

Legislative Assembly

Thursday, 4 March, 1976

Questions without Notice—Teachers Strike (Adjournment)—Pastures Protection (Amendment) Bill (second reading)—Printing Committee (Seventeenth Report)—Adjournment (Business of the House—Kindergarten for Five Dock)—Questions upon Notice.

MR SPEAKER (THE HON. JAMES CAMERON) took the chair at 11 a.m.

MR SPEAKER offered the Prayer.

QUESTIONS WITHOUT NOTICE SCHOOLS FOR HANDICAPPED CHILDREN

MR WRAN: My question is directed to the Minister for Education. Is it a fact that in September last year his predecessor, Sir Eric Willis, in a ministerial statement told this House that the Government could not assume responsibility for non-government schools for the handicapped because the federal funds were not available? Is it a fact that federal funds were available and that indeed right to the end of 1975 there was \$330,000 with the Schools Commission left unclaimed by the New South Wales Department of Education? Will the Minister advise the House whether that sum of \$330,000 has been taken up for non-government schools for handicapped children, and if not, why not?

MR PICKARD: Mr Speaker—

MR MALLAM: He has his thumb over the words.

MR SPEAKER: Order! I call the honourable member for Campbelltown to order.

MR PICKARD: The Schools Commission report of 1975 recommended that an allowance of \$2.38 million be made available for the purpose of meeting recurring costs in voluntary association schools. This amount that the commission ensured the State would get for 1976–1978 was, in fact, much lower

than the amount required for the schools to cover a programme in which we would take over ten schools in the first year and fourteen in the second. The amount that was given to us followed many representations and a strong letter from Sir Eric Willis, who was then Minister for Education, to the federal Minister for Education, Mr Beazley. That letter dated 5th August outlined all the difficulties that we were facing.

There was, in fact, an increase of only 8 per cent in the funds given to us for the year 1976. but there was an increase in recurring costs of at least 14 per cent. So for that year at least there can be no further acquirement of properties or further assistance to voluntary association schools, and there can be none until we receive an increase beyond the present commitment. Under the terms of the Karmel committee report the State came in as the agent of the federal Government, which said, "Here is a certain amount of money; you will use it in this way." So the first of the ten commandments of Gough was given. The second of the commandments was, "Thou shalt use it in such a way, and no other." The third was, "Thou shalt have no more increases beyond this." The great federal gods then said, "From now on you will take full responsibility for any further development, whether you like it & not."

MR L. B. KELLY: When he first made the announcement he liked it.

MR PICKARD: Yes, of course, he liked it; he loved it.

MR L. B. KELLY: I mean, Sir Eric Willis.

MR SPEAKER: Order! I call the honourable member for Corrimal to order.

MR PICKARD: We were dealing with the situation where we had, as a stated policy, said that we would look forward, as finances

were available, to taking over into our school system those people who were handicapped. We accepted that we had a policy and were happy to accept the federal money, as far as it gives capacity to implement it. But we were not happy to accept the "thou shalt"—the marching orders.

[*Interruption*]

Mr PICKARD: There are so many parrots on the other side of the Chamber. One says something, and the others pick it up.

Mr DAY: Get on with the sermon.

Mr PICKARD: I shall go on with the sermon that is based on the text as it was given by Gough. I am referring to the orders that have been given. When we made application to our dear friends down in Canberra, the Schools Commission, they told us that they were not going to increase the amount of money. They said "Although the Karmel committee said that it did not want the State to take handicapped and voluntary assistance schools into its school system—did not want to compel it in any way—from here on we shall expect you to go ahead."

This is the letter from Mr Kim Beazley dated 22nd September last, well after the time we had made overtures for more money in order to bring these schools into our policy under our own terms. On 22nd September the federal Labor Government said, "From here on we shall expect that voluntary and assistance schools, and all special education for children, will be forced into the school system, and they will be funded out of your recurrent accounts." In 1973, the former Premier had announced the policy that we were pursuing then. The former federal Government came in and said, "We will give you money to do additional work." Subsequently the federal authorities told us, "Now we have given you that additional money, we are not going to increase it so that you can continue the programme." Then they said, "We are now going to withdraw the funds."

Yesterday my officers were down with the Schools Commission to talk over ways in which we could come to an agreement

over continuing this plan and our policy. For the first time our officers were invited to go and talk to their opposite numbers in Canberra to determine, before decisions were made, how best to meet the requirements of this State. The second thing is this: despite the press report that was brought to my attention this morning on this matter—and I suppose it has led the Leader of the Opposition to ask his question—there has been a telephone call from the Minister in Canberra to say that he apologized. His officers had supplied wrong information. That is the hallmark of a great man.

Prior to the present federal Minister for Education assuming responsibility for that portfolio the State Government approached the Commonwealth and asked whether the State Government could use the remainder of the money to supplement voluntary assistance schemes like the one in Wollongong, which has been crying out for additional funds. The federal Labor colleagues of the Opposition in this House replied, "No." We are pursuing that matter at the moment with the new Government and hope to reach finality in a positive way soon.

SCHOOLS FOR HANDICAPPED CHILDREN

Mr ROGAN: I ask the Minister for Education whether it is a fact that New South Wales does not assume full responsibility for the education of all handicapped children. Do retarded children and their parents receive a better deal in most other States? Can the Minister explain how other States, particularly the Labor-governed smaller States of South Australia and Tasmania, are able to provide such children with free education while New South Wales refuses to provide similar assistance?

Mr PICKARD: It is the policy of the New South Wales Government, as stated in 1973, ultimately to bring in free education for handicapped children.

[*Interruption*]

Mr PICKARD: Honourable members opposite who interject, like the Leader of the Opposition, have the big spending syndrome. They are like their federal leader

the Hon. E. G. Whitlam who, when elected to office, wanted to do everything "now" and nearly sent the country bankrupt, putting 400 000 people out of work. Our policy in New South Wales, as stated previously, is to provide free education for handicapped children ultimately, as finance becomes available.

Mr ROGAN: On a point of order. The Minister answered the previous question at considerable length. I submit that his reply on this occasion should not be lengthy and should be relevant to the question.

Mr SPEAKER: Order! I am quite satisfied that the Minister's reply is thoroughly relevant. His first reply today was rather lengthy. I am sure that this reply will be briefer.

Mr PICKARD: I can tell the House and the honourable member for East Hills why smaller States like Tasmania and South Australia are able to give handicapped children free education. I should have thought the reason was apparent. Under the Commonwealth-State tax reimbursement formula the smaller States have been able to freewheel on the two most populous States, Victoria and New South Wales. Second, as we all know, certain sweetheart agreements were made enabling South Australia, for example, to achieve a budgetary surplus at the expense of the taxpayers of this State. When the new federal-State financial agreement is reached and we get a fair go with tax reimbursements, the smaller States will not be able to freewheel, and the policies of the New South Wales Government can be put into effect.

COURSES IN SMALL BUSINESS MANAGEMENT

Mr MUTTON: I ask the Minister for Decentralisation and Development a question without notice. Is it a fact that a number of small businesses failed throughout Australia in the past couple of years under another government in Canberra? Has the New South Wales Government through the Department of Decentralisation and Development taken action to decrease the number of business failures in this State? Are

Meadowbank technical college and other technical colleges conducting courses to assist small businessmen with their problems?

Mr MORRIS: I am grateful to the honourable member for Yaralla for his question. In fact, I would have been grateful to any honourable member for any question. I know that the honourable member for Yaralla is deeply concerned about the problems of small businesses. I know also that for some time the honourable member has been chairman of the small business development steering committee representing private enterprise. That committee has been the source of valuable advice tendered to my department. No less than 85 per cent of firms in Australia may be classified as small businesses and those firms employ about 41 per cent of the total work force in this country. One of the sad facts about small businesses is that it has been estimated that during 1974-75 about 3 000 of them went to the wall. Some went bankrupt and others closed, all because of policies pursued and the economic situation that existed in Australia at that time. As the honourable member for Yaralla has implied, the State Government has recognized the serious plight of small businesses and has taken steps to establish a small business agency in the Department of Decentralisation and Development. Applications have been called for senior positions in that agency and shortly an announcement will be made about the appointment of a highly qualified businessman to lead the agency. It is proposed to provide management assistance and financial services to manufacturing businesses with up to fifty workers, retail firms with an annual turnover of less than \$200,000 and wholesale firms with an annual turnover of less than \$500,000. The agency will provide a subsidized consultancy service, details of which will be released shortly. It is hoped also to provide government guarantees for loans to enable businesses to modernize and expand. Referral centres will be set up at technical colleges, tertiary institutions and regional offices of the Department of Decentralisation

and Development. I am happy to tell the honourable member for Yaralla that the Meadowbank technical college in his electorate is one of twenty colleges that have recently commenced a special course designed for small businessmen. This course involves attendance at a college one night a week for twelve weeks, and it will be extended to other colleges. Of course, all technical colleges in New South Wales already offer courses relevant to the needs and problems of small businesses.

ORANGE RAILWAY OFFICES

Mr WEST: My question without notice is directed to the Minister for Transport and Minister for Highways. Is the Minister aware of any move to relocate in Sydney the Orange railway district superintendent's office of the Public Transport Commission? Would such action run counter to the Government's decentralization policy? Will the Minister give an assurance to the House that the office, which is beneficial to the people of the western portion of New South Wales, will remain in Orange?

Mr BRUXNER: In reply to the honourable member for Orange I should like to say that by-elections always give rise to a series of unusual rumours. It appears that the one held recently in Orange was no exception. I give the honourable member for Orange and the House an unqualified assurance that there is no intention, nor has there ever been any intention, to close the office of the district superintendent of railways in Orange. There is a continual review taking place of staff operations within the Public Transport Commission and owing to a change in some workings in the district supervised from Orange there is a possibility that the already large staff in that office will be reduced by two persons. There is no certainty that there will be any reduction at all but, if there is, it will be by no more than two persons. Notwithstanding the proceeding of the staff review, I can only repeat that it is intended to retain the district superintendent's office in Orange.

MILK QUOTAS

Mr DAY: I ask the Minister for Agriculture and Minister for Water Resources whether the Government is about to announce that it intends to authorize trading in milk quotas. Will this mean that producers outside the milk zone will be forced to pay to obtain access to the Sydney market? Will this result in an increase in the price structure of the industry, with an inevitable increase in the retail price of milk? Does the decision conflict with the frequently stated policy of the Dairy Industry Authority? Why is the Government adopting this course of action which will benefit only those people with milk quotas including many senior members of the present Government?

Mr COWAN: As the Minister for Decentralisation and Development said earlier, I welcome the question. Since the commencement of the present parliamentary session a number of questions about the dairy industry have been directed to me. However, none of them was asked with the object of doing anything to help the person who produces the milk—and certainly not the consumer. However, that is typical of the attitude of some Opposition members. It would be hard to find three Opposition members who would be capable of milking a herd of cows.

[*Interruption*]

Mr SPEAKER: Order! Gentlemen, there is far too much interjection. A rather frivolous strain is running through the Chamber this morning. I hope it will suffer an early demise.

Mr COWAN: Further, if one were looking for a shearing team or some men to go out to do some repair work in a paddock or plant a crop of grain, one would not find them on the Opposition benches.

[*Interruption*]

Mr SPEAKER: Order! I call the honourable member for Corrimal to order for the second time.

Mr COWAN: This is a welcome change from other questions that have suggested that there should be an intrusion of milk

into this State from other parts of Australia. I think that is what the Opposition is hoping will happen. The honourable member for Casino should be the last person to make out that he represents the farmers whom we are trying to help. The Government is looking at measures to help milk producers outside the milk zone. I assure the House that the Government is looking seriously at the dairy industry with a view to giving all farmers throughout New South Wales an opportunity to share in the liquid milk market of the State. At the same time the Government is examining the quota system. Moreover, at all times it has in mind the important part played by the consumer in relation to the marketing of milk.

NORTH SYDNEY POLICE STATION

Mr WADDY: I direct my question without notice to the Chief Secretary. Is the Minister aware that for a number of years the police at North Sydney have been operating from rented premises? Are these premises so cramped that the police are hindered in the proper execution of their duties? Is the Minister aware, also, that North Sydney municipal council has offered to the Government for the construction of a new police station virtually the only remaining suitable vacant block of land in the municipality? Will the Minister advise me what progress has been made in the acquisition of this site?

Mr COLEMAN: This is a matter in which my predecessor took a keen interest. He approved the acquisition for police purposes of a block of land that was owned by the North Sydney council. The matter was included in the departmental estimates but no allocation was made for it. Later my predecessor arranged for discussions with the Treasury and also with the Department of Public Works in order that negotiations could proceed for the purchase of the site. Those negotiations are continuing. The honourable member for Kirribilli is right when he implies in his question that working conditions and amenities of the North Sydney police are unsatisfactory. Generally, the circumstances in which those police work can be said to hamper them in the best

performance of their duties. North Sydney is the second largest commercial centre in New South Wales and it is probably the fifth largest commercial centre in Australia. It is important for the police premises there to be worthy of the centre and suitable for the work that the police have to do. I shall do my best to continue the determined efforts made by my predecessor to achieve the end he had in mind at the earliest possible date.

SCHOOLS FOR HANDICAPPED CHILDREN

Mr FERGUSON: My question without notice is directed to the Minister for Education. Did the Minister, when replying to a question asked by the honourable member for East Hills, say that the smaller States of Tasmania and South Australia were able to provide free education for handicapped children because they were free-wheeling on the larger States of New South Wales and Victoria? Is the Minister aware that the Victorian Department of Education has stated quite clearly that it is prepared to provide immediate free education for all handicapped children and has ample finances to carry out that undertaking?

Mr PICKARD: Yes; yes; yes.

PETROLEUM GAS DISCOVERY

Mr SINGLETON: My question without notice is directed to the Minister for Mines and Minister for Energy. Has liquefied petroleum gas been found in the upper Clarence region of New South Wales? Would development of that source of energy be of great benefit to the cities on the north coast of New South Wales? Will the Minister say whether any studies have been done on the gas finds or whether any subsidies are being made available for further exploration or evaluation of finds to date?

Mr FREUDENSTEIN: It is true that in 1968 a gas discovery was made in the Hogarth No. 1 area. That was followed in 1970 by a second discovery at Hogarth No. 2 area. The discoveries yielded about 14 000 cubic metres of gas a day. At that time under the Commonwealth Act a subsidy was

given to the company that made the discoveries but work done subsequently, from 1972 to 1974, did not attract a federal subsidy. The Australian Labor Government withdrew the subsidy for petroleum exploration and no further action has been taken to prove the wells in that area. My department is watching this matter closely. A survey has more or less proved that there are 50 million cubic metres of gas and a further unproven 50 million cubic metres, bringing the total volume available to a possible 100 million cubic metres. Further reserves would need to be discovered and proven before the find could be called an economic proposition bearing in mind the high cost of boring equipment and of transmission costs to various centres. My department is working on the cores that came out of the area and is doing a study of the sub-surface stratum. I assure the honourable member for Clarence that, if it proves economically feasible to do so, the Government will proceed to develop the area as quickly as possible.

HOUSING COMMISSION CONTRACTS

Mr HA'ITON: Has the Minister for Housing and Minister for Co-operative Societies received representations from me intimating that 155 building workers in Nowra and many others on the South Coast face unemployment because no new Housing Commission contracts are being let? Is it true that the position in the private sector is also serious, with housing loans in New South Wales falling by \$19 million in the past three months, the biggest fall in any State? Is it true also that the commission is almost broke and can make no start on its normal programme of building 9 000 homes this year? Has Mr Rocher, the president of the Master Builders Association, predicted that 20 000 building workers including those in allied trades face unemployment in New South Wales? Has the federal Government responded to the Minister's call for a \$20 million emergency grant to build approximately 1 000 homes? In view of the serious situation and the fact that many people have been waiting years for a Housing Commission home, what further action does the Government intend to take?

Mr GRIFFITH: It is a lamentable state of affairs that at the present time the Housing Commission of New South Wales cannot let any further contracts and has not been able to do so for quite some time. The direct blame for this rests fairly and squarely with the former Commonwealth Government. The Whitlam Government encouraged the Housing Commission to establish a record home-building programme to the extent that in the current period a record number of 9 000 homes have been built. But the same Commonwealth Government pulled the financial rug from under the feet of the Housing Commission by its refusing to give at the end of the last financial year the money it had promised. Also, the amount of money promised in the federal Budget last year was not forthcoming. So the blame lies fairly and squarely on the Whitlam Government.

The Housing Commission is geared up and has plans and specifications ready to go to tender for a great deal of work in New South Wales and if funds were forthcoming the work would commence immediately. The problem is of great concern to the State Government. I am sure that the present federal Government is well aware of the situation. Approaches have been made to it and we are awaiting a reply which I am sure will be favourable.

SCHOOLS FOR HANDICAPPED CHILDREN

Mr DOYLE: I wish to direct a question without notice to the Premier and Treasurer and it follows upon an answer to a previous question which intimated that some incorrect information about the education of handicapped children had flowed from Canberra. As the majority of schools for handicapped children are still in the hands of voluntary organizations such as the New South Wales Society for Crippled Children, will the Minister clarify the position for the benefit of those organizations?

Sir ERIC WILLIS: I feel a little like the two Ministers who said earlier that they were grateful they had been asked a question. I noticed with considerable interest that today when the Leader of the Opposition had a question to ask concerning an

allegation made in the press this morning about me, he did not ask me; he asked someone else. In answer to the first part of the question asked by the honourable member for Vaucluse, I should like to pay a warm tribute to Senator the Hon. J. L. Carrick who this morning did something that has never been done by any Labor minister, federal or State—he admitted that he had made a mistake and apologized for it. Senator Carrick went to the trouble of telephoning me from Canberra and expressing regret that any misunderstanding might have been created as a result of the misinformation contained in a letter that he wrote to a federal member which somehow or other got into the press. As the Minister for Education said, that is the hallmark of a real man. It is something that we did not see previously.

Senator Carrick's action is indicative also of the warm and harmonious relationship that exists between the new federal Government and the Government of this State—a relationship that is one of co-operation and consultation, not confrontation like it previously was when the federal Government under Mr Whitlam continually told the State Government of New South Wales and other State governments precisely what they had to do in every detail and then, to use the expression of the Minister for Housing and Minister for Co-operative Societies, pulled the financial rug from under them whenever it suited the convenience of the Labor Government to do so. To understand the episode to which reference has been made in the question, one must first go back to where it all began so that those who write these newspaper articles will understand what they are talking about in fundamental terms before they get to the end of the story without knowing the start of it.

In 1973 a committee known as the Karmel committee recommended that with federal finance State governments should take over the running of voluntary association schools for handicapped children, should those associations so desire. The Whitlam Government made much of the fact that it would provide the necessary finance and it was in the middle of that

year that it told the States that if they were to act as agents in this regard, they would be provided with all the money required for this purpose.

Mr JACKSON: On a point of order. I submit that the question itself is out of order in that the honourable member for Vaucluse has asked the Premier and Treasurer, who is noted for his long answers, to elaborate on something.

Mr DOYLE: To clarify.

Mr JACKSON: Not to clarify, but to elaborate on a previous statement made in this House. The honourable member for Vaucluse has asked the Premier in fact to make a ministerial statement. The Premier and Treasurer has now embarked upon a marathon reply and has been invited to do so by the very nature of the question. I submit, Mr Speaker, that you should rule the question out of order or rule that the Premier and Treasurer is making a ministerial statement to which the Leader of the Opposition shall have the opportunity to reply.

Mr SPEAKER: Order! The two primary purposes of a question without notice are to seek information and to press for action. This is clearly a question seeking information and, as I understand it, the Premier and Treasurer is endeavouring to supply it.

Mr HILLS: Further on the point of order.

Mr SPEAKER: Order! I have already ruled on the point of order.

Mr HILLS: This is a further point of order. The questioner is Parliamentary Secretary to the Premier and Treasurer and the information he is seeking is as much available to him as to the Premier and Treasurer. Therefore the questioner is not seeking information but merely providing an opportunity for his own Minister to make a ministerial statement to this Parliament. On that ground it is appropriate that you should rule the answer to be a ministerial statement.

Mr SPEAKER: Order! When the Chair looks at the handsome visage of the honourable member for Vaucluse it sees him as the member for Vaucluse. There is no substance in the point of order.

Sir ERIC WILLIS: The Whitlam Government in 1973 made great play about the fact that it would provide all the finance required by State governments that were willing to take over voluntary association handicapped schools if those associations so desired. In New South Wales we embarked upon such a process and in 1974, I think it was, or 1975—I have forgotten the exact date—a few schools were taken over and we were in the process of negotiating the takeover of further schools. In mid-1975, the report of the Schools Commission showed that in the forthcoming budget, and in respect of the succeeding two years, there was to be a reduction in absolute terms of the money made available for this purpose, as recommended by that commission. In other words, in 1976, 1977 and 1978 there was to be a reduction in absolute terms. As Minister for Education at that time I wrote to the federal Minister for Education in protest against the proposal. That was early in August of last year and it was not until the end of September that I received a reply.

Mr EINFELD: On a point of order. Earlier in the proceedings a question on this same matter was asked of the Minister for Education, who in his self-satisfied, Thespian style replied to it. I can understand the Premier being dissatisfied with the performance of the Minister for Education—

Mr SPEAKER: Order! I ask the honourable member to come to his point of order.

Mr EINFELD: I do not think the House should be subjected to repetition of the same sort of ridiculous nonsense spoken by the Minister for Education, though expressed in different words by the Premier.

Mr SPEAKER: There is no substance in the point.

Mr JACKSON: On a point of order. I submit it is not competent for a Parliamentary Secretary to ask a Minister of the Crown a question without notice. I make this submission on the basis that the Constitution Act, when amended by this Parliament to provide for Parliamentary Secretaries, provided that, like Ministers of the Crown,

they shall receive special expenses and privileges that are not available to other members of Parliament. I submit that this amendment to the Constitution Act put Parliamentary Secretaries on the same basis as Ministers of the Crown. Because they are now included in schedule 2 of the Constitution Act I submit that they have been put on the same basis as Ministers, and that it is not permissible for them to ask Ministers a question.

Mr SPEAKER: Order! The standing of Parliamentary Secretaries has now been defined by statute. Section 38C of the Constitution Act, 1902, determines that the occupant of that office has certain duties. These are to sign correspondence relating to the jurisdiction of a Minister, to receive deputations on behalf of a Minister, to officiate at functions for a Minister, and generally to relieve the Minister of some of the duties associated with his office, as well as to undertake any special task requested by him. Parliamentary Secretaries are not sworn in as members of the Executive Council and do not sit in Cabinet. There is nothing whatever in the role of a Parliamentary Secretary as defined by statute that would ever exclude such a person from asking a question of a Minister in the House.

Sir ERIC WILLIS: I shall continue my brief recital of how the record should be set straight. The reply I received from the federal Minister for Education arrived in late September, by which time I had already made a ministerial statement in this House which indicated that this Government was upset about the cutback of funds from Canberra and had no option but to bring to a sudden halt the process that had been continuing for some time, namely, the taking over of voluntary association schools. I should have thought that it would be apparent to anybody that if the Government intended to take over more and more schools as a gradual process, it would require more and more funds.

When the federal Labor Government reduced the total funds it was obvious to anyone that there could be no more takeovers under that procedure. I do not know how on earth anyone in Canberra could have

misunderstood my feelings at that time. Officers of the Schools Commission advised the new federal Minister for Education of the letter. As the Minister for Education has said, since the change of government in Canberra there has been a much more harmonious relationship between the federal Government and the New South Wales Government. Yesterday fruitful discussions took place between representatives of the two governments on this matter. Senator Carrick told me in a telephone conversation yesterday that he was confident a solution could be found to the problem in the not too distant future.

It is most regrettable that people who call themselves an investigation team carry out their investigations by consulting people who have a complaint to make, but make no approach to the person against whom the complaint is made. At no time did the *Sydney Morning Herald* reporter who wrote the article come to me or, so far as I can ascertain, the Minister for Education; he spoke to only one officer in the Ministry of Education and apparently accepted at face value some information that was received elsewhere. This is the sort of misinformation that misleads not only Parliament but the community generally. It serves no useful purpose. It is a pity that journalists are not a little more constructive in the way they go about their duties. It is nice to know that members of the Opposition are now reading a responsible paper like the *Sydney Morning Herald*. They have apparently given up subscribing to *Nation Review*, which last week seemed to be the only paper they read.

[Personal explanation]

Mr DOYLE: When I asked that question certainly I did not reveal that I am a director of the New South Wales Society for Crippled Children. I should like to tell you fellows—

Mr SPEAKER: Order! It is very plain from the beginning of the personal explanation being attempted by the honourable member for Vacluse that it is not within the scope of a personal explanation. The honourable member must know that basically there

must be some reflection upon his character and standing as a person. From what has transpired it is clear that there is no such reflection at all.

TEACHERS STRIKES

ADJOURNMENT (S.O. 49)

Mr SPEAKER: I have received from the honourable member for Wallsend notice under Standing Order 49 of his desire to move the adjournment of the House to discuss a specific matter that should have urgent consideration, namely, the present strikes by teachers in New South Wales.

Mr BOOTH (Wallsend) [11.50]: I move: That this House do now adjourn.

The motion being supported by five other honourable members,

Mr BOOTH: I seek to raise this issue because we are very concerned about what is happening to the education of children in New South Wales at the present time. After listening to what was said at question time today, and after hearing the Minister for Education reply to matters raised concerning those who are disadvantaged and are not in a position to get a full education, I am left feeling that there is no concern by the Government, the Minister or his department for the education of any children in New South Wales. There does not appear to have been any action, any ministerial statement, or any other statement by the Minister in the press or in this Parliament on the matter.

Mr MASON: On a point of order. My understanding is that the honourable member's motion under Standing Order 49 for the adjournment of the House is to discuss the question of a strike that is current in certain schools in New South Wales. My understanding is, also, that this is a current issue before the Industrial Commission. The newspapers this morning carry wide reporting of a walk-out by representatives of the Teachers' Federation from that court. Mr Justice Beattie and other members of the bench are hearing this issue. I ask whether it is proper that a full-scale debate be launched in this House on a matter that is so much before the court.

Mr BOOTH: On the point of order. I believe that the honourable member for Dubbo is prejudging the motion when he says that it relates to a particular strike. My motion refers to strikes by teachers in New South Wales—not to a particular strike. Mr Speaker, I remind you of a ruling you gave last week on the *sub judice* rule. You then said:

I have no intention of allowing the Legislature to be muzzled by inflexible rules while the news media are left at liberty to engage in the most free-ranging comment on the same issues.

You then went on to elaborate slightly on that. Even the honourable member for Dubbo, in putting his point, argued against himself, for he said that the matter has been widely discussed in the press. If it is open to the press to make comments on this matter, and even yesterday making editorial comment on one issue that I shall be raising, surely that is an argument against the honourable member for Dubbo. I submit that this matter is not *sub judice* and that I am perfectly in order.

Mr MASON: Further to the point of order. I raised this point of order because I believed there is a real difference between the issue here and the sort of generosity you have displayed in the chair, Mr Speaker, by allowing some form of discussion. All honourable members would agree that Parliament should not be muzzled completely when matters are subject to public debate. However, I submit that there is a real difference between questions soliciting information and a full-scale debate, which is what this motion must lead to in this House.

Although the honourable member for Wallsend now submits that the word strikes is included in his motion, I put to you that it would be impossible for speakers in a full-scale debate to avoid repeatedly and continually referring to a current issue before the court. The basis of my submission is that there is a real difference between references to matters envisaged in your generous ruling—which we all support—and a full-scale debate which must influence the matter before the court.

Mr Booth]

Mr SPEAKER: Order! I have ascertained that there are a number of compulsory conferences before the Industrial Commission which touch upon the matters sought to be discussed in the Parliament. However, I have previously expressed my view so far as application of the *sub judice* rule is concerned that Parliament must retain its standing as the highest tribunal in the land. Concerning important issues affecting the whole community and attracting wide-ranging discussion in the news media, Parliament cannot afford to let itself be muzzled and put impotently away in a corner because some aspects of these issues are being discussed by subordinate tribunals.

The firm principle that should guide us is that anybody who asserts that a matter ought not to be discussed by Parliament because it is *sub judice* must carry the onus of showing that substantial damage will flow from the matter being discussed. As well, he must show that the precise matter sought to be discussed in Parliament is identical with the issue before the court. There is a vast chasm between, say, a criminal trial in which an individual stands charged with a serious crime, where the range of evidence that may be put before the jury is limited by strict rules of evidence, excluding, for example, hearsay and other matters deemed from long experience to be insufficiently reliable to go before a jury and, on the other hand, an industrial tribunal looking in *globo* at a broad, general issue, and empowered to take all relevant matters into consideration.

Obviously substantial damage and prejudice would arise if, through matters being discussed in the Parliament, suggestions were carried to the minds of untrained jurors serving in a criminal trial concerning aspects of the matter before them which it was entirely improper, on evidentiary standards, for them to be considering at all. To suggest, on the other hand, that judicial figures, specially selected by the State for their training and experience in assessing evidence, are going to be overborne merely because of the views expressed in Parliament on a general issue by some

honourable member is to do much less than credit to our arbitration judges and conciliation commissioners.

In all the circumstances of this case, I am not satisfied that discussion in this Parliament ought to be stifled through an inflexible application of the *sub judice* principle.

Mr BOOTH: Thank you very much for your wise and, I think, historic ruling, Mr Speaker. It once again highlights the lack of sympathy that supporters of the Government have for education issues and attempts to resolve them on behalf of the children of New South Wales. That is what the Opposition is seeking to discuss this afternoon. We are concerned with the education of our children. The strike at the Warilla high school has been going on for three weeks, and involves a strike by fifty-two members of a high school staff. That is unprecedented in the history of education in New South Wales; further it is the longest strike. All it involves is the transfer of a science teacher from the school to the Berkeley high school, where the science teacher will spend six-tenths of his time teaching music.

Mr PICKARD: On a point of order. Mr Speaker, after listening to your ruling I submit that what is happening here at the present time will not necessarily influence the learned judges, but there are certain directions from the wurt that our officers are trying to carry out in school situations, in order to bring about good education in the terms sought by the honourable member.

[Interruption]

Mr SPEAKER: Order! I call the honourable member for **Burrinjuck** to order.

Mr PICKARD: Mr Speaker, in your ruling you said something about harm and damage, or words to that effect. I am suggesting to you that this debate today could harm the efforts by the court to bring about a reconciliation. There are matters being discussed today in relation to the school that has been mentioned; they are being discussed with my officers and with teachers in every school in that area. I suggest that to proceed with this debate will, first, make it very **difficult** to present all the facts to the House at

this stage without creating further difficulties for the negotiations that are going on as a result of the court proceedings.

Mr SPEAKER: Order! What we mean by substantial damage or prejudice is obviously substantial damage or prejudice to the hearing proceeding in the other court. The fact that discussions in this Parliament may aggravate the practical problems with which the Minister has to wrestle, as the administrator of a great department of State, is an entirely **different** consideration. That is a pragmatic aspect of the matter that does not touch upon the *sub judice* principle at all. This Parliament has never held back from discussing important and critical issues on the ground that, by doing so, it might practically touch upon the seeking of solutions to them by the Ministers concerned.

Mr BOOTH: Thank you very much, Mr Speaker. I should think that the Minister would have welcomed some sort of debate on this topic, instead of trying to take up some of the time available to me. He **will** have thirty minutes in which to reply and state the case as he sees the situation. I shall pass from the Warilla high school, on which I might perhaps impinge on the *sub judice* rule. I was going to mention the difficulty at that school in passing, as an example of a whole series of strikes, including strikes by cleaners who are out in sympathy. In Sydney half-day strikes are occurring at schools—at Tempe high school, Marrickville girls high school and the Marrickville public school. Now there are a series of rolling strikes in the inner-city area, with thirteen high schools in the eastern suburbs having half-day strikes. Eight schools in the western suburbs will be out on strike next Tuesday.

The trouble is spreading considerably, yet the Minister tries to stop **some** sort of debate on a critical situation in New South Wales. We in the **Labor** Party believe that one of the principal reasons for this problem is differential staffing. We believe in a needs basis and that disadvantaged schools should have special consideration. Warilla is a **disadvantaged** school and needs special consideration also because of the number of children at the school.

It is not my intention to pre-empt the discussions that will take place in the Industrial Commission, but I believe that honourable members should be able to discuss such matters here in a constructive way, particularly when a series of strikes has resulted from the neglect by the Government of working conditions in schools. Technical teachers propose to conduct four 24-hour strikes. They will occur on Monday, 8th March, Tuesday, 16th March, Wednesday, 24th March, and Thursday, 1st April. I know from personal knowledge, having worked with these teachers for six years, and my wife having trained in technical education, that these people would prefer not to go on strike. The industrial decision that they made could not have been easy for them. They would have taken it only because they were driven into the situation by the Government.

Technical college teachers have been negotiating with the Public Service Board on working conditions for just on twelve months. They have been seeking a reduction of two hours in face-to-face teaching, with those two hours being taken up in incidental duties. The vote on the industrial question taken last Saturday was almost unanimous, their being a majority of 150 of those present in favour of striking. There are 3 000 full-time teachers and 6 000 part-time teachers employed in technical colleges in this State, and whatever decisions they take affect 205 000 students. Yet the Minister and the Government are willing to sit idly by and allow the industrial situation to become worse. If the Public Service Board, which is the instrumentality of the Government, had indicated to the Industrial Commission that it was willing to accept the decision of Sir Alexander Beattie, this matter would have been resolved quickly. However, counsel for the Public Service Board made it quite clear that it would not accept unreservedly the recommendation of the commission. In other words, the Public Service Board would not accept the umpire's decision, even though the Government says that other workers should go to arbitration and should abide by the umpire's ruling.

Mr Booth]

Let us look at the record of strikes by teachers in New South Wales since 1965 under the present Government. On two occasions the teachers were out on strike for an indefinite period. On five occasions they stopped work on a State basis. On five occasions there were stoppages on an area basis, and on five occasions on a school basis. There have been many rolling strikes, and they are snowballing every day. Those figures do not take into account the withdrawal of teachers to allow for minimum supervision only. Compare that with the record of the Labor Government before 1965—and do not say that the Teachers Federation under the president of those days, Mr Sam Lewis, was not a militant organization. It was, but there were consultations between the teachers and the Government, not confrontation as there is now.

What we are now talking about is working conditions alone, for following the introduction of wage indexation many of the problems and much of the hassle between the federation and the Government through the Public Service Board have been circumvented. Since 1965 industrial unrest and turmoil in the teaching profession have been unprecedented. There have been more strikes, more work-ins by teachers, more parents withdrawing their children, and more demonstrations than ever before in the history of New South Wales. We in the Opposition are disturbed particularly about the likely effect of these events on children attending the schools concerned—and yet all the trouble is attributable to the policies of the Government on teachers and arbitration. Why will the Government not accept arbitration on the working conditions of teachers? Why not accept Mr Justice Beattie's verdict and defuse the situation immediately? In that way confrontation would be avoided, and everybody concerned would co-operate to put matters right. My view is that teachers are sick and tired of this confrontation and want to get on with the job of teaching.

Mr PICKARD: Then why do they not obey the order of the court and go back to work?

Mr BOOTH: It is the Government who will not obey the order of the court. What the Government should do, and what the Labor Party would do immediately, is to accept the recommendation of the president of the Industrial Commission of New South Wales, Sir Alexander Beattie, who is closely involved in these issues at the moment. This is the same judge who in December, 1973, was asked by the Minister for Labour and Industry to report on access to New South Wales industrial tribunals by public servants, teachers in government schools, and police. Sir Alexander Beattie is a man of great integrity and wide experience. He could be relied on to be impartial in presenting a report on any matter. As a matter of fact, the Government obviously was so impressed with his capacity that it commissioned him to produce a report on the apprenticeship system in New South Wales. Obviously the Government regarded him as a man of stature. He produced a wonderful report.

The inquiry conducted by His Honour was extensive. It occupied sixteen sitting days, and involved the taking of evidence, oral and documentary, including sixty-five exhibits. Those who appeared at the inquiry were Mr Hammond, general secretary of the Public Service Association; Mr Page, secretary of the Police Association; and Dr Pearson, president of the Teachers Federation. Evidence was given also by Mr Newman, a deputy commissioner of police; Mr Dickinson, chairman of the Public Service Board; and Mr Buggie, the Director-General of Education. These are the views expressed by Sir Alexander Beattie:

I have reached the conclusion that, having regard to the interests of persons employed under the Teaching Service Act, it is in the public interest that the Industrial Arbitration Act be amended to extend the powers of a conciliation committee (and consequently, by force of s. 30 of that Act, the powers of the Industrial Commission of New South Wales) to make an award affecting such persons by authorizing an award to be made for the purposes set out in pars (b) and (e) of s. 20 (1) of the said Act.

So far as teachers are concerned, the main aspect of public interest is that it is desirable that the Industrial Arbitration Act should provide for the best possible system for preventing and settling industrial disputes between teachers and their employer, the Crown.

His Honour continued:

It is, therefore, my view that it would improve the present procedures available for preventing and settling disputes involving the Public Service Board and persons employed under the Public Service Act if the Industrial Arbitration Act were amended to extend the powers of the tribunals under that Act by authorizing them to make awards for the purposes set out in pars (b) and (e) of s. 20 (1) of the Act. Any improvement in those procedures would be in the public interest.

That would mean in the children's interest, also. He went on to say:

I have the same view in relation to disputes involving the Department of Education and persons employed under the Teaching Service Act and for the same reasons as are stated in those paragraphs.

I think that there is substance in the submissions made on behalf of the Teachers Federation (pars 12.1 and 12.2 ante) that teachers employed under the Teaching Service Act are discriminated against in being denied the full access to the State industrial tribunals which so many other employees enjoy.

This is a detailed and lengthy report. I remind the House that the Commonwealth gives teachers access to the courts on working conditions. Queensland allows teachers full access to the courts on working conditions. Tasmania allows limited access. South Australia, another Labor-governed State, provides full access for teachers to the courts on working conditions.

Employees of other statutory authorities have access to the courts on working conditions. They include the Electricity Commission of New South Wales, the now defunct Water Conservation and Irrigation Commission, the Metropolitan Water Sewerage and Drainage Board, and the Public Transport Commission. Likewise, the 50 000 employees of public hospitals have access to the courts on working conditions, as have teachers at independent schools. Only those who are unfortunate enough to teach in government schools are denied this opportunity. Sir Alexander Beattie went on to say there was no evidence that the discharge of the responsibilities of those employers was impaired because their employees had those rights. The Director-General of Education tried to say that because it was necessary for the department

to plan ahead, it must have complete control over the situation, and that would not be possible if the teachers had access to the courts on working conditions.

Surely the Electricity Commission must plan ahead. It must plan ahead for many years, probably further than the Department of Education. I agree with Sir Alexander Beattie, that these arguments just do not stand up to analysis. The judge's recommendation was that public servants, teachers in government schools and police officers should have full access to the courts on working conditions. He dismissed the argument put forward by the Director-General of Education about the size of the Department of Education. I do not know how the Director-General thought that that sort of argument would convince Sir Alexander Beattie to rule in his favour.

The department dragged into the hearing some highly technical and legal argument which likewise did not stand up to the scrutiny of Sir Alexander Beattie. With regard to managerial and administrative responsibilities, which the Director-General of Education and the Public Service Board wanted to maintain, rather than industrial matters, His Honour said:

The significance of these legal considerations for the purposes of the present inquiry is that, if public servants were given access to the industrial tribunals to have industrial matters affecting them determined, the tribunals would as a matter of law be required to confine their awards to matters directly pertaining to the relations between the Crown as employer and the public servant as employee and would have no authority to deal with matters properly characterized as managerial.

His Honour was setting the record straight. What His Honour said was backed up by the decision of the High Court of Australia in *The Queen v. Portus*, and His Honour gave details of that case. He went on to say:

It is therefore my opinion that, both because of the legal restrictions attaching to the "industrial matters" power and because of the restrictions which the industrial tribunals have imposed on themselves as a matter of discretion in exercising that power, the concern felt by the Director-General of Education that a change in the law would impair his capacity to give effect to his statutory responsibilities is not well-founded.

Mr Booth]

The Opposition asks the Minister, what is he frightened of in going to arbitration? If the Minister has an opinion or if his departmental officers come to him with a submission, surely that opinion or submission should stand up to close scrutiny? Why should it not be looked at by the Industrial Commission? Why does the Minister want to be his own arbiter? Why does he not want anyone else to look at these things? Is the Minister frightened of what the Industrial Commission might do? Has the Minister no confidence in the ability of his own departmental officers to convince a court? Is he afraid that his arguments will not stand up to close scrutiny?

It is obvious that the Public Service Board wants to continue being the dictator in relation to education in New South Wales. The Public Service Board has a tremendous influence on education, mainly on economic grounds. The Opposition contends that economic considerations should be taken away from education and that it should be administered principally on educational considerations. The Public Service Board should be willing to submit disputes about working conditions to the close scrutiny of the commission.

In some ways I can understand the Minister's hesitance. The record reveals that when matters have gone to the decision of an umpire the Government has been unsuccessful on quite a number of occasions. The most glaring example of that was in regard to technical teachers receiving travelling time while training. The late Mr Justice Sheldon, who was held in high regard in the industrial field, referred to the Public Service Board in his finding in this matter, and possibly this might be why the Government is reluctant to go to the Industrial Commission in these matters. His Honour said:

The board refuses to offer a proper remedy in relation to the present injustice.

Both in the public interest, and as a matter of justice to these individuals, I recommend that these re-allocations should be made.

His Honour Mr Justice Sheldon was standing by the teachers. Further, he said it was clear that the Teachers Federation was

doing all it could to have the matter resolved, but at the same time it should take **all** steps to ensure that stoppages of work on this issue did not take place. Perhaps it is obvious why the Minister is **reluctant** to go back to the Industrial Commission. Of course, there are other examples. One example relates to Mr Pat Lee, at **Minerva** Street school, Sutherland. Another is the case of Mrs **Doris Jobling**, an organizer of the Teachers Federation, who was **dealt** with under the Summary Offences **Act**. Likewise, the Government lost its application for deregistration of the federation when that matter went before the Industrial Commission. I notice that the Minister has gone away; he is not even listening to what I am saying. Not one member of the Government is interested in education. Question **time** today was a true reflection of the Government's lack of interest in education. The Minister is not interested in handicapped children. He is not interested in children at all. He is not even interested in this subject.

The rolling strikes taking place throughout New South Wales will continue **unless** the Government does something about the dispute. The Minister could overcome the **problem** if he would accept the **recommendation** of Sir Alexander **Beattie** who, in his **report**, said that public servants, teachers and police officers should have access to the Industrial Commission on matters concerning **working** conditions. I have no doubt that if the Minister were to accept His Honour's recommendation, that would take care of the class size problem. Strikes are **occurring** now about class **sizes**. If the Minister were to agree to access to the commission on **working** conditions, that would also take the politics out of the class size issue. Additionally, it would help to take the politics out of education. Political decisions are being made but **those making** them do not have to stand up and be counted as they would have to if the court had to be convinced.

What is the point of the Government **conducting** inquiries? What is the point of having the Industrial **Commission**? What was the point in having a report prepared by Sir Alexander **Beattie**? Look at the size of the

report. What about the Rydge committee report on an education commission? What about the **Scott committee** report on class sizes? What about the **Bell committee** report on teacher training? What about the Truskett committee report on nurses' education? What about the Buggie committee report **on** the **community** and its schools? What about the committee that has been established to inquire into religious instruction in schools? What about the **committee** on sexism in schools? What about the committee on work experience programmes? What is the point of having all these **committees** prepare **reports** and submissions for the Government when the only one the Minister intends to take notice of is the Rydge committee report, dealing with an education **commission**, which contained recommendations the Government wanted, but required the Government to go back on a firm promise it had made more than ten years previously, before coming to office? What is the point of spending all this money **on** committees if their **recommendations** are not heeded?

We have heard the Prime Minister talking about cutting expenses in **committee** workings. This Government in New South Wales has established countless committees but it takes no notice of them. The Government has not yet started to prepare a class size programme, despite what was contained in the Scott committee report. The Government did **not** take any notice of that **committee's** report when it was submitted. It has not taken notice of reports submitted by other committees. One might ask, why have all these **committees** involving time, money and energy?

Sir Alexander **Beattie** made a lengthy report but the Government has taken no notice of his recommendations. The Opposition urges the Government to accept that report, which is well founded. Implementation of the **recommendations** in that report would be in the public interest, in the interest of teachers, and more important, in the interest of the children of New South Wales and their education. Acceptance of **recommendations** in that report would be **beneficial** to teachers whose morale is lagging considerably because of the attitude of

this **Government** towards their working conditions and class sizes. This subject is black and white; there is no grey area. It is like the situation at Warilla where there was not enough work to maintain a teacher full-time on science, in which subject he was trained, so he was required to spend six-tenths of his time at another school teaching music. The Opposition asserts that adoption of recommendations in Sir Alexander Beattie's report would allow teachers access to **the** Industrial Commission on matters relating to working conditions. If the Minister were to accept that recommendation, most of the problems with which he is now faced would be decided by the commission.

I urge the Minister to accept the umpire's decision. The Teachers Federation of New South Wales has intimated that it is willing to accept the umpire's decision whatever it may be, especially in the disputes **now** current. On the other hand, unfortunately the Public Service Board has not given the same sort of undertaking. The Opposition says categorically that the Government can overcome these rolling strikes and confrontations by accepting the recommendation of Sir Alexander **Beattie** in regard to access to the Industrial Commission on disputes relating to working conditions.

Mr PICKARD (Hornsby), Minister for Education [12.20]: The dispute at the Warilla high school arose as a result of a decision taken by some teachers there. It is in respect of that dispute that the president of the Industrial Commission of New South Wales, Sir Alexander **Beattie**, said when the issue was before the commission, "We think that it would not be proper for us to require either the board"—[Quorum formed.]—"or the federation in proceedings of this type to give an **undertaking** that they would observe any recommendation that is made." However, after the commission had heard the whole of the facts surrounding the dispute it recommended that the teachers at Warilla should go back to work. Despite that recommendation, some—but not all—of the teachers at Warilla refused to **return** to work. This refusal resulted in a further conference before the Industrial Commission. These teachers refused to accept the umpire's **ruling** and they

advised my officers of their decision **al-**though negotiations were still taking place. My officers have constantly been in touch with as many of these teachers who could be gathered together at the school, attempting to talk with them about their strike. However, it has been impossible to get all the staff at the school together at the one time to discuss the position fully and to put to them the case we put to the Industrial **Commission**, which Sir Alexander **Beattie** suggested should be accepted. So consistent was the disregard of these people for the procedures of **the** court and their refusal to accept the umpire's ruling that yesterday the president of the commission said:

Having regard to what Mr Taylor has said, namely, that federation representatives propose to withdraw from the conference, we have no option but to adjourn the conference to a time to be **fixed**.

There was no question of the department withdrawing from any conference; the proposal to withdraw came from the Teachers Federation. That deals with any suggestion that the department is not interested in trying to solve any industrial problems at Warilla. Yesterday, Sir Alexander **Beattie** went on to say: "We regard the conduct of the federation representatives as most reprehensible." That word has become a popular term when describing ugly circumstances, and His Honour thought it appropriate to use it in these circumstances. The president of the Industrial Commission went on to say:

It **seemed** to us that there was every possibility of this dispute being resolved today and the reasons that the federation has given for withdrawing, in our view, are entirely **in-**adequate

That shows who is reluctant to settle this dispute so that the children can return to school and the teachers can have the opportunity to practise their chosen profession.

Since this dispute commenced the department has explored every possible avenue of negotiation. The dispute at Warilla arose when Mr **David** Struthers, a reserve teacher at Warilla, was appointed to the permanent staff at Berkeley high school. Mr Struthers, is a reserve teacher who was appointed, as

so many other teachers are, to the permanent staff of Berkeley high school. On 10th February the executive of the Teachers Federation announced that it had resolved to advise Mr Struthers to accept the transfer, and he did so. The question arises whether this strike arose from teachers at Warilla acting in defiance of their federation or whether they took their action for some other reason. However, the fact is that since 10th February they have continued to remain on strike. These teachers have persisted in their attitude despite appeals from parents who went to the school and pleaded with the headmaster and other teachers there to get all the staff back to work to do the job they were paid to do. These parents told the teachers that they were being paid to use their professional teaching skills and that they should return to work and give their children the education to which they are entitled. Some senior students at Warilla went to the school with the plea: "Please get the school functioning again. We want our teachers to teach us. That is what they are paid for." However, the whole of the teaching staff refused to gather together at the school to listen to anything put by the community, the students or the department.

The Teachers Federation has been adopting the role of a provocateur in this dispute. The issue arises out of the Government's policy of not continuing with the reduction of class sizes at the present time. As that is the Government's stated policy, the Industrial Commission would be acting on tenuous grounds if it paid no heed to it. The Government has said that although it would like to continue to reduce class sizes, it is not able to do so, because last year the former Whitlam-led federal Labor Government withdrew funds from this State. At the annual meeting of the Teachers Federation, which was held towards the end of last year—well before this dispute arose—a resolution about working conditions was carried. That resolution dealt with a number of variations in regard to conditions and class sizes. In other words, the federation is seeking conditions that are outside the stated policy of the Government, which was democratically elected by the people of this State.

Though unions have been referred to as the parliament of the people, the fact is that this is the Parliament of the people. The Government is willing to continue its policy in regard to class size reductions when funds become available. That policy has not been abandoned; it is merely in a standstill situation.

As soon as funds become available, within the priorities of the department, the declared policy will be continued. The policy was to achieve the goal for reduced class sizes some time between 1981 and 1984. Under the present arrangements and but for this standstill year that goal would have been reached by 1980. The standstill is attributable to the withdrawal of funds. The present federal Government has not withdrawn one cent in terms of agreements made by the Hon. E. G. Whitlam. Reductions of allocations have been made in other areas in order to get the nation back on its feet. Education is the only aspect of government on which there has not been any cutback. This promise to the people is being honoured. A decision by the previous federal Government has made it difficult for the State Government to implement its policy on education.

In about the middle of last year the Teachers Federation came down with a policy of its own on class sizes, period loads, specialist teachers and the staffing of alleged disadvantaged schools. The federation alleges that some schools are disadvantaged but it determines what is to be regarded as disadvantaged. A resolution was reached, in these terms:

Conference authorizes schools, colleges and associations to take action to implement any section of the working conditions resolution.

In effect teachers were told by the annual conference to do what they can, to implement the federation's policies. Even before the staff held meetings the federation had dug its trench. It set itself up as the arbiter of government policy; it tried to supersede the policies of the elected representatives of the people of New South Wales. The people of New South Wales are fed up with the sort of disputes that suddenly, mysteriously

arose when the Liberal-Country party Government came to power. Until then there was a marvellous relationship between the federation and the government of the day. It is amazing that this should be so bearing in mind the paucity of spending then on education and the terrible conditions for teachers. No teacher can tell me that conditions were not terrible. I knew the position; I taught under those conditions. I refer to the standard of the staff rooms, school buildings and equipment. In the past ten years much has been done to improve the position.

If honourable members opposite want to speak with authority on working conditions they should not omit to look at the record of the past. Why was there such an amicable arrangement between the Labor Party and the Teachers Federation of New South Wales? Why is it suggested that the present State Government has done nothing for education, and in particular that it has not helped to increase wages or staff? In fact, there has been an increase of something like 50 per cent in the number of teachers over the past five or six years compared with a 23 per cent rise in student enrolments. When Labor went out of office in New South Wales 200 ancillary employees were working in schools. There are now 7 000 in this category. I could mention other improvements in education long before the Hon. E. G. Whitlam ever thought about giving federal assistance. Those improvements were financed with money voted by this Parliament. The amount allocated for education over the years has been the bulk of the total vote for the State.

Mr VINEY: By all governments?

Mr PICKARD: That is so. The implementation of the Wyndham report, the class-size problem, the extension of education for a further year: all those things had to be faced up to and financed. A tremendous amount has been achieved but that does not seem to indicate to the Teachers Federation that improvements have been made. Education is not necessarily made up of marvellous school buildings and costly equipment. Neither is it made up of federation resolutions on small or large class sizes.

The standard of education depends on the quality of the teacher, indeed of the whole staff, in co-operation with the students of the school. Considerable improvements in working conditions have been effected but at its meeting last year the federation decided to ignore such matters. It wants to become a government outside the Government. It wants to tell the people what to do. If the Government does not do what the federation says is best for the people of this State it will direct its members on action to be taken. The federation is treating teachers as its staff and saying that the staff will reduce class sizes and the teacher workload.

Ever since the commencement of the strike this motion has been in the background. Despite the terms of the motion and the federation's approval of the moving of Mr Struthers, the federation has given strike directives to schools at which a vote was taken that there would be no strike. Many schools reached that decision by democratic vote. One begins to wonder who in this affair is the criminal or who is the accused. It is certainly not the Department of Education. Every possible effort has been made to overcome the difficulty. The students need to be educated and the people of this State are called upon to pay heavily for their education.

I do not believe that the people of this State will continue to accept unrest and disturbances in our schools and to continue to give the same amount of money for the improvement of education. The public, and many teachers, want peace in our schools. If that is not so, why would not all the teachers be following the federation's directive? Only at schools where a senior member of the federation has turned up suddenly has there been a strike. At a number of schools that the federation representative attended he could not get all the teachers to go on strike. At one school it is reported that he asked that the departmental representative be not heard. However, it was moved instead that the federation representative sit down and the departmental representative be heard. When both sides of the case had been put a vote was taken and the staff did not go on strike.

That a science teacher has been moved is **correct**. This was done so that a man might get a permanent position and not remain on the reserve. There are still three reserve teachers at that school. One teacher was involved in a special numeracy problem programme. That teacher had science **skills** and was moved on to permanency, to a school with a full science teaching load. The headmaster has at **his** disposal funds from the disadvantaged schools **committee**. He can employ a skilled remedial teacher on a part-time basis for three days a week. A remedial teacher is available and he can go to work if the federation will let him. In addition, that teacher could spend two days a week at the primary **school** in order to deal there with the cause of the numeracy problem. One-third of the staff at the Warilla school are **carrying** out their responsibilities as best they can. If the other two-thirds would go back to work the procedure I have stated could be adopted. A permanent appointee of the federation, Mr Simpson, is in the **district** and he is keeping a close watch on the situation at the Warilla **school**.

Mr MALLAM: Good on him.

Mr PICKARD: From the honourable member's interjection it seems he is acknowledging that he is not interested in good education and does not want the school to get staff. A federation representative goes to the school with a policy to prevent the school obtaining staff whereas he should be supporting government policy. Yet the honourable member opposite says, "Good on **him**." It is not important to him how long the teachers stay on strike, how many **children** are kept from school, how many parents want their children back at school, and how much all this costs the State: all the honourable member says about this commissar is "Good on **him**." A newspaper depicted a demonstration of students in a Wollongong street where they asked that a certain gentleman be reinstated to their school. That gentleman had already accepted permanency somewhere else and on the advice of his federation he had gone on with it. Representatives of the Teachers Federation—two teachers **in** particular—gathered these students of years nine and ten, not of years

eleven and twelve as represented in a press article. They assembled these youngsters on a paddock outside the school, incited them and moved them to make a **demonstration** in the street.

Mr HILLS: Why do not you say that you hate teachers?

Mr PICKARD: I do not hate **them**.

Mr HILLS: You do.

Mr PICKARD: I do not and I ask the honourable member not to **try** to put that suggestion across here. You are the great hater of anything good. I have worked in **schools** and I know what they are about. I know that thousands of my good friends throughout New South Wales are absolutely fed up to the back **teeth** with what is happening in a few schools. I deplore, as do many parents, the actions of teachers who would involve schoolchildren in **this** dispute. Are honourable members opposite interested **in** education, or are they more interested in inducing teachers to excite young and impressionable minds in an endeavour to have them support their cause without giving both sides of the case? I thought that all teachers were at least sufficiently responsible to present fairly both sides of a case in order that students could make up their **minds** on an issue. At Warilla young impressionable people are hearing but one side.

Throughout the dispute there has been a sad history of harassment of teachers who went back to work. At Warilla some twenty-two teachers went back to work either at the request of parents and students or because they wanted to return to their tasks. Then they were subjected to verbal abuse in terms similar to those that one sometimes hears in this House. They were subjected to verbal harassment in an endeavour to bring them down in the eyes of the younger people they are called upon to teach. As a result of this harassment by federation members, two teachers withdrew.

Mr MALLAM: Who told you that?

Mr PICKARD: Federation members were screaming at pupils over the fence and inciting them. They abused fellow members of

the federation for returning to work and for not doing what the federation demanded of them. Conduct like this has led to a most difficult situation. Because of all the factors I have mentioned I have been most reluctant until this time to enter into the debate. I knew that once we embarked upon debate these things would have to come out and it is unfortunate that it has happened.

Mr BOOTH: **Why?**

Mr PICKARD: For the information of little Sir Echo, they had to come out because it is only fair that people who were given one side of the case should hear the other side of it. The department has been silent in order to make it possible for meaningful negotiations to be held. My officers and I have tried to keep the dispute in low profile to see what could be done about entering into meaningful negotiations.

Mr L. B. KELLY: It is a cover up.

Mr PICKARD: The honourable member's interjection is based purely on his system of values. Access to the courts is not the real issue in this strike. At this moment my officers are in the process of preparing recommendations to me on action to be taken on the real issue, which is the federation's directive. It began as a motion but became a directive.

Mr MALLAM: Do you not believe in the federation?

Mr PICKARD: I do. I was a member of the Teachers Federation; I believe in it and I support it.

Mr MALLAM: But you have scabbed on it.

Mr PICKARD: That is the word I have heard was used at Warilla. When the honourable member has no argument left all he can do is use the emotive word scab. I have another name for it. I come now to the intended strike action by technical college teachers which was mentioned by the honourable member for Wallsend. These teachers are saying that they do not want any more overtime and they want a reduction of two hours in their workload. In

their working week of thirty hours, **twenty-four** hours are spent fully on teaching. However, **the** average time spent on teaching is eighteen hours. After **6 p.m.** every hour is regarded as one and a half hours. In that way a teacher may reduce his real workload to twelve hours and complete it in **three** days of the week. **He** gets one day off a week and, **to boot**, in a year he **has** eleven weeks on holiday.

It is improper to make comparisons with other situations. If teachers of the technical institute are so willing to reduce overtime I want it to be known that if their request is granted the Government **will** be faced with having no money to employ further staff in order to keep the present necessary vocational and community programmes going. I warn that the coffers are empty; they will have to be replenished. The Technical Teachers Association ought to exercise great caution in what it does in response to a directive by the Teachers Federation, which the association has recently joined. I inform **the** Technical Teachers Association that great **difficulties** confront the department. I have opened a couple of technical college buildings and during that contact with the teachers I understood that they wanted overtime and looked forward to it. I ask that the teachers say by way of an absolute vote, not a fake vote, whether they want to accept the federation's directive. If they do, I warn that there is no money to employ additional **staff**. Recently the Leader of the Opposition asked why we were not putting on more staff and why we were not withdrawing an advertisement that appeared on television. If in fact the technical training teachers work the hours they want or the hours given to them and they wish to work overtime we can mount **all** the programmes we have, but if they want changes that obviously cost money we cannot do it. The community should be warned.

Mr L. B. KELLY: Mr Speaker —

Mr MUTTON (Yaralla), Government Whip [12.50]: I move:

That the question be now put.

The House divided.

AYES, 47

Mr Arblaster	Mr Mason
Mr Barraclough	Mr Mead
Mr Boyd	Mrs Meillon
Mr Brewer	Mr Morris
Mr Brooks	Mr Mutton
Mr Brown	Mr Osborne
Mr Clough	Mr Park
Mr Coleman	Mr Pickard
Mr Cowan	Mr Punch
Mr Crawford	Mr Rofe
Mr Darby	Mr Ruddock
Mr Doyle	Mr Schipp
Mr Duncan	Mr Singleton
Mr Fischer	Mr Taylor
Mr Fisher	Mr Viney
Mr Freudenstein	Mr Waddy
Mr Griffith	Mr N. D. Walker
Mr Healey	Mr Webster
Mr D. B. Hunter	Mr West
Mr Jackett	Sir Eric Willis
Mr Leitch	Mr Wotton
Mr Lewis	<i>Tellers,</i>
Mr McGinty	Mr Dowd
Mr Mackie	Mr Rozzoli

NOES, 44

Mr Bannon	Mr Johnstone
Mr Barnier	Mr Jones
Mr Bedford	Mr Keane
Mr Booth	Mr Kearns
Mr Brereton	Mr L. B. Kelly
Mr Cahill	Mr Maher
Mr Cleary	Mr Mahoney
Mr Cox	Mr Mallam
Mr Crabtree	Mr Mulock
Mr Day	Mr O'Connell
Mr Degen	Mr Paciullo
Mr Durick	Mr Quinn
Mr Einfeld	Mr Ramsay
Mr Face	Mr Renshaw
Mr Ferguson	Mr Rogan
Mr Flaherty	Mr Stewart
Mr Gordon	Mr Wade
Mr Hatton	Mr F. J. Walker
Mr Hills	Mr Wran
Mr M. L. Hunter	<i>Tellers,</i>
Mr Jackson	Mr Haigh
Mr Jensen	Mr Sheahan
Mr Johnson	

Resolved in the affirmative.

Question—That this House do now adjourn (S.O. 49)—proposed.

Mr BOOTH (Wallsend) [12.58], in reply: Today is probably one of the blackest days in the history of education in New South Wales.

Mr SPEAKER: Order! I ask honourable members who wish to leave the Chamber to do so quietly.

Mr BOOTH: Today has been the day upon which the new Minister for Education has been completely exposed—not only in this debate but indeed earlier today in question time. He got up here and pontificated, walking up and down the Chamber, alongside the table and speaking to the gallery rather than to the Chair. Today is one of the blackest days for education in this State. It is black not only for education but for the Government as well. When the third question was asked about handicapped children the Premier and Treasurer had to send the Minister a note telling him to shut up. The Minister answered the question, "Yes; yes; yes". Then he sat down. The Minister so embarrassed the Government that the Premier and Treasurer had to take over and apologize for the horrible exhibition the Minister gave in answer to the questions about handicapped children. Now the Opposition has exposed him. God help the children of New South Wales if this is his attitude to teachers and the Teachers Federation.

It is true as the Premier and Treasurer said, when he took over the reins of government—even before the blood had drained off the dagger—that it was to be business as usual; that the same policy would apply and that it was the same Government. The same policy is certainly being applied in relation to teachers. The Minister has intimated in this Chamber that there will be confrontation with the Teachers Federation. He should never forget that the Teachers Federation is made up of teachers. The Minister is looking for this confrontation but he would do well to observe the forms of the House. When I fleetingly mentioned Warilla he took a point of order. Then he spent almost the whole of the thirty minutes available to him, giving details of the incident at Warilla and further inciting teachers to continue their struggle. Warilla was not really the purport of the matter I raised. It is a question of priorities.

[Mr Speaker left the chair at 1.1 p.m. The House resumed at 2.30 p.m.]

Mr BOOTH: The Minister traced the history of the Warilla dispute in great detail up to the present moment. I make the point

that all that trouble was completely unnecessary. If the Public Service Board had initially agreed that whatever decision Mr Justice Sir Alexander Beattie arrived at would be acceptable, no further action would have been necessary. The Teachers Federation agreed to abide by the umpire's decision. A representative of the Public Service Board said that the board would not necessarily adhere to the recommendation made by the commission. All the board had to do was to say that it would abide by that recommendation, and the dispute would not have developed to this stage.

The Minister made great play of the number of strikes before and since 1965. In reply to the Minister on that aspect, I say that the reason for the spate of strikes since 1965 is that the Government repudiated its promise to set up an education commission. This was still its policy during its first three years in office, but then it altered the policy. The teachers and the Teachers Federation have never forgiven the Government for this. At least ten years before 1965 the leaders of both the Liberal Party and the Country Party, at election after election and in policy speech after policy speech, promised that they would introduce legislation to provide for an education commission. The repudiation of that major promise from 1965 onwards was the cause of all these strikes. That promise contributed partly to Labor's defeat because it was not in our policy before the 1965 election. That is why we re-investigated the matter and have now promised to establish an education commission when elected to office.

The repudiation of that major promise caused the teachers to feel that they could no longer trust the Government. When they took industrial action a former Minister for Education, Sir Charles Cutler, took away from them in a petty way their option of having federation fees deducted from their salary. I have explained why there has been a spate of strikes since 1965. The Government's repudiation of the promise to establish an education commission has caused continual confrontation between the teachers and it. Frankly, that is why there has been a succession of strikes since 1965, to

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the point that now there is a complete breakdown in relationships between the Government and teachers through the Teachers Federation.

Another point in relation to the strikes is that the Minister gave the impression that they have all been engineered by the Teachers Federation. Since the Government has been in office, a remarkable number of strikes have had the support of parents and parents and citizens' associations and organizations. Two examples are the Randwick strike and the Balmain strike over the problem at the infants school. It is idle to contend that teachers can be hoodwinked into going on strike, particularly when they have the support of parents.

The Minister devoted most of his speech to the Warilla dispute. He glossed over the major thing that I am asking the Government to do. I am asking it to adhere to Mr Justice Sir Alexander Beattie's recommendation following the inquiry. That is all. The Minister said that there was some sort of recommendation. The Government has had the report for over twelve months. The Minister said that he is looking at some departmental recommendation. There is no indication whatsoever of what it is. My major submission is that if teachers had access to the Industrial Commission on matters giving rise to strikes over working conditions, there would be no need for many of the campaigns waged on these special issues.

The Minister spoke of federal funding. I believe the Whitlam federal Labor Government made a tremendous contribution to education. In its three years of office it quadrupled the amount of money available for education. Education is one aspect on which we of the Labor Party can hold our heads high. I have been to public meetings where some people have been for the Labor Party and others against it, but when reference has been made to the Whitlam Government's contribution to education it has always been acclaimed. I shall give some figures to substantiate this statement. In 1972-73, when the federal Liberal-Country party Government brought down its last

budget, grants for recurring expenditure to Government and non-Government schools were \$15,046,000; but in 1975-76 the Whitlam Government made provisions under this heading in its budget for expenditure of \$122,082,000. This is an enormous increase. In 1972-73 the Liberal-Country party Government allocated \$10,637,000 for capital expenditure on these schools, but for the financial year 1975-76 the Whitlam Government allocated \$47,676,000. This is another big increase, though there was a slight cut-back in the recommendations of the Schools Commission. Under those two headings combined, the Liberal-Country party Government allocated \$25,683,000 and the Whitlam Labor Government \$169,758,000.

The Minister denigrated the Whitlam federal Labor Government for its contribution to education. He said it had done nothing. The only reason that the Department of Education has so many ancillary staff members is that the Whitlam Government provided the money to employ them. That is why there has been so much improvement. Certainly the improvement has not arisen from any provision in this Government's budget. It is a matter of priorities when dealing with differential staff. We of the Labor Party adhere to the proposition that it should be done on a needs basis. There are disadvantaged schools that deserve special attention. Warilla happens to be one of them because of the make-up of the school population and the socio-economic condition of the parents of children at that school. The department is too rigid in its administration of numbers. This is causing the trouble. It is not flexible enough. There is no indication of flexibility in the matter of differential staffing. This is the big problem throughout the department. The cause of the trouble is the way that the department is administered. In this matter it has made a blanket decision. Another example of making a blanket decision that costs the department money in some instances is the matter of telephone charges. The honourable member for Gosford should have spoken of problems on the Central Coast. They are asked not to make a call on the STD up there.

Mr PICKARD: You did not bring that up.

Mr BOOTH: You made a blanket decision.

Mr PICKARD: You are bringing in a new matter.

Mr BOOTH: I am giving an example of the blanket decision. You are not flexible enough. The Minister can overcome many of the problems if he gives teachers access to the Industrial Commission as recommended by Mr Justice Sir Alexander Beat- tie. This would overcome his problems enormously.

Motion negated.

PASTURES PROTECTION (AMEND- MENT) BILL

SECOND READING

Mr COWAN (Oxley), Minister for Agriculture and Minister for Water Resources r2.401: I move:

That this bill be now read a second time.

This State is divided into pastures protection districts. At present the number of districts is 59 but under the Pastures Protection Act, 1934, the districts can be varied from time to time. Each district is administered by a board of eight directors elected by the ratepayers of the district. In most respects the boards are autonomous and exercise and perform the powers, authorities, duties and functions conferred directly upon them by the Pastures Protection Act and other Acts. Their position is analagous to that of elected councils constituted under the Local Government Act.

The responsibilities of the boards are many and varied. Apart from the quite important duties required by other Acts, the Pastures Protection Act requires them to have the general management, maintenance and control of travelling stock reserves, the responsibility for ensuring that measures are taken for the suppression and destruction of noxious animals, and the registration of brands and earmarks for sheep. To enable them to undertake these responsibilities, the boards are empowered to levy rates on certain landholders and to collect charges on travelling stock and for specified services.

Each year representatives of the directors of the boards meet in annual conference to review the works of the boards and to suggest means that are required to meet new situations. Most of the proposals contained in the bill are based upon resolutions passed at such annual conferences. The bill is concerned only with such matters, and it does not take into consideration any of the matters included in the report of the committee of inquiry on the pastures protection boards of New South Wales tabled in this House last year. The implications of that report are still under consideration.

The proposed amendments are contained in three schedules to the bill. Schedules 2 and 3 propose amendments in respect of metric conversion and statute law revision, respectively. The metric conversions in schedule 2 are almost exact equivalents of the imperial measurements contained in the Act and do not present any change of policy. Schedule 3 merely omits outdated references and replaces them, where necessary, with contemporary equivalents. Here again there is no change of policy.

It can be said, therefore, that the substantive provisions of the bill are contained in schedule 1. For convenience, I shall refer to these provisions in the order in which they appear in the explanatory note to the printed copy of the bill. I shall deal first with proposed subsection (12) of section 6.

The Act **makes** no express provision for the general regulation of meetings of boards. The proposed new subsection **merely** provides that, subject to the Act and the regulations, the procedure for the conduct of business at meetings of a board shall be **as** determined by the board. Allied with this provision is proposed section 171 (1) (r), which will enable regulations to be made with respect to the procedure for the conduct of business at meetings of a board. Another provision relates to the removal of directors of a board from office.

Section SA of the Act provides that **the** Governor may remove all the directors of a board from office if the board has failed or neglected to **fix** or levy rates as required

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by the Act, or otherwise to exercise or discharge its powers, authorities, duties and functions under the Act or the Noxious Insects Act, 1934, in any material respect. It is proposed to extend and alter this provision in two ways. In this regard, I refer to proposed new section SA (1) (a1).

The present power of dismissal can be exercised only when a board has failed or neglected to do something it is required to do. There is no power to dismiss if a board does something, no matter how outrageous, that is beyond its power. The proposed new section will require a board to cease any activity outside its powers after receiving notice from the Minister or face the possibility of dismissal. This is a drastic power not to be used lightly, but it should be available to be exercised in a proper case.

I mentioned earlier that boards derive their powers and duties from several Acts. Section 8A (1) (b) of the Act refers only to the Pastures Protection Act and the Noxious Insects Act. It is proposed to alter this to the Pastures Protection Act or any other Act.

Section 9 of the Act provides that a board may allow to any director **travelling** and hotel expenses as prescribed by the regulations, and no other fee or payment shall be allowed or made to any director. Travelling expenses equivalent to those paid to public servants are allowed to directors **of** boards. As these change frequently under present economic conditions, the complex work of amending regulations requires much time-consuming effort. It is proposed to bring the provision into line with the latest procedures by providing that fees and expenses may be allowed to directors as determined from time to time by the Minister.

For many years the regulations have provided that a board may allow to its chairman a fee of **\$2.10** for attendance at any meeting of the board. This is not authorized by the Act. For this reason clause 5 of the **bill** seeks to validate payments made pursuant to that regulation. In future such

payments may be made in accordance with determinations made pursuant to proposed new section 9.

An activity that has caused some contention over the years has been the practice of some boards purchasing a varying range of materials and selling them to ratepayers and stockowners. At present there is no express power to do this, and it is proposed both to authorize and limit this activity. Proposed new section 14A provides that a board may purchase and sell at cost to an occupier of rateable land in the district items that may lawfully be used to suppress and destroy noxious animals. The same provision will also enable the continuance of a longstanding practice whereby veterinary inspectors charge for veterinary substances used in the course of their duties.

A veterinary inspector normally carries some diagnostic and first-aid substances when visiting properties. The substances are purchased by the board that employs him. The provision will not enable a board to set up shop in veterinary products and sell them over the counter, whether by prescription or otherwise.

The general fund of a pastures protection board into which rates and other moneys are paid is called the pastures protection fund. At present the Act provides that such moneys may be used, among other things, for any other purpose approved by the Minister or which may be prescribed. It is proposed to extend section 19 of the Act by inserting a new section 19 (2A), which will provide that the application of such moneys shall be subject to any terms and conditions that are imposed by the Minister or are prescribed.

The next matter included in schedule 1 is probably the most important proposal in this bill. I refer to the intended insertion of a new section 23A. Subject to a few specified exceptions, stock cannot be moved in this State without some form of accompanying document. There are various forms of licence and a travelling statement is needed for specific local movements. The form most widely used, and it is of a general character, is a permit to travel stock. A

permit can be obtained only by making application to certain officers of a board or to a permit officer appointed by the board. The boards have appointed many permit officers in an effort to make it easier to get a permit.

Nevertheless, the system has many drawbacks. In these times of rapid movement by motor transport and the wide dissemination of livestock prices, stockowners make decisions to sell at short notice. It is not always practicable to obtain a permit for the movement of this stock. The proposal is a simple one. Boards at their discretion may appoint any occupier of rateable land in its district as a special permit officer. These special permit officers may obtain specially prepared books of permits from the board. The special permit officer shall use those permits for one purpose only, that is, where he moves his own stock by motor vehicle.

Provision is made for a permit to be used by the resident manager where the occupier does not reside upon the land. This will have wide application where the legal occupier is a company. Under the existing provisions of the Act and regulations a permit fee of 25 cents is payable for the issue of an ordinary permit. It is proposed that the special permit officer shall prepay the cost of the permit fees when he obtains his book of special permits. The appointment of special permit officers may be annulled by a board at any time.

Provisions consequential upon new section 23A are contained in new sections 43 (8) and (9) and 48A. These provisions will be of great assistance to ratepayers and will remove the temptation to flout the law when urgent transport of stock is required and a regular permit is not readily available. It will save much unnecessary travel to obtain permits as well as saving time. The police rely on the permit system to check the movement of stolen stock. It is therefore essential that an extension of the present system should not introduce any looseness that would frustrate the efforts of the police. For this reason the special permit system cannot be extended beyond the limits now proposed.

Progressing through schedule 1, I point out that the next amendment is of considerable importance also. This is a proposed section 27 (3A). Section 27 at present provides that in any year a board may rebate one half of the rate levied on a holding where the external fences are rabbitproof and the property has been kept reasonably free from rabbits. The purpose is obvious: it is to encourage the suppression and destruction of rabbits. It is proposed that similar encouragement be offered where groups of landowners co-operate under certain conditions to suppress and destroy rabbits.

The difference between the existing and the proposed provisions is that the existing law applies to single holdings and the proposed law will apply to a group of holdings. For some time several boards have been sponsoring group efforts to deal with rabbits. These projects have no official name and are variously described as rabbit-free areas, rabbit-control areas or rabbit-eradication areas. The projects take various forms but have one feature in common. A group of occupiers take action under the supervision of a board to make systematic and persistent efforts to rid their area of rabbits. In some cases the occupiers make a voluntary levy on themselves and pay the board to do the work.

These schemes require effort and money from the occupiers. The result is a satisfactory reduction in the rabbit population and the occupiers are entitled to compensation for the time and money spent. As each holding in the group will not necessarily be enclosed with a rabbitproof fence, the occupiers will not be entitled to a rebate under existing provisions. The new section 27 (3A) will enable a board to grant the rebate to such occupiers. It will not be available where an area is naturally free of rabbits. It will be made only when extensive and concerted action has been taken. The reduction in the rate payable will be a reward for their efforts.

It is an offence for a person to fail to give notice of his ceasing to be or becoming the occupier of rateable land. Boards do not

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become immediately aware of any such failure. The proposed section 28A (3) will enable a board to commence proceedings within 12 months of the commission of the offence instead of the usual 6 months. At present the minimum rate payable as the general rate and also the special rate for pigs is \$1. With increasing administrative costs, this amount is unrealistic. It is proposed that the minimum rate in each case shall be \$5.

I mentioned earlier that stock being moved must be accompanied by a document, and that the general document in use is the permit to travel stock. Section 43 requires a prescribed travelling rate to be paid for the issue of the permit. The rate is calculated according to the number of stock moved and the length of the journey. By regulation it has been prescribed that the rate is not payable where the stock are moved in a conveyance, which means that the rate is charged upon stock moving on foot. It is a charge for the use of the travelling stock reserves.

Section 43 (2) at present provides the maximum rates that may be prescribed. In these times of changing money values such a restriction is unrealistic. It is proposed to omit the restriction. The Act provides that the minimum rate payable in any case shall be 25 cents and where no rate is payable a permit fee of 25 cents shall be paid. It is desired to increase this minimum rate and permit fee to 50 cents. Because in time this amount might become uneconomical to collect it is proposed that the minimum rate and fee shall be as prescribed. If this proposal is accepted, it will have a consequence for the special permits I mentioned before. It is the intention to fix the prepaid cost of special permits on the same level as permit fees and therefore the special permit cost will rise to 50 cents for each permit.

The travelling rates and associated charges to which I have been referring are paid into a special fund called the reserves improvement fund. This fund is intended to be applied principally to the maintenance of reserves but proposed section 47 pro-

vides that the cost of collection of the moneys and the cost of supervision shall be deducted from the fund.

The costs of collection and supervision are mainly the salaries of the secretary and clerical staff of the board and the rangers who supervise the reserves. Salaries are paid from the pastures protection fund, to which I referred earlier. To give effect to section 47 it is therefore necessary to transfer moneys from the reserves improvement fund to the pastures protection fund. There are no legal guidelines at present as to how this is to be done. It is proposed therefore that new subsections (2) and (3) of section 47 shall be inserted to limit by regulation the amount to be transferred and also subject certain uses of the remaining moneys to terms and conditions imposed by the Minister or as may be prescribed.

One of the documents that can be used to travel stock is the travelling statement. It is intended for local use and is prepared by the owner of the stock. No charge is made for its use, and the Act specifies the circumstances in which it may be used. Section 48 (2) (b) specifies one such circumstance; that is, the case of sheep or large stock being moved by the most direct route by their owner between two holdings occupied by him where such holdings are by such route not more than 12 miles apart. Under schedule 2 that distance will be converted to 20 kilometres.

Within the Western Division of the State holdings occupied by the same owner are often more than 20 kilometres apart. It is proposed to insert a new paragraph (b2) of section 48 (2) to enable the travelling statement to be used in similar circumstances in prescribed districts of the Western Division where the distance between the holdings does not exceed 80 kilometres.

Another document of local application is the annual licence issued under section 48 (7) of the Act. This licence enables the licensee to move stock over a route of not more than 2 miles at any time during the period specified in the licence which shall not exceed one year. There is an increasing demand for this type of document. It is considered that the need to review the licence

every twelve months causes much unnecessary clerical work and that in modern times 2 miles is too short a distance. It is proposed, therefore, that the distance be increased to 8 kilometres and the maximum period of the licence shall be three years.

Section 53 of the Act prohibits the walking or carrying of stock by night without a special endorsement on the permit to travel. The prohibition does not apply in prescribed districts. It has been customary to prescribe districts on the request of the board concerned. The result is an unsatisfactory arrangement which leads to much confusion. Where the journey is made by motor transport the stock may travel through several districts on the same night. Some of the districts may require endorsements and others may be exempt. To rationalize the position it is proposed that amendments be made to section 53 which will have the effect of leaving conditions unchanged in the Western Division; requiring endorsement of consent for walking stock in the eastern and central divisions except in districts that are exempt; and doing away with the requirement of an endorsement of consent for carried stock in the eastern and central divisions.

Section 61 of the Act provides that where any travelling stock dies on or within half a mile of any road or travelling stock reserve, the person in charge of that stock shall, within forty-eight hours of the death, destroy the carcass by burning or bury it. The penalty for failure to destroy the carcass shall, upon conviction, not exceed \$6 a carcass. It is proposed to increase the penalty to not exceeding \$20 a carcass.

Another fund established under the Act is the public watering places fund, which exists for the special needs of boards in the Western Division. Moneys paid into this account comprise rents and other moneys received in respect of the use of public watering places. Also, in special cases the travelling charge payable in respect of the issue of renewed permits is payable to this fund. The Act provides that the fund shall be applied for the carrying out of specified works. Like the reserves improvement fund, some of the moneys should be transferred

to the pastures protection fund to meet costs of supervision. It is proposed that a new subsection (2A) to section 78 be inserted in the Act to enable such transfers to be made with the approval of the Minister.

Section 81 and section 82 of the Act require owners and occupiers of land to take certain action for suppression and destruction of noxious animals. The penalties, which have been unchanged for many years, are not exceeding \$100 for a first offence and not exceeding \$200 for subsequent offences. Some of the penalties are grossly inadequate under present conditions. It is proposed to increase them to not exceeding \$200 and \$400 respectively.

Section 82 (5) of the Act requires a board to give seven days' notice to the occupier or owner of land of its intention to enter for the purposes of suppressing and destroying noxious animals. This is satisfactory where the proposed work will be the clearing of noxious animals naturally upon the land. It is not satisfactory where the animals are kept in captivity without approval. It is proposed that where noxious animals are kept without approval, entry may be made without the seven days' notice to destroy animals kept in captivity without permission. Special protection is given to householders. Entry cannot be made into a dwelling house without a warrant issued by a stipendiary magistrate.

Dingo destruction boards have been established for the special purpose of dealing with dingoes. Members of these boards are entitled to expenses on the same basis as directors of pastures protection boards. The expenses are prescribed and, for the reasons previously given with respect to directors of boards, it is proposed that the expenses shall be paid as determined by the Minister. Section 160A makes it an offence for a board to neglect or fail to do anything required of it under the Pastures Protection Act and the Noxious Insects Act. For the same reasons given when dealing with the removal of members of a board, it is proposed to omit the reference to the Noxious Insects Act and insert instead the words any other Act.

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The final substantive amendment in schedule 1 is the proposed subsection (2A) of section 171, which will enable a regulation to be made so as to apply differently according to such factors as are specified in the regulation. This new power will be required when regulations are made prescribing things that boards may buy and sell.

The matters I have outlined are numerous but in general are not momentous. They are necessary to enable pastures protection boards to carry out their many duties in the current situation. Nevertheless, some amendments provide new and more efficient solutions to difficult problems and will have a wide and beneficial effect for both boards and landholders. These include the special permits to enable an owner to authorize the movement of his own stock by motor transport and the power to grant rebates of rates where co-operative action has been taken to reduce the rabbit menace. Those proposals, in particular, deserve the warmest support. I commend the bill to honourable members.

Mr GORDON (Murrumbidgee) [3.10]: If one accepts the necessity for the existence of pastures protection boards, one must commend several of the proposed amendments in this bill. Personally, I feel that these boards have outlived their usefulness in giving service to landholders. The present functions of these boards could be divided between local government authorities and the Department of Agriculture. If such a division were made, the staff of these boards would probably be best allocated in the directions appropriate to their qualifications. Perhaps technical staff and veterinary officers should become employees of the Department of Agriculture and the outdoor staff, such as people employed on the eradication of noxious weeds and similar duties, could be employed by local councils.

I propose to relate a story about the honourable member for Munmorah and, to be fair, perhaps I should state that it is not typical of what happens with pastures protection boards. When the honourable member for Munmorah was lord mayor of Sydney he bought a country property. When he went to inspect his new holding he found that it had what looked like lush pastures

but in fact *this* turned out to be something vastly different. There was some delay before **the** honourable member obtained possession of the property, but when he moved in the first thing that hit him was a notice ordering him to get rid of noxious weeds in the **form** of serrated tussock. He was amazed for he thought it was good to have this growth on a property. He took the matter up with the local pastures protection board and said, "These weeds were growing on the property when I bought it; in fact, it looks as though they have been growing there for years." The board's reply was: "We knew that. We are not hard on the locals but you are an outsider **so** we are going to ask you to do something about it."

The honourable member then found that the cost of getting rid of his serrated tussock would be almost as much as he had paid for the property. The result was that he was obliged to dispose of his holding. He probably sod it to a person who was friendly with someone on the board, and the serrated tussock might still be growing on that **property**. When I was a shire councillor I was not engaged in agricultural pursuits but I spent a lot of time refereeing arguments **between** farmers and pastures protection boards. It was a never-ending battle because we did not always seem to find a spirit of co-operation.

The Minister should be commended on some aspects of the bill. For instance, the bill authorizes a pastures protection board to purchase and sell certain articles to an occupier of land in its district at cost. I know from my own experience that it often happens that a veterinary officer might go to a farm and prescribe certain treatment such as **vaccines**. If he has those **articles** in his possession and he is in a position to sell them, they can be used immediately. Frequently a veterinary officer goes to a **property** and recommends certain treatment **but the owner** has to leave his property to buy the articles, and sometimes there is a delay in obtaining them. That is one **provision** in the bill upon which the Minister should be commended.

Another amendment that deserves support is that empowering special permit officers appointed by a pastures protection

board to issue permits. These days there is a much more rapid movement of stock and stockowners are sensitive to markets. A stockowner may decide that he wants a permit from a pastures protection board office at a **most** inconvenient time and in those circumstances he should be able to get a permit from one of his neighbours so that he can shift his stock without any risk of penalty. The amendment that seeks to increase the minimum amount of the general rate and of the special rate for pigs from \$1 to \$5 is to be commended also. Anyone **in** business realizes that it is better to forget about collecting a debt of only \$1; it would cost as much to collect it.

Another provision in the bill deals with the use of a travelling statement in **prescribed parts** of the Western Division. **This** amendment **will** have the effect of preventing a small amount of inconvenience to farmers—and, goodness knows, farmers and stockowners have had it bad enough so that anything that can be done to make things easier for them is to be commended. The Opposition **proposes to** vote against two provisions of the bill. The **first** of these seeks to provide for the payment to directors of pastures protection boards of **such** fees and expenses as the **Minister** determines. The Opposition takes the attitude that as these persons are occupying an honorary **position** they should be treated accordingly. Perhaps they could be recouped for their travelling expenses, out-of-pocket expenses and meal costs.

The Opposition intends to vote **also** against the provision that notice of intention is not required to be given by a pastures protection board in order that the board may exercise its powers to enter land and destroy noxious animals kept in captivity **thereon** without the permission of the Minister. The bill defines rabbits, hares, dingoes and foxes as noxious animals. There could be a flaw in the wording of this provision. Plenty of people keep pet rabbits. Though it is not very common, some people have a pet dingo. Some even keep pet foxes. Many people have a rabbit as the children's pet and it is kept under close supervision.

The Minister would not like to be in the position of an inspector whose boss might have a bit of a snout on somebody and orders the inspector to go and knock ~~that~~ person's pet rabbit on the head. No inspector would like to be given an order like that. The bill should not contain an authority of that sort: there should be a higher authority established to decide such matters completely divorced from any question of personalities. For example, the Opposition would have no objection to an inspector going to a magistrate to seek his authority to destroy a pet animal, for instance, a pet rabbit, that is kept in captivity. In Committee the Opposition intends to vote against both those provisions.

Mr BREWER (Goulburn) [3.17]: I take issue with the honourable member for Murrumbidgee on his suggestion to do away with pastures protection boards. I doubt whether the honourable member has given this proposition enough thought. One of the important aspects of these boards is that they are elected by the landholders, and that right should not be taken away. I believe that all honourable members opposite, including the honourable member for Murrumbidgee, would agree that landholders should have a say in the sort of things that are declared to be noxious and the diseases declared to be notifiable. At present this is achieved through pastures protection boards. I know that the honourable member for Murrumbidgee has been a shire councillor and he would be aware of the fact that many members of local government bodies are not representative of the livestock and agricultural industry.

I agree on the need for rationalization of some things done by pastures protection boards and local government bodies, but I believe that it would be against the democratic interests of landholders if all the duties of pastures protection boards were taken away from them and placed in the hands of local councils. At present landholders have their say through elected representatives of pastures protection boards who go through the council of advice. Every board is represented on the council of advice which goes direct to the Minister

so to this Parliament. It is important, in the interests of the livestock industry, to retain the present set-up. The people in the industry should retain a say in the running of their own affairs.

If the honourable member for Murrumbidgee analyses the position he might have second thoughts about wiping out pastures protection boards and apportioning their areas of responsibility between local government bodies and the Department of Agriculture. There is a need for rationalization and a look at boards' responsibilities, particularly in the eradication of weeds and pests, to see whether some matters might be transferred to local councils. That is something that honourable members, as legislators, should look at carefully.

Mr MALLAM: We are doing so.

Mr BREWER: In this bill we are not considering that aspect, but it may be something for consideration in the future. The honourable member for Campbelltown is a pretty good sort of know-all on every subject that comes up in the House. He reminds me of Cock Robin until the cat got him. Some amendments in the bill have been needed for a long time. I refer to the need to seek permission to travel stock at night, other than in certain areas of the Western Division. That is a precaution against cattle duffers and sheep stealers, but with the modern concept of marketing it is important that fat lambs and calves go to the markets at night, particularly in the metropolitan area and in some provincial markets, so that they can stand, be weighed and marketed the next day.

Authorization of pastures protection boards to sell articles to the occupier of land or the owner of livestock, where it is necessary to destroy noxious animals or to use veterinary products on a compulsory basis, is also something that has been needed for a long time. By the same token, it is only right—no doubt the honourable member for Murrumbidgee would be in agreement with this—that pastures protection boards should not engage in the business on a retail or wholesale basis of selling a large range of

veterinary products that should normally be available through the local chemist and the firms that handle them.

The appointment of special permit officers empowered to issue permits to enable stock to be travelled is important. On many occasions when one has to move livestock one cannot get hold of a permit officer. If one could get a special permit officer to issue an authority to travel stock, that would save a great deal of inconvenience. Many landholders are prosecuted, not because they disregard the use of a permit, but because they find difficulty in getting permits.

I take issue with the honourable member for Murrumbidgee and the Opposition on the destruction of rabbits, foxes and other animals that have been declared noxious through the Minister and this Parliament. If someone is keeping rabbits as pets an officer of the board has the right, without the consent of the Minister, to destroy those noxious animals. If they are noxious animals it is a purely administrative task. Everyone knows that rabbits, foxes and hares are noxious animals. I commend the bill. As far as landholders and the community in general are concerned, this measure will make some of the requirements of pastures protection boards much easier to fulfil. I am sure the Minister appreciates the need to have a good look at the structure of these boards in the proper discharge of their duties, as well as the need for some modification and redistribution of their present tasks.

Mr MALLAM (Campbelltown) [3.25]: Anybody who has had anything to do with a pastures protection board knows that there is a real need for some provisions of this measure. The honourable member for Goulburn talked about the need for rationalization. I have found several problems with regard to pastures protection boards, with which I do not always agree. The Minister said that under the bill he would be the arbiter of fees payable to board directors, but I do not agree with this move. Actual expenses only should be paid.

I am concerned about how pastures protection boards are elected. The honourable member for Murrumbidgee spoke about a

member of this House who bought a property and ran into trouble with the local pastures protection board. The Minister said that when a property is sold the pastures protection board is notified, but in my view the time when the pastures protection board should walk in and have a look at the property is before the sale. The board should be notified of the proposed sale. As one who has purchased a few properties I know that after a property is bought the board comes in and supplies a whole list of things that have to be done. The previous owner, because he happened to be an influential person in the district, was not notified about noxious weeds that might be on the place.

Mr MACKIE: Noxious weeds have nothing to do with the pastures protection board. That is a local government matter.

Mr MALLAM: The pastures protection board should be notified before the sale to ensure that everything is in order for the incoming owner. The problem of rationalization of pastures protection boards has come to my attention. I do not know how it can be solved. A member on the Government side of the House was prosecuted in the Bringelly area for having rabbits on his place.

Mr MASON: Where do you live?

Mr MALLAM: Campbelltown.

Mr MASON: You have a rabbit on your property.

Mr MALLAM: I am looking at a stupid bunny, because he got sacked. That was what his colleagues thought of him. The honourable member for Dubbo could not do his job and was an embarrassment to his own Government. He should talk about rabbits. I am putting up a case for employees of boards. An ordinary employee of the board decided to issue a summons but the honourable member concerned got to one of his friends and the day before the summons was to go to court the poor officer, who had been told to issue the summons, after having visited the property a couple of times to warn the owner, got the sack. That was just before Christmas.

Mr LEWIS: Why does not the honourable member for Campbelltown be specific?

Mr MALLAM: I will tell you. It was **Dunbier**. The honourable member for **Wollondilly** knows all about the case. A lot of influence was brought to bear on the Moss Vale pastures protection board.

Mr LEWIS: It is a lot of bull.

Mr MALLAM: The officer came to see me. I threatened to raise the matter in Parliament. He was reinstated and paid for the six weeks that had elapsed since he had been sacked. The Minister should be informed if a summons is withdrawn. Protection should be afforded to a pastures protection board officer who is sacked because the board did not want to proceed **with** a summons. Although it was asserted that the person to whom I refer had acted for political purposes, he was noted for being a Government supporter. The honourable member for **Murrumbidgee** suggested that these matters could be under the control of the department. When one has **local** dictatorships or groups doing things to certain people, the Minister should have the right to ask for reasons before an employee is sacked. A pastures protection board should not have that sort of authority.

It has galled me that a particularly honest inspector who was doing his job at the board's direction was sacked and told he had political influence following a certain person becoming a member of a pastures protection board who was a friend of the person who received a summons. I am sure that Government supporters would wish that people have protection from that sort of pressure. Pastures protection boards should have a representative of the Minister or some officer of the Department of Agriculture to ensure that boards are run properly.

Another provision of the bill with which I quarrel is the right to walk on to a property and destroy noxious animals. Many honourable members know that some people keep noxious animals. A gentleman in Casino, probably the best dog breeder in Australia, keeps dingoes and foxes on his property. He asserts that a cattle dog is no good unless it has a bit of fox or dingo in it.

He sells dogs all over Australia **and** they have a little bit of dingo or fox in them. I have purchased dogs from him and I know how he breeds cattle dogs. Under the provisions of the bill an **inspector** could walk on to this breeder's property and **kill** the half dingo or half fox while the owner was absent. This power warrants close attention by the Government.

Occasionally children on farms keep a fox as a pet. Most farmers would not keep foxes or rabbits on their property as they know of the danger. However, on the odd occasion a fox or rabbit may be kept as a pet and it is foolish to hand over to pastures protection boards the powers contained in the bill. I do not think the boards would really want these powers. They would prefer to give notice by letter that if certain things are not done within a given time or if an animal which could be dangerous is not disposed of, the board will do the job.

A further matter dealt with in the bill is travelling stock. I cannot see anything wrong **with** those provisions. In many instances stockowners should be encouraged to travel stock at night. Hot weather can have a serious effect on travelling stock and by travelling them at night their condition is preserved. Everyone who moves stock at night should not be considered a cattle duffer. Many **stockowners** prefer **to** move stock **to** saleyards at night time if they are to be sold by weight the next day. For this reason we should encourage the movement of stock at night. In the west of Queensland cattle trains travel at night when there is less dust in the air and less risk to stock than if they travel in the heat of the day. The sensible people on pastures protection boards know these things. Permits should be easy to obtain. Most pastures protection boards receive help from the police and others to simplify the obtaining of permits. Those who wish to move stock in a hurry need easy access to a permit. I have never found those who issue permits to be **difficult** to get on with. That attitude should be encouraged.

Employees of pastures protection boards should be afforded every protection. To take away any suggestion that favouritism might

be extended to some people or that others may be persecuted, the Minister should be notified not only that a summons has been issued but also that it is to be withdrawn and the reasons for doing so should be given. I know that **some** people must be prosecuted for not doing the job they should do with their stock.

I support the provision that certain goods are to be sold at cost. The pastures protection board in the Campbelltown area has done good work. It has worked in with the veterinary people to assist in training teams and farmers in the use of veterinary products to prevent diseases and to advise on inoculation. Pastures protection boards should carry the necessary veterinary products so that farmers can obtain them at cost. Farmers should be properly instructed in inoculation techniques. Most have a rough knowledge of what to do but they are not efficient at it. As well as providing goods at cost, the board should provide instruction to farmers on inoculation and the use of substances for the protection of live-stock.

Mr MASON (Dubbo) [3.39]: I congratulate the Minister on his appointment to the Agriculture and Water Resources portfolios. I am sure that he will carry out his **tasks** responsibly and conscientiously. I wish to inform the House and the Minister of one or two things of importance concerning pastures **protection** boards and other aspects of the bill which I ask the Minister to consider carefully.

I hope that the Minister and members of all pastures protection boards have noticed that once more we have had a declaration from the Labor Party of its centralist policy on so many instrumentalities in this State. The two honourable members who have so far spoken for the Labor Party have intimated that they believe in the virtual abolition of pastures protection boards or at least a diminution of their operations and **responsibilities**. This fits in with **Labor's** socialist policy which we have seen reflected in other areas of local participation and responsibility, such as local **government**. Let

the people of this State know that unquestionably this is **Labor's** unequivocal policy. The **Labor** Party stands by its policy of **centralizing** areas of responsibility.

I must confess that some time ago I was a little carried away by those who suggested that we ought to look at the feasibility, **the** viability and all those **economic** words floating around, of local government and pastures protection boards. I believed that there might be something in those suggestions but I have come firmly to the conclusion—and I share this with the Minister and the House—that such attitudes are not in the best interests of democracy. Certainly they are not in the best interests of the well-being and efficient running of this State. The policies of the **Whitlam** centralist Government clearly showed the end result of taking responsibility away from small local groups that effectively run their own affairs and accept their own responsibilities. I can think of **no** more graphic example of such a group than a pastures protection board. It is elected entirely by the local landholders; it sets its own rate and raises its own money. It does its job effectively.

I want to say to the Minister and my colleagues on this side of the House that we should beware of this attitude of saying that we should take responsibility from these **local** groups. It is the policy of the **Government** I support that responsibility should be put back into the hands of the people. We ought to have nothing to do with the socialist attitude openly expressed in this Chamber by the **Labor** Party, which says that responsibility should be taken away from these groups, that they should be centralized and that we ought to get rid of them. That only takes away from people at the grass roots the responsibilities that rightly belong to them. It would be a poorer State and a poorer Australia if we were to do this.

Those comments ought to go on the record because I know that **the** Minister has taken up certain responsibilities with his portfolios. I know also that some persons are saying to him that we ought to get rid of pastures protection boards or amalgamate them. I caution the Minister to be careful.

If we were to get rid of these local groups, we should be breaking down democracy. Every time we break down local responsibility we break down democracy. I have not always felt like this but I have come to that view because I witnessed what happened in Canberra under Labor. I am now a firm advocate of putting as much responsibility as possible in local hands. The two Labor speakers this afternoon have advocated the breaking down of responsibility and the centralizing of local groups which is against everything in which I believe.

Four matters covered by the bill cause me concern. I should like to bring them to the Minister's attention and ask him to examine them carefully. The Minister has inherited the bill; it was not prepared by him but he has the responsibility of interpreting it and seeing that it becomes the law of the land. I want to say to him at this late stage that I am sorry to see that it is proposed to pay members of pastures protection boards. One of the grave mistakes made in local government was the amendment to the Act to provide for payment to aldermen and councillors. When we begin to take out of our local community areas and groups the voluntary acceptance of responsibility and begin to break down the concern that comes from a genuine interest in the community and to replace these with some sort of professionalism, we begin to see a deterioration. I am deeply concerned about local government because we have seen the professional local government member beginning to emerge. Some councils are setting allowances for presidents and mayors at a ridiculously high figure.

Mr MALLAM: How much in Dubbo?

Mr MASON: I do not know, but it is too much. Once we begin to give the impression that local government could be becoming professional and that there should be some sort of financial reward for service in local government, we weaken the structure of the acceptance of responsibility. I go on record as being unhappy with this provision in the bill. The second matter I want to raise has been impressed on the Minister privately but I want to put it on record. The Minister has given me certain assurances and I want to put them on the

rewrd. I am concerned about the clause permitting pastures protection boards to undertake the sale, at cost, of certain goods. Those who know anything about merchandising by pastures protection boards know that a number of pastures protection boards entered into this operation. Some in my electorate began to stock up on chemicals and sell them at discount and at cost.

Mr MALLAM: Good on them.

Mr MASON: There is the socialist idea; there is the cause of my concern. Out of the mouth of the socialist comes the cause of my concern. As a result of that pastures protection board entering into merchandising, I saw local businesses close their doors.

Mr MALLAM: Where?

Mr SPEAKER: Order! I call the honourable member for Campbelltown to order for the second time.

Mr MASON: I raised this matter with the Minister at the time and that pastures protection board was brought to understand the results of what it was doing. The country people who might have quickly rushed off after something that might have been good for them soon learned that they were destroying established businesses in the town. Their actions were anti-decentralization and were taking a living from those in the community who were there to give a real service. Those businesses used to stock not only the good lines but also lines on which there was little or no profit and of which large stocks had to be held. I was happy indeed when the Molong Pastures Protection Board turned away from merchandising. I am concerned that the provision in the bill could be the thin end of the socialist wedge which could lead to all sorts of problems.

I hope the Minister takes careful note of my remarks and gives a great deal of attention to the enforcing of this provision. He must see that it is expressed clearly to pastures protection boards. It is designed to meet the emergency situation that has arisen in respect of noxious animals. It concerns the provision of some drugs that a veterinary officer may have to prescribe quickly on the spot. I should not like to think it

will be interpreted as a method of government merchandising. I should be diametrically opposed to that. I ask the Minister to look at this point carefully and give an assurance on it.

I am sure the Minister is aware of the tremendous upsurge in the number of rabbits in western New South Wales. This is a matter of grave concern. Many people are of the opinion that the situation may soon be as bad as it was before myxomatosis greatly reduced the rabbit population. The upsurge in the number of rabbits in the Western Division is attributable to a succession of magnificent seasons. This is the fourth consecutive splendid season in the Western Division. One of the prices of outstanding grass growth is an increase in numbers of this noxious animal. Rabbits are breeding in tremendous numbers, and are virtually in plague proportions in many parts of western New South Wales. I am fearful that there may be some diminution of control of rabbits. I say advisedly to the Minister that rabbits will reach plague proportions unless serious, urgent and dramatic action is taken in the western areas to control them. Unless this is done, there will be one of the most serious plagues of rabbits in the history of the State.

I express grave concern at the provision designed to remove the necessity for a permit to travel stock. I am told that this provision was sought by pastures protection boards. I have listened to their arguments, and I accept that it is necessary to get stock into the yard a certain number of hours before they are sold. I counsel the Minister to think again about this provision. If the necessity for a permit is removed the situation could be far more dangerous than the one we are trying to cure.

Provision for a permit does not prevent the movement of stock by night. The incredible interpretation of the honourable member for Campbelltown was that it did. He talked of thieves and so on. There is no restraint on any person who is legitimately moving stock by night. I should not advocate any legislation that would prevent the legitimate movement of stock by night. It is appalling that only 12 per cent of all stock

stealing crimes in New South Wales are solved. That is the best record we have been able to achieve. I believe that this provision, if it becomes law, will create an impossible position for the police stock squad. I do not know whether members have any idea of the number of stock stealing crimes. I was shocked to learn from the stock squad in Sydney that last year 200 stock stealing cases were reported in the Sydney metropolitan area. I suppose these crimes occurred on the periphery of the metropolitan area. Imagine stock stealing there. This is one of the most difficult matters that the police have to handle. It is difficult to prove a charge of stock stealing. Statistics show that only half the reported crimes are accepted by the police because of complete lack of evidence. With modern methods of stock transport, any member who thinks that the root of the trouble is the movement of stock at night is burying his head in the sand. Once the stock goes on board the transport, that is that.

Why is it necessary to remove the provision for a permit? What is wrong with a permit? I applaud the new procedure under which the issue of the permit will be put back into the hands of the landowner. This method will remove all red tape and all difficulties in providing a permit, but at the same time it will remove a responsibility and it could have a serious effect on the detection of stock stealing. I ask the Minister to look at the provision carefully and to assure the House that he will review it. If he finds that my fears are well founded I hope he will change the situation. We seem to be determined on, adopting the course for which the bill provides. I go on record as saying that I regret it. I ask the Minister to review this matter in the most careful way so that the situation might be rectified quickly if it proves to be what I believe it will.

I should prefer this legislation to follow the Queensland legislation, which provides for a permit for the moving of stock and restricts the type of stock that may be moved at night. If the necessity for a permit is removed, we must examine the problems that are likely to arise. The question of civil rights comes into it. A policeman who pulls

up a semitrailer at night will be infringing a man's civil liberty unless the driver has committed a traffic breach or there is some other justifiable cause for police action. The police will have no right to stop a semitrailer carrying stock at night unless they have a valid reason. The policeman will not be able to pull up the vehicle to check the permit, as he may do now. If he is to pull it up, there must be faulty lights on the vehicle or some defect of that nature. What a pity it is to remove the requirement to have a permit.

Under the Queensland legislation, a permit is issued not merely to transport fifty head of cattle but to transport fifty head of Angus or Poll Herefords. The description of the animals being carried helps the Queensland police. I am sorry that something along these lines is not being done in New South Wales to help our police. I am sorry that something is not being done to strengthen their hand. The Minister is a responsible member of Cabinet, and I know that he will perform his duties conscientiously. I ask that he and his officers look carefully at this provision. We should avoid doing something that could be detrimental to the police force of this State. As I said at the outset, I wanted to make some constructive suggestions to the Minister on this matter. I know he will weigh carefully what I have said.

Mr HAIGH: Mr Speaker—

Mr MUTTON (Yaralla), Government Whip [4.00]: I move:

That the question be now put.

The House divided.

AYES, 48

Mr Arblaster	Mr Freudenstein
Mr Barraclough	Mr Griffith
Mr Boyd	Mr Harrold
Mr Brewer	Mr Healey
Mr Brown	Mr D. B. Hunter
Mr Clough	Mr Leitch
Mr Coleman	Mr Lewis
Mr Cowan	Mr McGinty
Mr Crawford	Mr Mackie
Mr Darby	Mr Mason
Mr Dowd	Mr Mead
Mr Doyle	Mrs Meillon
Mr Duncan	Mr Morris
Mr Fischer	Mr Mutton
Mr Fisher	Mr Osborne

Mr Park
Mr Pickard
Mr Punch
Mr Rofe
Mr Rozzoli
Mr Ruddock
Mr Schipp
Mr Singleton
Mr Taylor
Mr Viney

Mr Waddy
Mr N. D. Walker
Mr Webster
Mr West
Sir Eric Willis
Mr Wotton

Tellers,
Mr Brooks
Mr Jackett

NOES, 42

Mr Bannon
Mr Barnier
Mr Bedford
Mr Booth
Mr Cleary
Mr Cox
Mr Crabtree
Mr Day
Mr Degen
Mr Durick
Mr Einfeld
Mr Face
Mr Ferguson
Mr Flaherty
Mr Gordon
Mr Haigh
Mr Hills
Mr M. L. Hunter
Mr Jackson
Mr Jensen
Mr Johnson
Mr Johnstone

Mr Jones
Mr Keane
Mr L. B. Kelly
Mr Maher
Mr Mahoney
Mr Mallam
Mr Mulock
Mr O'Connell
Mr Paciullo
Mr Quinn
Mr Ramsay
Mr Renshaw
Mr Rogan
Mr Sheahan
Mr Stewart
Mr Wade
Mr F. J. Walker
Mr Wran

Tellers,
Mr Cahill
Mr Kearns

Resolved in the affirmative.

Debate adjourned on motion by Mr Cowan.

PRINTING COMMITTEE

SEVENTEENTH REPORT

Mr BREWER, as Chairman, brought up the Seventeenth Report from the Printing Committee.

ADJOURNMENT

BUSINESS OF THE HOUSE—KINDERGARTEN FOR FIVE DOCK

Mr HEALEY (Davidson), Minister for Health [4.7]: I move:

That this House do now adjourn.

On behalf of my colleague the Attorney-General and Minister of Justice, and Leader of the House, I advise honourable members that it is proposed that next week's legislative programme will include second readings of all bills listed for today and not dealt

with, together with the resumption of the Committee stages of the Registered Clubs (Amendment) Bill.

Mr MAHER (Drumrnoyne) [4.8]: I raise a most important matter in connection with a proposal to establish a pre-school kindergarten within the grounds of Five Dock public school. During 1975 the New South Wales Department of Education received a grant from the Australian Government to establish this pre-school. Indeed, the predecessor of the present Minister for Education answered questions on notice establishing and confirming that the school would be constructed, that it would be operational later this year, and that enrolment would be limited to fifty children in two half-day sessions. The Minister said that no fees would be charged and that one of the tests of eligibility would be a special need for this service, that is, where infants are children of non-English speaking parents.

During 1975 approximately thirty teachers were withdrawn from departmental schools to undertake a special course in pre-school education. That training cost the taxpayers approximately \$750,000. Yet I am now told that the Government's programme for building pre-school kindergartens in State schools is to be shelved or deferred. Certainly I have established that the pre-school kindergarten at Five Dock is not to be built this year. This is a matter of great concern to me and to my constituents. In the Five Dock area there are no kindergartens, either profit-making or non-profit making. The majority of children attending primary school are from families in which English is the second language. Teachers in those schools, whether State schools or Catholic schools, are not trained to teach English to children with a non-English speaking background. They are trained as subject teachers. While they are grappling with the task of teaching these children English, the other children are neglected, and a regular complaint is that little children are bored at school because the teachers are concentrating on children who do not speak the English language.

I am aware, and I am sure that the Minister is aware, of the various arguments for and against pre-school education. However, I do not believe anyone would argue against the establishment of pre-schools in areas where the norm is that most children arrive at the school without a knowledge of English. In Five Dock the State school is classified as disadvantaged. Five Dock West infants school also is classified as disadvantaged. I invited the Minister's predecessor to visit the Five Dock public school. I renew that invitation to the new Minister and ask him to visit that school and to visit also the site of a proposed kindergarten. The site is ideal, having already been cleared. It is located close to the shopping centre and adjacent to the police station. This pre-school kindergarten is not intended to serve merely Five Dock public school. It will serve all schools in the area.

The situation in Catholic schools in my electorate is even more acute than it is in State schools. Class sizes in Catholic schools are bigger than in State schools and the percentage of children from migrant families is larger, thus increasing language difficulties. The problem is compounded into the secondary schools. On Monday last I visited Rosebank college at Five Dock, a college conducted by the Sisters of the Good Samaritan. I learned that one-third of the girls attending that college are withdrawn to undertake English as a second language course. I was ashamed when I saw what poses as the school library. The library is in a part of the building which is unsuitable for use as a classroom. It is dark and dingy. The sisters, too, are quite embarrassed about it. On behalf of the Sisters of the Good Samaritan I invite the Minister to visit Rosebank college. Although that college is not the direct responsibility of the Government it is given a certain amount of aid as a Catholic secondary school. I invite the Minister for Education to visit the college and I assure him he will be welcomed.

The two other high schools in the area, both of which draw children from Five Dock, are Drummoynes boys high school and Domremy Presentation college. At Drummoynes boys high school the big problem is

lack of library facilities and lack of remedial reading facilities. This, of course, goes back to the primary school training that these boys receive. All of them come from schools where 50 per cent or more of the students have language difficulties. The Domremy college is in a similar situation, and 50 per cent of the girls attending that school come from families where English is a second language.

I have raised this problem because I want to highlight in this House the Government's action in receiving money for a specific area but not spending that money in the area for which it was obtained. I am informed that money obtained by the Government for this area is to be spent elsewhere. I do not doubt that there are needs in many suburbs for pre-school and other facilities. However, money was applied for to be used in Five Dock. A request was made by responsible people to the department. That request was examined by Australian Government authorities in Canberra, checked and eventually approved. The money was paid to the State Government and I am informed that it is held by the State Treasury. However, that money is not now to be expended in the Five Dock area. I would be recreant in my duty as the member for that area if I did not raise this matter in the House.

Only last week, in answer to a question, I received information from the Minister for Youth, Ethnic and Community Affairs to the effect that in my electorate are 1 686 children of 3 or 4 years of age. However, existing pre-school places in the electorate total only 158. Even with additional kindergartens at Mortlake and Drummoyne, which are scheduled to be constructed within the next few years, it is unlikely that more than 100 additional places will become available for pre-school children. Nevertheless, every year in my electorate the percentage of children with language difficulties coming into schools increases.

I am informed that more than 50 per cent of the children in the kindergarten class at Dobroyd Point, Haberfield, this year have trouble speaking English. In many migrant families both parents go to work and children are left with grandparents who perhaps

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speak a form of dialect. A tradition in some migrant families is that they do not spend money on pre-school education. That is why it is essential that the Department of Education establish this pre-school at Five Dock which will be the first in the area to provide free education and school facilities. There is an excellent kindergarten at Concord, in my electorate, which is sponsored by local government. However, the fees at that school are \$13 a week, and that puts it beyond the reach of many families in which the parents have to pay high mortgages, municipal and water rates and home loan repayments. Many families cannot afford to pay that kind of money for kindergarten fees. My daughter attends St Andrews pre-school kindergarten at Abbotsford. However, the fees are considerable and this precludes most migrant families from sending their children there.

In conclusion, I point out to the Minister that there are trained staff in the department; in fact more than thirty people are ready to occupy these positions. Application has been made for the funds and it has been scrutinized. The money is being held up somewhere; perhaps the gnomes within the public service are sitting on it. I placed a question on the *Questions and Answers* paper on this matter and the former Minister for Education stated that plans were drawn; the department was ready to go ahead but not one stone would be turned until he had received an assurance from the Minister for Public Works that the money was available. On 13th November last year I placed another question on the *Questions and Answers* paper asking whether the Minister for Public Works had sought confirmation from the Minister for Education on whether the funds were available. That question has never been answered, but I see no reason why the Minister should not give a simple yes or no reply today.

Mr SPEAKER: Order! The honourable member's time has expired.

Mr PICKARD (Hornsby), Minister for Education [4.18]: The Department of Education has plans for the construction of eighty new units in fifty-nine centres in areas where there appears to be no possibility of

any community initiative **or action** by other voluntary groups such as has been taken in Concord and other areas mentioned by the honourable member for Drurnmoyne. There is a need for something to be done in this field and the Department of Education has accepted the responsibility of entering into these areas. Though it is true that there has been an allocation of funds **in** this direction, tremendous **difficulties** have arisen in regard to recurring costs, and consideration has to be given to whether they will be met **from** the present **allocation** or taken from some other allocation within the department.

I emphasize the fact that no additional moneys are available to enter upon any new programmes at this stage. Though money is available for the construction of buildings in certain areas—and Five Dock is one of those places—we shall have to wait until funds are available to take care of the constant ongoing cost of maintenance and the employment of staff, which are the real problems we face. The Treasury is not prepared to commit more money to education. The honourable member for Drurnmoyne has raised an enormous number of matters; he has dealt with migrant education, the inter-cultural problems of migrant age groups and the fact that many migrant parents do not acknowledge their responsibility in regard to this type of education, and he has asked the State to step in and meet the need in these areas.

The honourable member for Drummoyne will probably be well aware that the Government, where possible, is making available schools for three or four groups of people in the community. School buildings and facilities are made available, not only to assist pupils to learn the language of their parents, but also to help them to make the adjustment necessary to speak the English language. Five Dock school is part of that programme. I do not **know** the source of additional money for this purpose, and I say that advisedly. Programmes that are operating **at** the moment will not be able to continue if costs increase more than they have. There are no more funds available.

The only way that the Government can continue programmes started when the previous federal Government was in office is to find money elsewhere, either through the Commonwealth purse—which is paid by the State anyway—or by direct tax on the people of New South Wales. I think everyone in the community would say that no more taxes should be levied on the people of the State at this stage. Within those parameters the Government will have to try to weigh up its responsibilities in terms of what can be done. Where groups are willing to help themselves the Government will help by making buildings available, as has been done in the past for those with language **difficulties**.

Motion agreed to.

House adjourned at 4.22 p.m.

QUESTIONS UPON NOTICE

The following questions upon notice and answers were circulated in *Questions and Answers* this day.

SUPERTANKERS IN BOTANY BAY

Mr F. J. WALKER asked the DEPUTY PREMIER, MINISTER FOR PUBLIC WORKS AND MINISTER FOR **PORTS**—

- (1) Will supertankers entering Botany Bay be able to **turn** around completely before leaving?
- (2) Will the tankers be moored at both ends or **will** they be free to swing around?

(3) What is the maximum number and tonnage of large tankers that will be permitted in Botany Bay at any one time?

(4) What is the maximum number of ships that will be allowed in Botany Bay at any one time?

Answer—

(1) Yes.

(2) Large tankers of up to **210 000** D.W.T. would berth alongside a proposed tee-head wharf and berthing dolphins, and would be moored in the normal manner.

(3) The facilities that now exist are:

The single buoy mooring which can handle vessels up to **80 000** D.W.T.

The submarine berth of Australian Oil Refining Pty Ltd capable of accommodating vessels up to **55 000** D.W.T.

That company's jetty at Kurnell which caters for smaller (coastal) tankers.

Additionally, a bulk berth is under construction in the new port development which will handle liquid chemicals in vessels of up to **30 000** D.W.T. initially.

The berth referred to in the answer to Question 2 would represent a further tanker facility if it is constructed.

Generally, the occupancy of each berth would be restricted to one vessel at a time.

(4) A number equal to the number of berths in service.

BOTANY BAY PORT DEVELOPMENT

Mr F. J. WALKER asked the DEPUTY PREMIER, MINISTER FOR PUBLIC WORKS AND MINISTER FOR PORTS—

(1) How many stages are planned for the Botany Bay Port Development?

(2) Will he furnish details of individual facilities planned for each stage?

Answer—

While the area of development was originally divided into four stages to assist in planning concepts, the present stage of development embraces the following projects, which are either under construction, firmly planned, or receiving consideration:

Bulk Liquids Berth—under construction. A pipeline will be connected between this wharf and terminal depots on land leased from the Maritime Services Board. Operations will be restricted to tank storage and installations for filling road tankers and drums.

Container Wharves—Two groups of three berths will each serve a container terminal of about **40** hectares developed by terminal operators, with the wharves and terminal areas being leased from the Maritime Services Board. Each terminal will be served by both road and rail.

Coal Loading Facility—Subject to environmental considerations, a coal loader will be built on about 14 hectares of the reclaimed land, with a very strict requirement that all storage areas and conveyors will be required to be covered.

Port Services Area—A small wharf will be constructed and an adjacent area developed for tugs, customs launches, work boats and a Maritime Services Board Depot.

Wharf for Large Crude Carriers—A proposal is under investigation for a wharf and berth for very large crude carriers of up to **210 000** D.W.T., together with an associated crude oil storage area.

Dry Bulk Storage and Handling Other Than Coal—An area has been provisionally set aside as a dry bulk storage area with associated space for the loading and **unloading** of such materials. No **specific** plans are in hand at the present time.

All the projects outlined above comprise the first phases of development and are to be located on the areas previously known as stages **1** and **2**.

It is not possible to give any indications of the future development projects envisaged in stages **3** and **4**, other than to say that they are expected to be in the same general field as the projects presently under consideration, that is the handling and transit storage of containers, bulk liquid and dry cargoes for import and export.

PETROCHEMICAL COMPLEX, BOTANY BAY

Mr F. J. WALKER asked the DEPUTY PREMIER, MINISTER FOR PUBLIC WORKS AND MINISTER FOR **PORTS**—

(1) What is the precise location of any petrochemical complex or tank farm planned to be sited at Botany Bay?

(2) What is the planned capacity of each such project?

Answer—

There is no petrochemical complex planned to be sited on the port development at Botany Bay. The term "Petrochemical Complex" is usually applied to large chemical manufacturing and processing factories. The position at Botany Bay is that two terminal depots for the storage only of liquid chemicals have been approved, and there is space for further similar facilities as the need arises.

The use of the terminals will be restricted to tank storage for ships' cargoes, with facilities for filling road tankers and drums only.

One of the approved terminals is to be located on the south-eastern side of the main port road on the reclaimed area, while the other is to be immediately adjacent to the south-west, on the same side of the road.

The **first** of the two terminals is to have an initial capacity of 48 000 cubic metres, while the second will have a capacity of **18 000** cubic metres.

INDUSTRIES PLANNED, BOTANY BAY

Mr F. J. WALKER asked the DEPUTY **PREMIER, MINISTER FOR PUBLIC WORKS AND MINISTER FOR PORTS**—

Will he list all industries planned to be sited on reclaimed land in Botany Bay?

Answer—

There are no industries whatever to be sited on reclaimed land in Botany Bay. I have emphasized many times that the reclaimed land is to be used only for the short **term** transit storage of ships' cargoes either imported or for export, with appropriate rail and road links, and with wharves for ships to berth while loading or discharging these cargoes.
