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APPOINTMENT OF ROYAL COMMISSION

*At the Executive Council Chamber, Melbourne, the
twentieth day of June, 1979*

PRESENT:

His Excellency the Governor of Victoria	
Mr Dixon	Mr Haddon Storey
Mr Austin	Mr Wood

Whereas the Governor of the State of Victoria, in the Commonwealth of Australia, by and with the advice of the Executive Council of the said State, deems it expedient that a Commission shall forthwith issue to inquire into and report upon certain matters relating to land purchased by the Housing Commission and to the valuation of land purchased by the Government or its instrumentalities.

Now therefore, His Excellency the Governor of the State of Victoria, in the Commonwealth of Australia, by and with the advice of the Executive Council of the said State, by this Order, directs that a Royal Commission shall forthwith issue constituting and appointing—

THE HONORABLE SIR SYDNEY FROST, Q.C., LL.M., and
ALFRED JAMES ELLWOOD, Esquire, LL.M.,
to be Commissioners to inquire into and report upon the following matters, namely:

1. The administrative procedures and methods used in relation to the purchase by the Housing Commission of any land of a value exceeding \$100 000 (including adjacent parcels of land having an aggregate value exceeding \$100 000) during the period commencing on 1 July 1973 and ending on 5 December 1978 (other than land reported upon by the Board of Inquiry appointed by Order in Council made 9 August 1977), and in particular:

- (a) whether the methods adopted were adequate to ensure that the purchase prices paid for such land were fair and reasonable;
- (b) whether the valuations used in the purchase of such land were properly made and based;
- (c) whether there was dishonesty, impropriety, malfeasance or negligence on the part of any person in relation to the purchase of such land or the valuation thereof.

2. (a) Whether the present methods and principles of valuation of land purchased by the Government or any Government instrumentality, and the instructions given to valuers in respect thereof, ensure accurate and properly based valuations.

(b) Whether the provisions of section 5A of the *Valuation of Land Act 1960* should be amended, and if so in what manner, in relation to the valuation of such land.

3. Whether, having regard to—

(a) the reconstitution of the Ministry of Housing and the Housing Commission effected by the *Housing (Amendment) Act 1978*;

(b) the requirement of the Government that purchases and sales of land of a value exceeding \$100 000 by Government departments and authorities is to be monitored by the Department of Property and Services; and

(c) the requirement of the Government that in respect of all such purchases of land a valuation be obtained from the Valuer-General together with at least one other valuation or, where the proposed purchase price exceeds \$1 million, at least two other valuations

there is a need for any further changes affecting the administrative procedures and methods relating to the purchase by the Housing Commission of land of a value exceeding \$100 000 and, in particular, whether there should be a statutory requirement of consent of the Treasurer to purchases of land by the Housing Commission.

And by this Order further directs that the said the Honorable Sir Sydney Frost and Alfred James Ellwood shall with as little delay as possible and not later than 31 December 1979 report the result of the said inquiry.

And the Honorable Haddon Storey, Her Majesty's Attorney-General for the State of Victoria, shall give the necessary directions herein accordingly.

TOM FORRISTAL
Clerk of the Executive Council

