use.

Problems concerning free flow along drainage lines can be considered in two separate categories. The first concerns blockages or restrictions **across** the drainage line or, indeed, across the line of sheet flow of water, particularly near property boundaries. These problems are most obvious and numerous. Effects are often easily quantified, confined to the immediate locality of the restriction, and restricted to only two properties. The second concerns restrictions to the floodway of a drainage line, usually a major watercourse, by construction of levees or the like **along** the drainage line. These latter problems are often less obvious but can have much more widespread ramifications since many landholders can be adversely affected. Levees along both sides of a drainage line tend to be raised following floods such as those experienced in the mid-1970s. The effect of levees or any modification to their location and height is usually more difficult to quantify and may require a comprehensive investigation.

2.1 **Watercourses**

The Commission is empowered, under ss 4 and 9 of the Water Act, to control works constructed across drainage lines which constitute watercourses within the meaning of that Act (common law watercourses).

Whilst this control is limited to the bed and banks, in most cases it provides an effective mechanism for control of blockages **across** many major drainage lines. However control of levees constructed on private lands **along** a watercourse is not possible under the Water Act, unless proclamations are made (refer 2.2 below). Control over such works on the margins of the floodplain of a watercourse is required if an effective unobstructed **floodway** is to be created and maintained (see cross section of a typical river system showing the elements of the flood plain, page 11).

2.2 **Levee Banks**

Subdivision 6 of Division 1 of Part III of the Water Act (ss 105 to 115) potentially confers powers on the Commission with respect to approvals for construction of levee banks. However an area must be

proclaimed for the purposes of the subdivision and, more importantly, the powers do not extend to works implemented prior to such proclamation. The Commission has never invoked these provisions, although they have been available since 1958.

Having regard for the limitations of retrospectivity which dictate that the provisions could not be used to resolve existing problems, and the much wider powers now contained in the Drainage of Land Act, it seems unlikely that the levee bank provisions will now find an appropriate application.

2.3 Flood Prone Areas

The proclamation of land as "liable to flooding" allows the Drainage Authority (the Commission for most of the State) to control **new works** by a permit system, and to remove or modify **existing works** based on their effect on flood levels elsewhere. However exercising such powers could involve the payment of compensation.

Control of works on a flood plain is not available under the Act until a proclamation, which includes appeal processes, has been effected. Whilst these controls were initially vested solely with the Drainage Authority, the Water Drainage Act, 1981, has enabled the delegation of these powers to a municipality if encompassed by an "approved scheme" pursuant to s 33B of the Water Act. In instances where no approved scheme exists, complementary provisions in Planning Schemes would allow municipalities to administer many aspects of a flood prone area in accordance with a Drainage of Land Act proclamation. Such an arrangement could only occur in respect of applications for new works.

In essence, the objectives of controls are to maintain floodways clear of obstructions and to ensure an appropriate building level in flood fringe areas. Flood levels may be designated for this latter purpose under the Local Government (Land Liable to Flooding) Act, 1979.

By Victorian Government policy, the delineation of flood prone lands is based on the 1% probability flood. This delineation often requires detailed hydrological and hydraulic analyses to determine flooding characteristics including the effect of existing works. The analyses and formulation of strategies required in the priority area where existing problems have been identified, are likely to be complicated, time-consuming and to cost in the order of \$100,000 for a relatively limited river reach. For these reasons, the proclamation of flood prone areas as a preventative measure along the major rivers, streams and watercourses in the State, is likely to span several decades.

In many rural areas the delineation of flood prone areas may not require the precision necessary in urban environments. Moreover most benefit is likely from the identification of floodways which could initially at least be controlled via Planning Scheme provisions or Drainage Course proclamation, such action would provide an immediate mechanism for control over **new** works (refer Section 2.4).

Fundamentally the problem in acceptance of proclamation as liable to flooding is that it is seen to reduce the value of land. As the proclamation simply provides a formal recognition of existing flood hazards this criticism is not valid.

2.4 **Drainage Courses**

One of the basic weaknesses in legislation prior to the Act was the common law meaning of a watercourse which excludes many major drainage lines. This meaning (which is applicable to the Water Act 1958) requires something in the nature of bed and banks, along which water usually flows. The JSCD recognised this limitation in respect of drainage, and the Act provides that a drainage course may be proclaimed over **any** land over which water flows, even occasionally. Again the necessary action must be taken to proclaim a drainage course, including statutory appeal processes, before any control is available.

The application for such proclamation may be made by:-

7.

- o an interested landholder
- o a public statutory body responsible for drainage or roads
- o the Drainage Authority.

and the control of the drainage course must be vested in a public statutory body having drainage responsibilities (e.g. a municipality or the Commission). In a similar manner to flood prone areas, the Responsible Authority has then to permit or not permit **new works** and can require the modification or removal of **existing works**. However the latter many impose costs on the Responsible Authority.

Where common law watercourses are involved and control needs to be extended to a wider floodway, the Commission should become the Responsible Authority as it already has the power to control works across the bed and banks of the watercourse. In these cases some investigation will be necessary to determine the width of floodway required.

It would also be appropriate for the Commission to control major drainage lines where it already has an existing interest in drainage, such as in the Irrigation Districts. A municipality could not be expected to control works along drainage lines which have their source largely outside its municipal area. In such cases the Commission may need to take the initiative to formulate a strategy, in consultation with a number of municipalities, on the basis that the individual municipalities then became responsible for drainage courses within their areas, and manage these courses in accordance with the formulated strategy.

On the other hand, a municipality would generally be the most appropriate Responsible Authority where the catchment area is largely within its municipality, particularly where the drainage line discharges into a common law watercourse or a proclaimed drainage course. Whilst it is desirable for controls to be continuous starting from the downstream end of a drainage system, this is not considered to be mandatory.

One problem with implementing the free flow principle where a municipality is to be the Responsible Authority is that any requirement to modify or remove existing works will require -

- a technical assessment of the effect of existing works and their removal or modification;
- funds to remove or modify works.

In many instances municipalities will not have the capacity to fulfil these requirements and will therefore remain reluctant to become the Responsible Authority.

Notwithstanding this problem, the proclamation of a drainage course at least should ensure that no **new** works are constructed which unduly restrict the drainage line. It is considered feasible, and indeed necessary, for the control of **new** works to be effected even if the problem of **existing** works is resolved at a later stage.

2.5 Private Action

The Drainage Tribunal was established, in part, to facilitate appeals by individual landholders who consider they have or will suffer damage as a result of actions by others.

In the long term, given implementation of the flood prone lands and drainage course provisions available, the Tribunal's activities would tend to be confined to areas where no other form of control was contemplated. This situation however is likely to take many decades and even in this longer term, the Tribunal would retain the responsibility for resolving disputes between individuals in proclaimed areas.

To date broad priorities for studies have been established and many investigations are in progress, however at this time only three areas in the Commission's jurisdiction as Drainage Authority have been proclaimed as liable to flooding and not one drainage course has been proclaimed.

9.

Given this situation, the Tribunal should have jurisdiction over the whole spectrum of drainage problems including those which eventually may be resolved by the implementation of other procedures.

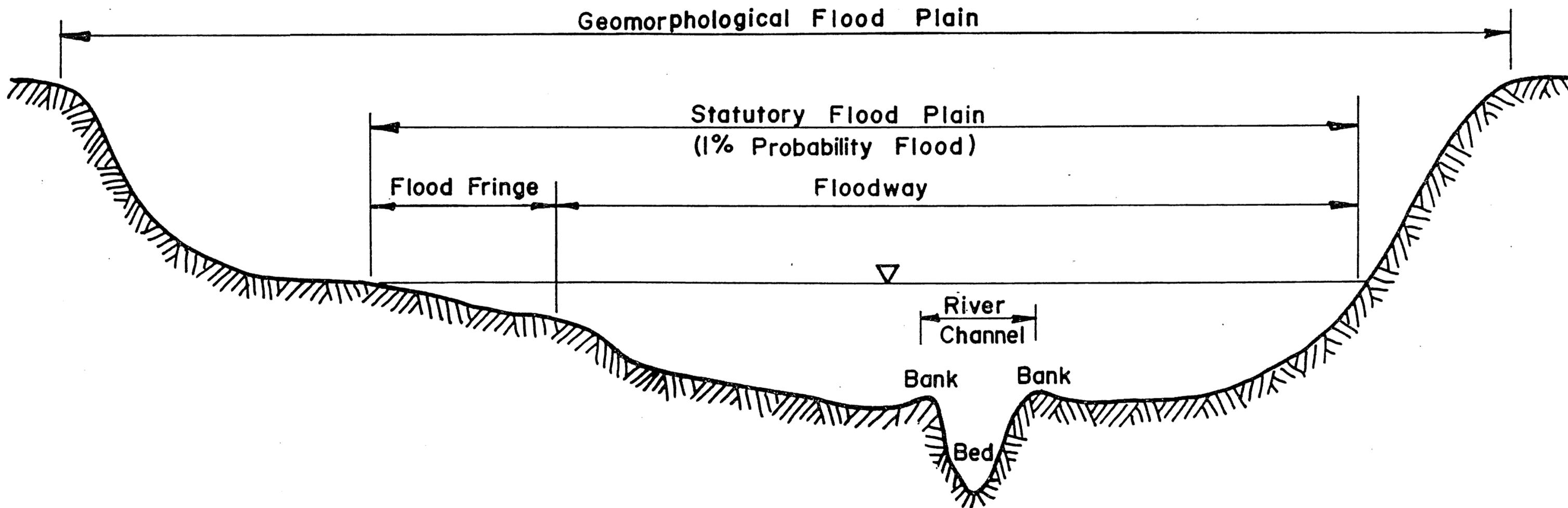
A landholder has, in addition to the Tribunal mechanism, the right to seek proclamation of a drainage line as a drainage course. This avenue is not likely to provide an effective solution to an individual problem since the proclamation does not necessarily lead to removal of offending obstructions, and there is no mechanism for damage compensation.

3. CONTROL GUIDELINES

In view of the issues exposed in Section 2, the following are considered the most appropriate general guidelines for determining the type of control and the authority which should be responsible for that control.

Control Hierachy	Method	Authority Responsible	Application
1.	Proclamation as Liable to Flooding	Commission. For some classes of new works control can be effected by municipality via Planning Scheme where strategies determined, delegation of management within statutory flood plain	Long Term: eventual control for flood plain of major rivers and streams. Short Term: one component of flood plain management strategies resulting from major investigations of a river reach.
2.	Common Law Watercourse	Commission	Existing control over bed and banks and obstructions across drainage line.
3.	Drainage Course Proclamation		Medium Term.
(a)	Minor Water-courses	Commission	Extend control from bed and banks to the floodway to control levees along drainage line.
(b)	Major Drainage Line (Trunk)	Commission	Control of obstructions across drainage line. Control of floodway along drainage line.
(c)	Drainage lines where Commission has existing interest	Commission	As in (b)
(d)	Minor Drainage Lines	Municipalities (usually require initiation by Commission in consultation with municipalities)	As in (b)
(e)	Drainage Line - catchment in one municipality.	Municipality	As in (b)
4.	Reference to Drainage Tribunal	N.A.	Short Term: individual problems; establish individual rights or liabilities. Long Term: tend to be limited to areas not otherwise controlled

The terms "flood/plain", "floodway" and "flood fringe" are illustrated on the following diagram.



CROSS SECTION OF TYPICAL RIVER SYSTEM

4. LIMITATIONS IN PART I

This section of the report identifies the limitations of Part 1 of the Act and provides the background for the examination of deficiencies which is detailed in the subsequent section. As previously indicated, however, it should not be assumed that all limitations are deficiencies which should be corrected.

The Act established the Drainage Tribunal as the exclusive body before which all causes of action were to be heard, including those arising under the Act and under common law. The only abrogation of common law is contained in the provisions establishing the "right" (s.7) and the liability (s.8) both of which rely on the guidelines in s.9 as to what is reasonable. The only appeal against the Tribunal's decision is on matters of law.

4.1 Jurisdiction of the Tribunal

Section 4 of the Act reads:-

"4.(1) The Drainage Tribunal shall have jurisdiction in relation to all civil causes of action arising out of -

- (a) the flowing of waters from the lands of one person in such a way as to damage the land of any other person; or
- (b) any interference with the flow of waters from the lands of any person in such a way as to damage the lands of that person or any other person.

(2) Any action suit or proceeding based upon a cause of action of the kind referred to in sub section (1) shall not be brought otherwise than before the Drainage Tribunal."

The limitations in jurisdiction dictated by the wording are as indicated below. All causes of action not within the Tribunal's jurisdiction must be brought before the ordinary courts.

4.1.1 Flooding

There must be flowing waters. Ponded waters are therefore excluded or at least jurisdiction is arguable. Flooding of land per se is excluded unless it results from a flow across land. Storage of water which could have adverse consequences downstream is similarly excluded.

4.1.2 Prospective Damage

Damage must be actually suffered. Potential damage, which would result from existing works which restrict or concentrate an occasional flow of water, is excluded. Proposed works are similarly excluded.

4.1.3 Damage to Chattels

Flow must damage lands, thus excluding chattels and, arguably even crops.

4.1.4 Crown Lands

Water must flow between the lands of "persons", thus excluding Crown Lands. It is also doubtful whether "person" includes statutory corporations, municipalities and the like.

4.1.5 Watercourses

There is a limitation where common law watercourses are involved and the bed and banks remain the property of the Crown, as occurs where the stream forms the boundary of an allotment. Rivers and streams along which Crown Land frontages exist, are similarly excluded (see 4.1.4).

4.2 The Right to Discharge

Section 7 of the Act reads:-

"7. No civil action suit or liability shall lie against any person in respect of the causing or permitting by that person of any waters to flow onto the lands of any other person in a reasonable manner."

This provision does not strictly confer a right of action, it simply limits the action of an aggrieved party. In other words an upper landholder can use this provision as a defence against a claim by his lower neighbour. For the sake of brevity it is however referred to as a "right" in this report.

4.2.1 **General**

The general limitations are identical to those set out in 4.1 above in cases concerning flooding and Crown lands. The provision cannot be applied retrospectively (refer 4.4.1). Exclusions remain in the province of common law, although these must be heard by the Tribunal if within its jurisdiction.

4.2.2 **Control**

The requirement to "cause or permit" imposes limitations as there is, in the meanings of both words, a necessary element of control. If the upstream landholder has no control of flow within his property (i.e. natural drainage), he has no right to discharge this flow onto his lower neighbour.

4.3 **Liability for Private Nuisance**

Section 8 of the Act reads:-

"8. A person shall be deemed to have committed a private nuisance if he takes any step to resist the flow onto any lands occupied by him of waters caused or permitted to flow by any other person from lands in a reasonable manner and in so doing causes the land of any person to suffer damage."

This section creates **the only** new cause of action; one of private nuisance. Liability is **not** established as the converse to the "right" under s.7. Again actions excluded may be brought under common law, although these must be heard by the Tribunal.

4.3.1 **General**

The limitations are similar to those included in 4.1 and 4.2 but further comment concerning control of water is relevant (refer 4.3.3).

4.3.2 **Retrospectivity**

Works which were in existence prior to the proclamation of the Act in December, 1976 are not subject to s.8 (or to s.7), unless modifications have been undertaken since that date.

4.3.3 **Control**

If there is no element of control of flow available to the upstream landholder (i.e. natural drainage), the downstream landholder cannot be held liable under s.8, no matter what his actions in obstructing that flow.

4.3.4 **Omission**

Only an act of commission (a positive act) can constitute a private nuisance, an act of omission cannot. Thus no liability attaches in a situation created, for example, by a predecessor in title.

4.3.5 **Unreasonable Discharge**

The only step which can constitute a nuisance, is that of resistance to flow. Concentration or acceleration of flow and changes to water quality, no matter how unreasonable, are excluded from s.8.. Unreasonable discharge does however constitute a cause of action under common law.

4.3.6 Occupation of Lands

The flow resisted must be onto lands occupied by the respondent. Resistance to flow onto any other lands (e.g. Crown Lands or unoccupied private land) to protect the respondent's land is, arguably excluded. Thus the landholder affected by such an action could not use s.8 as a remedy.

5. DEFICIENCIES IN PART I

5.1 The Drainage Tribunal

The JSCD recommended (Appendix 2) the establishment of a specialist Drainage Court to hear disputes and settle compensation claims under the (then) proposed Drainage Act or under provisions of any other Act (Rec. 11.11). This recommendation refers to statute law but the Committee had in mind that the rights of landholders in the drainage of land, then fixed by common law, would be superseded by statute (Rec. 9.19). The Tribunal as now established has jurisdiction over both statutory and common law causes of action. This situation is consistent with the JSCD's conclusion that such a tribunal was desirable to develop the expertise in, and deal expeditiously with, land drainage problems.

Limitations in the Act have severely impeded the effectiveness of the Tribunal, and the number of cases heard with the result that little opportunity has been available to develop the necessary expertise.

5.1.1 Jurisdiction Limitations

The limitations in the wording referred to in 4.2 above simply deny jurisdiction in many instances, thus resulting in Court actions where none was intended. In some instances these limitations would also necessitate two actions to resolve one problem. It has been concluded, in considering the framework of controls available for implementing the free flow principle, that the Tribunal must have the ability to resolve the whole range of drainage problems. In this context the limitations referred to in 4.2 above are, indeed, deficiencies.

What is required, stated simply, is for the Tribunal to have jurisdiction to resolve disputes in all cases involving the drainage of land.

It is considered therefore, that the Tribunal should have jurisdiction in drainage of land cases involving:-

- . Waters ponded over lands
- . Crown lands, and lands owned by or vested in Government Departments, Statutory Authorities, Municipalities and the like.
- . Prospective damage due to existing or proposed works.
- . Damage no matter what its nature.
- . Common law watercourses.

Any such transfer of jurisdiction from the Courts to the Tribunal would not in itself change any of the statutory or common law provisions which now apply; it would simply change the forum.

5.1.2 **Compatibility**

As the Tribunal will continue to have jurisdiction in individual cases which may ultimately be subject to more comprehensive controls by flood prone land or drainage course proclamations, there is a need to consider compatibility between these provisions.

With proclamations, the primary intent is to ensure new works will not adversely affect free flow. That is not to say any existing restrictions will be removed immediately following such proclamations. Any action by the Responsible Authority to remove or modify existing works may well follow some time later. Even in the longer term when all adverse restrictions have been removed, a landholder in the proclaimed area will still be subject to the actions of an upstream neighbour who is outside that area. There is also the possibility of private litigation between individuals within proclaimed areas.

In these circumstances, the issue is the removal or modification to works, which may be ordered by the Tribunal or the Responsible Authority. Determination of liability for loss or damage occasioned by

the offending works could not be the basis for any order made by the Responsible Authority. On the other hand, the Tribunal would not require removal or modification unless the work caused damage.

In fact it appears uncertain whether the Tribunal, as part of its decision, could grant permanent relief by way of injunction. In many circumstances the effective implementation of decisions, imposes a need for the Tribunal to have such a power. If this possible deficiency is removed, the provisions relating to removal or modification of works are as summarised:-

Control	Authority	Basis for Order	Appeal Provision	Compensation
Flood Prone Land	Drainage Authority	Interference with free flow or concentration of flow	Minister of Water Supply	To owner of work by Drainage Authority subject to Lands Compensation Act.
Drainage Course	Responsible Authority	Interference with free flow or concentration of flow	Minister of Water Supply	To owners of work by Responsible Authority on the Minister's direction.
Drainage Tribunal	Drainage Tribunal	Damage caused by work	To Courts only on question of law	From owner of work, both in terms of cost of removal and damage to others.

A requirement by the Drainage Authority to remove or modify works may involve compensation to the owner of the works. Usually compensation would be limited to the cost of such removal or modification, but compensation may also be payable for adverse effects on the owner's property. The opposite is the case where the Tribunal rules that works should be modified or removed, as the owner would be required to effect these alterations and, in many cases, pay compensation to his neighbour for damages caused by the works. Whilst these procedures may seem inconsistent, it should be appreciated that the basis of action in each case is substantially different. A requirement by the Drainage Authority or the Responsible Authority for removal or modification of works would normally form part of a total strategy for an area which, in the majority of cases, would be funded through the Authority.

Any appeal in the case of Authority control, is to the Minister of Water Supply. The Minister should be able to refer such cases, at his discretion, to the Tribunal, not as to matters of law or liability for damages, but as to the justification for the order. This referral would promote consistency in approach, but would require an enabling amendment to the Act.

5.1.3 Legal Representation

Apart from consistency and expeditious hearing of cases, the main advantage of the Tribunal system compared with the Courts is that it is not necessarily overburdened with legalistic technicalities which are time-consuming and costly for both the appellant and the respondent. Fundamentally the Tribunal should be a forum where lay people can put their cases without undue financial burden.

Unfortunately, by a process of escalation, legal representation for both parties tends to become almost mandatory. This is particularly the case if the Crown or its agents are involved as is now proposed.

If existing deficiencies are rectified, particularly that due to retrospective actions, many cases concerning relatively straightforward restrictions across drainage lines involving damages of quite small amounts, will be heard by the Tribunal. In such cases there is an even greater need to ensure cost does not become an impediment.

Many similar tribunals now incorporate a provision whereby the need for legal representation is determined by the Tribunal having regard for the circumstances of the case. The Planning Appeals Board Act 1980, provides for the Chief Chairman to determine whether it is appropriate for the parties to be represented by a legal practitioner at a hearing, including those before the Drainage Tribunal.

5.2 **Abrogation of Common Law Principles**

The most important provisions in Part I concerned abrogation of common law principles as to drainage, since it is in this area that new rights and causes of action are established which raise quite fundamental questions concerning equity. Both the right (s.7) and the liability (s.8) rely on a determination of what is reasonable. Guidelines, but not exclusive matters, to be considered where relevant in a particular case, are outlined in s.9. Some criticism has been raised against these guidelines on the grounds that the proofs required would involve considerable specialist technical expertise and hence costs. This criticism is not regarded as valid because:-

- . the Tribunal was established as a mix of technical and legal expertise for this very reason;
- . the whole range of matters outlined in the guidelines are only applicable if they are relevant to a particular case;
- . the guidelines, in general, cover the matters which **might be** relevant and on these grounds they should be taken into account if they **are** relevant to a particular case whether or not they are included in legislation.

As to the latter point, the Tribunal has commented (Higgins v. Gray) to the effect that the guidelines are singularly inapt in the case of flooding from a river. Although this may be so, it does not preclude consideration of other relevant matters. Certainly s. 9(e) (Appendix I) covers concentration of flow, but to express the intent, it could be expanded to specifically include actions which adversely affect flood flows along and adjacent to a watercourse.

5.2.1 The Right

The limitations outlined in Section 4 of this report and which are applicable to the "right" (s.7) concern retrospectivity, Crown lands, watercourses and the requirement that flow be "controlled". Retrospectivity is considered under the next section as it is in this area that it is particularly relevant.

There is no logic to exclusion of Crown lands in s.7. The Crown should enjoy this right as should a landholder who wishes to discharge drainage water onto Crown lands in a reasonable manner. The inclusion of Crown lands also would include some situations involving common law watercourses where Crown frontages exist. Moreover the removal of the requirement to "cause or permit" flow, would include in the right, the ability to discharge floodwaters or other water over which a landholder has no element of control. To deny such a right is untenable.

5.2.2 Private Nuisance

As outlined earlier, the liability under s.8 was the only cause of action established under the Act. It is only the downstream landholder who may be liable, and no cause of action under this provision rests with an upstream landholder for any unreasonable discharge onto his neighbour's land. S.8, as it now stands, directs attention exclusively to cases which could not be effectively resolved at common law following the 1962 High Court decision, and leaves any action outside this ambit to be resolved under common law.

Firstly it is convenient to consider the deficiencies in the provision relating to **resisting** drainage water. It is difficult to justify the general exclusion of the Crown or cases involving common law watercourses. If private individuals are liable, then given the same circumstances, the Crown and its agents should be. Conversely the Crown should also enjoy the protection given by this section. If liability were otherwise established, it should not be denied simply due to the fact that the drainage flow in question happened to be along or adjacent to a common law watercourse.

Therefore Crown lands including frontages along watercourses should be included. However there are some possible wider consequences concerning inclusion of Crown lands. The intent is to include cases involving:-

- (a) The Crown, Statutory Authorities, Municipalities (etc.) as a claimant.
- (b) The Crown, Statutory Authorities, Municipalities (etc.) as a respondent where its works may affect free flow along natural drainage lines (e.g. a subway providing cross drainage at a Commission channel).
- (c) Works, outside the bed and banks of common law watercourses, which may adversely affect the passage of flood flows along the flood plain.

Under (b) above, the works of an Authority under the Water Act are now subject to the provisions of that Act dealing with compensation for injury by flooding (ss.273 to 279) with the forum for resolution being an arbitrator or the County Court depending on the amount of the claim. It seems logical that public works of the nature indicated in (b) should be treated in the same manner as a private works and with the same forum for resolving disputes, the Drainage Tribunal.

One important consequence of such a change would be the ability of the Tribunal to grant permanent relief by requiring the removal or modification of offending works as a component of its decision.

Any such order could have much more serious ramifications than a decision that an Authority was simply liable for compensation. For example, an order to modify a highway or major irrigation channel could involve substantial costs and result in a solution which was not in the public interest.

In addition to the tests of reasonableness (s.9) it would be necessary for the Tribunal, in considering any such an order, to have regard for:-

- o the history, nature and purpose of the works or undertakings;
- o the likely effects of the continuance, modification or removal of the works or undertakings and;
- o the existence or desirability of appropriate rights over the affected land.

The Planning Appeals Board Act 1980, contributes significantly in this area in that it provides for:-

- . a Ministerial submission to the Tribunal if it is considered that the hearing raises a major issue of policy;
- . a "call in" procedure in which the Minister may request the Minister administering the Town and Country Planning Act to direct the Tribunal to complete the hearing but not to make a determination, and
- . within 30 days of being advised of the Tribunal's opinion, the Minister is required to refer the matter to the Governor in Council for determination.

Flooding **from** public works (e.g. where flows in a Commission drain exceed the design capacity), should not be included within the ambit of s.8. Such action would change the law substantially by superseding the Water Act provisions which have been tested and defined in the courts. Moreover, it would not assist in promoting the free flow principle.

In relation to (c) above, many streams have Crown frontages. Waters flowing from these lands onto contiguous private lands are now excluded from s.8. That exclusion plus the requirement for water to be controlled, are not reasonable as together they remove many levees from any effective consideration. The present exclusion of most levees is one of the major deficiencies in the Act, since such works are of paramount importance in the Victorian context.

Apart from the question of levees the limitation imposed by the requirement for an element of upstream control of the flow causes problems. If the upstream neighbour has no control over inflow to his property, for example during natural flood events, then the downstream property owner can restrict that flow. This again is most undesirable and indeed quite contrary to the principle of free flow. Therefore the requirement for there to be some control over the flow should be removed.

Under s.12 of the Water Act, the Commission can approve private works on watercourses but, in so doing, the Commission and the Crown are specifically excluded from liability for damages. These provisions should not be abrogated by any inclusion under (c) above as this would leave open the question of liability which now correctly rests with the individual constructing the works.

A landholder cannot be liable if he allows a restriction to flow created by a predecessor in title to continue (an act of omission). This seems very undesirable as changed ownership effectively negates the only cause of action under the Act. On these grounds acts of omission should be included.

A further requirement is that resisting flow causes the land of any person to suffer damage. Damage other than to lands should be included as it is untenable that chattels and perhaps crops should be dealt with as a separate cause of action at common law. Liability should be established even if damage has not yet occurred as this could often be the case when dealing with offensive restrictions to occasional flows of water. The cause of action should therefore

include cases where damage would inevitably occur in the future and should be sufficiently broad as to include proposed works as well as those existing. This would ensure, a remedy is available in that potentially offensive works can be removed, modified or not constructed, before damage actually occurs.

Removal of the requirement that the flow with which a landowner interferes must be onto land occupied by him would ensure that unreasonable obstruction of flows affecting any other land could be directly resolved by the Tribunal.

Secondly the limitations relating to restriction of flow, and whether liability should be extended to include an upstream landholder who **discharges** water in an unreasonable manner needs to be considered.

The only change concerning discharge in common law is that conferred by s.7 which denies liability if discharge is reasonable.

Unreasonable discharge, although not covered by the Act, would constitute a cause of action under common law. The 1962 High Court decision (Gartner v. Kidman) which gave rise to statutory law in relation to restrictions to flow (s.8), clarified the common law concerning unreasonable discharge. This clarification is consistent with the present intentions. The Tribunal has already ruled favourably on an action under common law, (Montague v. Keller). In its decision reference was made to the guidelines for reasonableness in s.9. If necessary the use of these guidelines by the Tribunal in determining a course of action at common law should be confirmed. It is not envisaged that they be used exclusively in relation to s.7 and s.8.

The general rule for levees and the like at common law is that a landholder may in most cases, lawfully build such works on his land to prevent for example, overflow from a river, even though the levee may divert or restrict floodwaters and thereby cause damage on a neighbour's property. In essence, this situation is very similar to the common law in respect of restrictions across drainage lines, which resulted in the enactment of s.8. Whether such a levee constitutes a

restriction to flow or an unreasonable discharge may be arguable in a particular circumstance. Such a case would, in any event, be within the Tribunal's jurisdiction and be capable of effective resolution (if the deficiencies outlined earlier are removed).

It is concluded that the creation of a new cause of action by statute for unreasonable discharge is not justified.

.3 **Retrospectivity**

The question of retrospective application of any legislation is fraught with difficulties concerning equity. For example, where a landholder has acted legally at one point in time in constructing a bank to protect his property, is it equitable to change the law so that the bank renders him liable for damages?. Notwithstanding this fundamental difficulty, the fact remains that the free flow principle cannot be effectively implemented unless individual problems which existed prior to the proclamation of the Act, can be resolved by the Tribunal.

This question of retrospective application is relevant only to the existing cause of action established by statute (s.8). It is not relevant to the procedural remedies of deficiencies outlined previously (i.e. the other amendments proposed).

The lack of retrospectivity is probably the single most important deficiency in Part I of the Act.

The only realistic option in this situation is to allow a reasonable period of grace between the enactment of retrospective provisions and their application.

One proposal considered before this report was initiated was that a five year period of grace be allowed before any cause of action under s.8 could be substantiated. The period does not appear unreasonable, however it was proposed that the Tribunal would not be able to hear or decide such cases until the five year period expired. A more

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productive approach would be to enable the Tribunal to rule on these cases as they are brought, with the period of grace applying to any consequent order to remove or modify works and to liability for damages.

This approach would provide up to five years for a defendant to take action on a Tribunal order for modification or removal of works, or would resolve the dispute if the decision were in favour of the defendant. A provision for variation in any order, based on substantive change in the circumstances leading to the order, would be necessary.

6. Recommendations

It is recommended that the Drainage of Land Act 1975, Part 1, be amended in line with the following intentions:-

- 6.1 The inclusion within the Drainage Tribunal's jurisdiction, of all litigation involving the drainage and flooding of land, whether actions involve statute or common law. Specifically inclusions in Section 4 should involve:-
- (a) Waters ponded over lands;
 - (b) All Crown lands and those vested in statutory authorities, Government departments, municipalities and the like;
 - (c) Damages no matter what their nature and including prospective damages due to existing or proposed works.
- 6.2 The Drainage Tribunal's powers, be expanded to enable the issue of orders to remove or modify existing or proposed works, including the assignment of the costs of any such removal or modification to the parties.
- 6.3 The Drainage Tribunal be required to determine, in each case, whether legal representation is to be allowed.*
- 6.4 Section 7 be amended to include :-

- (a) Water ponded over lands;
- (b) All Crown lands and those vested in statutory authorities, Government departments, municipalities and the like;
- (c) Discharge of water over which the landholder has no element of control.

6.5 Section 8 be amended to:-

- Include

- (a) Waters ponded over lands;
- (b) All Crown lands and those vested in statutory authorities, Government departments, municipalities and the like;
- (c) Damages no matter what their nature and including prospective damages due to existing or proposed works;
- (d) Acts of omission;
- (e) Discharge of water over which the landholder has no element of control;
- (f) All lands which may be affected by the obstruction of flow.

Empower the Drainage Tribunal or the Minister to refer any order to remove or modify existing or proposed public works to the Governor-in-Council for final determination.*

6.6 Sections 7 and 8 be amended to specifically allow their retrospective application under the following conditions:-

- (a) A five year period of grace be applied to any resulting compensation or order in respect of works but the Drainage Tribunal be empowered to decide each case as it is brought.
- (b) The Drainage Tribunal, on application, be empowered to vary any order to remove or modify works based on any substantial and relevant change over the period of grace.

6.7 Sections 7 and 8 be amended to include public works which restrict drainage flow.

6.8 Section 9 be amended to

- Include :-

- (a) Particular reference to any adverse effects of works on waters emanating from a watercourse within the meaning of the Water Act.
- (b) The history, nature and purpose of the works or undertakings.
- (c) The likely effects of the continuance, modification or removal of the works or undertakings.
- (d) The existence or desirability of any appropriate rights.

Exclude reference to any element of control of waters.

If necessary, at law, ensure its application is not limited to s.7 and s.8.

* Included in the Planning Appeals Board Act 1980, which come into operation on 1st December, 1981.

SUMMARY OF RECOMMENDATIONS.

DRAINAGE ACT.	Page	Paragraphs
A new principal Drainage Act should be enacted to - set out basic rights and obligations in the drainage of lands ...	11	7.1 to 7.9
establish private rights directed towards the unobstructed flow of drainage ...	12	9.1 to 9.20
make provision for the acquisition of drainage rights over adjoining lands ...	15	10.1 to 10.11
establish a Drainage Court to hear and determine disputes under the Act or any other Act relating to the drainage of land ...	17	11.1 to 11.14
enable the Drainage Court to fix and apportion liability in any claim for compensation and to grant rights over lands and apportion compensation ...	17	11.1 to 11.14
provide for the declaration of lands as "drainage courses" and to assign the control of such lands to Drainage Authorities...	18	12.1 to 12.18
provide powers (similar to those incorporated in the Dandenong Valley Authority Act 1963) for any Drainage Authority to seek the declaration and control of floodprone areas ...	20	13.1 to 13.15
apply uniform provisions for the liability of Drainage Authorities for injury or damage caused by flooding ...	21 41	14.1 to 14.8 21.1 to 21.32
provide for the establishment, by Order in Council, of Catchment Authorities to control and manage river improvement, drainage and flood protection works for complete catchments ...		15.1 to 15.43
CATCHMENT AUTHORITIES.		
Statutory provision should be made to allow for the formation of Catchment Authorities by Order of the Governor in Council ...	23	15.1 to 15.43
The exercise of these powers should be dependent on local agreement within the proposed area or on the recommendation of the proposed Drainage Co-ordination Committee	23	15.1 to 15.43
Authorities so established should be responsible for river improvement, flood protection and arterial drainage for one or more whole catchments ...	23	15.1 to 15.43

	Page	Paragraphs
Landowners affected by any declaration should have a right of objection or to compensation if the existing use of land is affected ...	18	12.1 to 12.18
Drainage Authorities should be required to supply particulars of lands affected by any declaration ...	18	12.1 to 12.18
DRAINAGE COURT.		
A specialist Drainage Court should be established to hear and determine disputes and determine compensation claims under the proposed principle Drainage Act and any other Act relating to the drainage of land ...	17	11.1 to 11.14
The Court should be responsible for the granting of drainage rights over lands and apportioning compensation in such cases ...	17	11.1 to 11.14
Appeals from decisions of the Court should be allowable only on questions of law ...	17	11.1 to 11.14
The Court should consist of a Chairman with suitable legal qualifications and not more than three other members appointed from appropriate professional institutions ...	17	11.1 to 11.14
DRAINAGE RIGHTS.		
Private Rights		
Common law rights should be superseded by statutory provisions directed towards the unobstructed flow of drainage ...	12	9.1 to 9.20
A landholder should have the right to concentrate natural drainage, or artificial drainage received from higher lands beyond his control, and to discharge such drainage by gravity onto adjoining lands ...	12	9.1 to 9.20
The exercise of this right should be subject to -		
the reasonable development and use of the land;		
the full use of any drainage facilities provided;		
compliance with water pollution requirements;		
a prohibition on the diversion of drainage from one catchment to another;		
compliance with any order made by the Drainage Court concerning the disposal of such drainage ...	12	9.1 to 9.20

	Page	Paragraphs
Membership of an Authority should include representatives of municipalities and ratepayers and Government nominees	23	15.1 to 15.43
Differential rating should be applied over the whole catchment and revenue should be collected by precept on municipal councils ...	23	15.1 to 15.43
State financial assistance should be provided according to the rating potential of the district and the nature and extent of problems to be overcome ...	23	15.1 to 15.43
DRAINAGE CO-ORDINATION COMMITTEE.		
An independent co-ordinating Committee should be established to provide specialist planning and advisory services ...	22	14.9 to 14.21
The Committee should be required to - plan main drainage lines for each catchment throughout the State ...	22	14.9 to 14.21
advise on the adequacy of proposed drainage schemes	22	14.9 to 14.21
advise the Governor in Council on proposals for the declaration of drainage courses or flood-prone areas	22	14.9 to 14.21
investigate and make recommendations on the formation of Catchment Authorities or on the extension of areas presently administered by Drainage Authorities ...	22	14.9 to 14.21
The Committee should be empowered to require Drainage Authorities to supply information needed for it to carry out its functions ...	22	14.9 to 14.21
DRAINAGE COURSES.		
Provision should be made in the proposed principal Drainage Act to enable Drainage Authorities to exercise controls over ill-defined drainage lines	18	12.1 to 12.18
The Governor in Council should be empowered to declare lands to be drainage courses and assign the control of such lands to a Drainage Authority ...	18	12.1 to 12.18
A Drainage Authority, to which a declared drainage course has been assigned, should be empowered to carry out works and exercise powers for the control and management of such course ...	18	12.1 to 12.18

	Page	Paragraphs
Any person exceeding his rights or infringing the rights of others should be guilty of an offence and liable to pay compensation for injury or damage caused ...	12	9.1 to 9.20
Acquisition of Rights		
The powers and procedures for acquiring drainage rights over other lands should be incorporated in the principal Drainage Act ...	15	10.1 to 10.11
Provisions similar to those provided in the Drainage of Land Act 1958 should be incorporated and relate to both rural and urban lands ...	15	10.1 to 10.11
The Drainage Court should be empowered to grant rights over lands for the discharge of artificial drainage	15	10.1 to 10.11
The granting of rights and determination of compensation therefor should be the responsibility of the Drainage Court ...	15	10.1 to 10.11
DRAINAGE SCHEMES.		
Local Government Act 1958 - Part XXI. - Division 5.		
The provisions should be amended to -		
allow apportionment of costs of a scheme amongst all lands within the catchment of a proposed drain ...	29	17.1 to 17.44
allow a scheme to be implemented where a Council considers it desirable ...	29	17.1 to 17.44
include lands receiving protection from works within the meaning of "benefit" ...	29	17.1 to 17.44
allow a joint scheme of drainage to be implemented by two or more Councils ...	29	17.1 to 17.44
allow for part construction of works under a scheme	29	17.1 to 17.44
require a Council to implement a scheme where requested by a majority of landowners ...	29	17.1 to 17.44
require a Council to contribute towards the cost of a scheme where it receives a benefit ...	29	17.1 to 17.44
Provisions should be made for objections under a scheme to be considered	29	17.1 to 17.44

	Page	Paragraphs
Drainage Areas Act 1958.		
Lands receiving indirect benefit should be liable for inclusion in apportionment of costs of a scheme ...	45	24.1 to 24.11
Provision for a continuing maintenance charge should be made as an alternative to the "special maintenance charge" ...	45	24.1 to 24.11
River Improvement Act 1958		
Lands and Authorities receiving indirect benefits should be liable for inclusion in the apportionment of costs of a scheme ...	45	24.1 to 24.11
FLOODING - LIABILITY OF AUTHORITIES		
Uniform provisions fixing the liability of all Drainage Authorities for injury or damage caused by flooding should be provided in the proposed principal Drainage Act ...	21	14.1 to 14.8
Liability should be limited to injury or damage caused by additional flooding resulting from -		
structural failure due to negligence in design or construction ...	41	21.1 to 21.31
negligence in the operation or maintenance of works	41	21.1 to 21.31
the failure to provide reasonable standards of capacity in constructed works ...	41	21.1 to 21.31
the failure to make suitable provision for the acceptance of drainage flows where required by statute ...	41	21.1 to 21.31
The onus of proof that an Authority should not be liable in any cause of action should rest with the Authority	41	21.1 to 21.31
A limitation of two years should apply in respect of the notification of claims ...	41	21.1 to 21.31
FLOOD-PRONE AREAS.		
Powers similar to those provided by section 27 of the Dandenong Valley Authority Act 1963 should be incorporated in the proposed principal Drainage Act ...	20	13.1 to 13.15
All Drainage Authorities should be empowered to seek the declaration of flood-prone areas ...	20	13.1 to 13.15
Drainage Authorities should be required to supply particulars of lands affected by the declaration of flood-prone areas ...	20	13.1 to 13.15

LAND SUBDIVISION AND DEVELOPMENT.

The Melbourne and Metropolitan Board of Works and the Dandenong Valley Authority should be responsible for provision of outfall drainage facilities and for the acceptance and disposal of drainage within their districts ...	33	18.1 to 19.25
The limits of this responsibility should be fixed at a point in the catchment where contributing lands do not exceed 150 acres in area ...	33	18.1 to 19.25
Municipal Councils should be responsible for the provision of outfall drainage facilities to link allotments of land with works of the Board or Authority ...	33	18.1 to 19.25
Owners of land proposed to be subdivided or developed should be required to contribute towards the cost of extending or improving works of Authorities or Councils to cater for drainage flows ...	33	18.1 to 19.25
Landowners should be responsible for drainage provision within a subdivision and to a point of connexion provided by a council or main drainage authority	33	18.1 to 19.25
Councils should be required to provide drainage outlets in the vicinity of subdivided lands ...	36	19.1 to 19.25
The payment of a proportion of the cost of extending or improving facilities to provide outlets should be a condition of sealing a plan of subdivision	36	19.1 to 19.25
No liability for nuisance or damage should attach to owners of subdivided land where drainage requirements are complied with ...	36	19.1 to 19.25

POLLUTION

A new statute should be enacted to provide uniform powers for the control and prevention of water pollution ...	39	20.1 to 20.2
A Water Pollution Control Authority should be established to administer pollution controls throughout the State ...	39	20.1 to 20.2
The Authority should be empowered to fix standards of quality for the discharge of any matter into inland or coastal waters and drains or channels	39	20.1 to 20.2

	Page	Paragraphs
The Authority , in conjunction with Drainage Authorities, should be required to enforce the Act and any regulations made to minimize the pollution of waters ...	39	20.1 to 20.2

(See also 6th Progress Report, Vic. Parl. Paper, D. No. 7, 1968-69)

ROADS - PROTECTION FROM FLOODING.

Powers similar to those provided by section 655 of the Local Government Act 1958 and the Country Roads Act 1958 should be enacted to enable Authorities to protect roads from damage resulting from the contravention of proposed private drainage rights ...	26	16.1 to 16.20
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(See also 7th Progress Report, Vic. Parl. Paper, D. No. 8, 1968-69).

DEFINITIONS

- 5.1. For the purpose of this Report the Committee has adopted the following terms:-

"Artificial Drainage" means any water or other liquid matter which has been introduced into the immediate catchment from any source outside such catchment, or any groundwater extracted within the catchment.

"Drainage Authority" means any Authority exercising statutory powers in respect of drainage, river improvement, or flood mitigation, whether or not an Authority exercises other powers unrelated to drainage.

"Natural Drainage" means any water resulting from rainfall on the immediate catchment or which originates from springs or seepages in such catchment.

- 5.2. For the sake of convenience the Committee has adopted the use of the following abbreviated terms in reference to certain Authorities:-

"Board of Works" means the Melbourne and Metropolitan Board of Works; and

"Commission" means the State Rivers and Water Supply Commission.

STATUTORY PROVISIONS

- 6.1. The Committee is asked "... whether the existing statutory provisions relating to drainage are satisfactory, and what changes (if any) should be made ..."
- 6.2. Your previous Committee, in the 4th Progress Report, ^(I) referred to many unsatisfactory situations arising as a result of inadequacies in the present provisions. The investigations subsequently undertaken by the Committee have not revealed any new evidence which alters the previous Committee's view that the law on this subject is confused and ambiguous. Your Committee, therefore, reaffirms the opinion that, generally, the existing statutory provisions are unsatisfactory.

(I) Vic. Parl. Paper D. No. 11, 1966-67.

PART I. - RIGHTS AND DUTIES OF OCCUPIERS OF LAND.

3. In this Part unless inconsistent with the context or subject-matter -
- "Declared drainage course" means a drainage course to which a declaration under Part IV. relates.
- "Drainage Tribunal" means the Drainage Tribunal constituted under Part V.
- "Waters" means waters whether or not containing impurities.
4. (1) The Drainage Tribunal shall have jurisdiction in relation to all civil causes of action arising out of -
- (a) the flowing of waters from the lands of one person in such a way as to damage the lands of any other person; or
- (b) any interference with the flow of waters from the lands of any person in such a way as to damage the lands of that person or any other person.
- (2) Any action suit or proceeding based upon a cause of action of the kind referred to in sub-section (1) shall not be brought otherwise than before the Drainage Tribunal.
5. The provisions of this Part shall have full force and effect notwithstanding anything to the contrary in any Act or rule or principle of law or equity.
6. Nothing in this Part shall be taken to authorize a breach of any Act or of any rules regulations or by-laws made thereunder or of the law relating to public health, the pollution of waters or the protection of public works.
7. No civil action suit or proceeding shall lie against any person in respect of the causing or permitting by that person of any waters to flow onto the lands of any other person in a reasonable manner.
8. A person shall be deemed to have committed a private nuisance if he takes any step to resist the flow onto any lands occupied by him of waters caused or permitted to flow by any other person from other lands in a reasonable manner and in so doing causes the lands of any person to suffer damage.
9. In determining whether any waters are caused or permitted to flow onto any lands in a reasonable manner, regard shall be had to the following matters in addition to any others that are relevant:-
- (a) The uses to which -
- (i) the lands from which the water flows (hereinafter called "the source lands");
- (ii) the lands onto which the waters flow (hereinafter called the "receiving lands"; and

(iii) any other lands in the vicinity to which the waters are ultimately liable to flow or be directed (hereinafter called "the adjacent lands") -

are put;

- (b) Whether or not the source lands, the receiving lands and the adjacent lands or any of them were formerly in the one ownership or occupation;
- (c) Whether or not the waters so flowing came upon the source land as the result of being brought onto collected or stored upon the source land, or extracted from the ground upon the source land, and if so, for what reason and whether or not with due care;
- (d) The contours of all the lands concerned;
- (e) Whether or not the waters so flowing have been concentrated upon the source land and, if so, for what purpose, at what points, and whether or not with due care;
- (f) Whether or not the waters contain impurities;
- (g) Whether or not the lands concerned have been used and developed with due regard to the use and development of neighbouring lands; and
- (h) Whether or not the waters might have been conveniently caused or permitted to flow -
 - (i) towards any lawful point of discharge to a river stream creek or watercourse, an arterial drain or a declared drainage course; or
 - (ii) so as to take proper advantage of any available easement of drainage.

Summary of Tribunal Decisions

(Part I of the Drainage of Land Act)

Date of	Parties	Cause	Decision	Comments
May, 1978	Hurst v De Angelis	Obstruction across rural Drainage line	No cause of action	Act held to be not retrospective; no cause of action at common law
June, 1979	Montague v Keller	Concentration of flow in residential area	Claim successful \$1210 plus costs	Water concentrated without due care. Referred to Supreme Court Judge as to matter of (common) law. Upheld April, 1980
July, 1980	Higgins v Gray	Levee along Macalister River (rural)	No cause of action	Flow from river not within ambit of Act; no cause at common law.
Nov. 1980	McNaughton v SR & WSC.	Groundwater Blockage (rural)	No cause of action	Not within ambit of Act; no cause at common law.

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