Legislative Assembly

Tuesday, 9 *November,* 1976

Petitions—Questions without Notice—Albury Gambling Casino (Personal Explanation)—Local Government (Standard Rates) Amendment Bill (Int.)—Local Government (Elections) Amendment Bill (Corn.)—Energy Authority Bill (second reading)—Bill Returned—Real Property (Amendment) Bill (second reading)—Adjournment (Lever's Plateau Road)---Questions upon Notice.

Mr Speaker (The Hon. Lawrence Borthwick Kelly) took the chair at 2.15 p.m.

Mr Speaker offered the Prayer.

PETITIONS

The Clerk announced that the following petitions had been lodged for presentation that that copies would be referred to the appropriate Ministers:

Sunday Hotel Trading

The petition of the undersigned electors in the State of New South Wales respectfully sheweth:

(1) A referendum on Sunday trading in hotels was held in New South Wales in the year 1969 which showed an overwhelming majority voting against Sunday trading in hotels.

(2) It is considered by the undersigned that any changes in the law allowing extension of Sunday trading in liquor in hotels or in any shop selling liquor will increase the acknowledged evils associated with the consumption of liquor including particularly danger in road travel and in crime, and in damage done to domestic life of wife, husband and children in many cases.

Your petitioners therefore humbly pray that your honourable House:

(1) Will not pass any legislation which will allow any extension of Sunday trading in liquor in hotels or in any other place where the sale of liquor is permitted.

(2) If nevertheless it is inteded to submit legislation to the House this should not be done until a further referendum is held to ascertain the wishes of the people as was previously held and which as stated showed an overwhelming majority against such legislation.

And your petitioners, as in duty bound, will ever pray.

Petition, lodged by Mr Hunter, received.

Gambling Casinos

The petition of the undersigned electors in the State of New South Wales respectfully sheweth:

(1) There are at present sufficient legal gambling outlets in the State of New South Wales.

(2) During the last recently recorded period of a year the amount spent or invested in gambling exceeded the sum of $4,000 million.

(3) The opening of casinos will enlarge this expenditure and will create further inroads upon the amount available to families for the conduct of their domestic life and will thus cause hardship to parents and children in the home and will also, as experience has shown, be an incentive to crimes of stealing, embezzlement and fraud in order to make up for moneys that have been lost through gambling or which are intended for gambling.

Your petitioners therefore humbly pray that your honourable House will not legislate to legalise casinos in New South Wales.

And your petitioners, as in duty bound, will ever pray.

Petition, lodged by Mr Hunter, received.

Abortion

The humble petition of the undersigned citizens of New South Wales, respectfully sheweth:

(1) That as taxpayers we object to the use of funds for abortions under the guise of health payments and/or benefits.

(2) That no pressure should be brought to bear to hinder the prosecution of those participation in criminal abortion.

Your petitioners humbly pray that the honourable House takes such steps through the appropriate channels to stop the misuse of taxpayers' money and to ensure that the law prohibiting abortion in New South Wales be properly enforced.

Petitions, lodged by Mr Barnier, Mr Jackett, Mr Kearns and Mr Leitch, received.

QUESTIONS WITHOUT NOTICE

OFFENCES BY STRIKING UNIONISTS

Sir ERIC WILLIS: Has the Premier indicated previously that he has instructed the Police Department not to prosecute persons operating illegal gambling casinos and persons who appear naked on certain beaches? Has he now instructed the police not to prosecute striking unionists when they commit such offences as assault, theft, offensive behaviour, obstructing traffic. littering, and lighting fires in a public place? If the Premier has not issued such instructions, will he explain why police stood by and took no action against striking unionists openly committing these offences in Jones Street, Ultimo, last Friday? In any event, will the Premier tell the House by

what authority he is able to instruct police not to carry out their sworn duty to maintain law and order without fear or favour in accordance with the statutes of this State and nation?

Mr Fischer: And the Albury casino as well.

Mr WRAN: The honourable member for Sturt may know a lot more about the Albury casino than any member of the Government knows. If he should like me to dwell upon his knowledge of the Albury casino I should be quite happy to deal with the question on that basis. First, I wish to lay at rest what is more than an implication—indeed, it is an allegation—inherent in the question asked by the Leader of the Opposition. There has been no direction given *to* the police by this Government since 1st May last in respect of nude beaches. Also, there has been no direction given to the police by this Government since 1st May last in respect of casinos. I cannot speak for what happened before 1st May. With regard to what has been happening in and about the premises of John Fairfax and Sons Limited, there has been no direction to the police in any way whatsoever by this Government. It is lamentable that the question has sought virtually to worsen what is becoming one of the more insoluble industrial disputes that this city has seen for many years.

Mr Doyle: It is disgraceful.

Mr WRAN: It is disgraceful that such a question should have been asked and if that is the reason for the expletive of the honourable member for Vaucluse, I adopt it unreservedly.

Sir Eric Willis: I hope the Premier is not condoning disorderly——

Mr SPEAKER: Order! The Leader of the Opposition has asked a question and the Premier is giving his answer.

Mr WRAN: What I am not condoning is the irresponsibility of the Leader of the Opposition and other members of the Liberal Party who endeavour to exacerbate what is already a dispute that industrial tribunals have found incapable of resolution. I have here a telegram from a member of the Liberal Party, Mr John Abel, M.P., and it would appear that Mr Abel has written the question for the Leader of the Opposition. The telegram sent to me asked virtually the same questions in relation to these incidents as have been asked by the Leader of the Opposition today.

Sir Eric Willis: I have had dozens of phone calls.

Mr SPEAKER: Order!

Mr WRAN: Let me make this clear. As I understand it, a number of arrests have been made in and about the premises of John Fairfax and Sons Limited. At the request of the proprietors police have been present in the vicinity of those premises. If the Leader of the Opposition is suggesting that members of the police force are failing to do their duty, turning a blind eye to offences, or in some way are themselves breaking the law, then in future I wish he would have the courage to say so and not hide his imputations and insinuations against members of the police force in the sort of question that he has directed to me today.

Mr JOHN W. EDWARDS

Mr DURICK: I direct a question without notice to the Minister of Justice and Minister for Services. Has the Minister's attention been drawn to the business activities of a certain John Edwards, formerly of King Georges Road, Wiley Park, and now

of First Street, Granville? In November, 1973, was this person fined $100 for soliciting money for an unregistered charity? Has he recently resumed operations using groups of young boys, some below school. leaving age, to sell packets of seeds and adopting the selling spiel that proceeds are for subnormal children, though no registered association has given this person any such approval? Will the Minister take appropriate action to protect the good name and legitimate operations of such wonderful organizations as the Sub-Normal Childrens' Welfare Association?

Mr MULOCK: I am indebted to the honourable member for Lakemba for raising this matter which has come under the notice of the Department of Services. The department is aware of the activities of Mr J. W. Edwards, who has been the subject of a number of complaints from householders who have been approached by him, and from some charities which allege that he is using their names without their authority. I understand that Mr Edwards employs young boys to conduct door-to-door sales of packets of garden seeds. The packets describe the selling company as "The firm that helps various charities" and they carry the following statement: "We pledge to donate approximately *25* per cent of our profits to a different charity each month." From the number of complaints received it would seem that many householders are being led to believe that the money they pay for these seeds will benefit a particular charity, but in fact the greater part of it goes to Mr Edwards.

A similar type of operation involving the sale of goods such as knives, tools and handkerchiefs is being conducted by a Mr G. R. Hofmann, under the name of Student Home Distributors. The Department of Services has received details of these activities from the Subnormal Children's Welfare Association and the Autistic Children's Association of New South Wales. The operation of both the organizations I have referred to are under investigation by the police. On 28th November, 1973, the Mr Edwards referred to by the honourable member for Lakemba was convicted and fined $100 in respect of the offence of conducting an appeal for an unregistered charity. I suggest that the public take particular note of the activities I have referred to and the concern of various charities, two of which I have named, about this matter. The main beneficiaries from these activities appear to be the people who are trafficking in these goods or engaging in similar selling activities under the pretext that certain charities are to be the beneficiaries.

DAIRY ADJUSTMENT PROGRAMME

Mr PUNCH: I direct my question without notice to the Minister for Decentralisation and Development and Minister for Primary Industries. Have dairyfarmers in New South Wales been missing out on additional Commonwealth funds under a Commonwealth-State dairy adjustment programme because of the failure of the New South Wales Government to sign an agreement for the extension of that programme? Is New South Wales the only State that refuses to accept its responsibility under this programme? In view of the serious plight of dairyfarmers, will the Minister expedite this matter so that dairyfarmers in New South Wales do not receive less assistance than that available to dairyfarmers in any other State?

Mr DAY: The Leader of the Country Party has asked a most interesting question. When the federal Government put to the former State Government that it should contribute to the underwriting of exports of skim milk powder and casein in New South Wales, it indicated to the Prime Minister that this was unacceptable because under the Constitution the underwriting of exports was a Commonwealth responsibility. The former Government did, however, suggest that because of the difficult situation

that then existed, it was prepared to consider underwriting this scheme until 30th June, 1976. This matter had not been formalized when this Government took office in this State early in May. In common with its general responsible attitude to agreements entered into by the former Government, this Government undertook to make a contribution in this area until 30th June. However, it advised the Prime Minister that it had exactly the same reservations about the matter as its predecessor had. I point out that it is the first time in Australia's constitutional history that a national government has asked a State government to underwrite exports of primary products. The former Government, very properly, took the view that this was a Commonwealth responsibility and that it should remain such.

1 have no intention of recommending to the Government of this State that it should accept these Commonwealth responsibilities, unless there is some offsetting arrangement. If the Commonwealth wants to opt out of these arrangements, it would be a two-edged sword. The Commonwealth has responsibilities towards the maintenance of our industries by way of both tariff protection and underwriting assistance. It is all very well for the Commonwealth Government to want to opt out of providing underwriting assistance but to retain for itself the whole of the tariff income. In the past financial year the national Government made a profit exceeding $300 million on its industry underwriting and industry protection schemes. Notwithstanding that, it seeks to pass on to the States the responsibility of underwriting primary products for export.

It is not the responsibility of the State of New South Wales or of any other State to make sure that there are profitable markets for the export of primary products. That is the constitutional responsibility of the national Government. I should think that the Leader of the Country Party would be well enough informed to condemn his federal colleagues for their unwillingness and refusal to accept their constitutional responsibilities in the matter. The Government of New South Wales will not be browbeaten or blackmailed into accepting responsibilities that belong to the national Government. If the dairy industry of New South Wales is missing out, that is the responsibility of the honourable member's own colleagues nationally. I challenge them to underwrite skim milk powder or casein in the State of New South Wales at a level different from that which appertains throughout the rest of the Commonwealth of Australia. I am referring this matter to the Crown law authorities for a proper opinion. As far as the morality of the situation is concerned I suggest that the Leader of the Country Party get in touch with his federal leaders and make sure that they honour their constitutional responsibility of underwriting primary industries export, In the past they failed to serve primary industries properly by providing markets for those industries.

PETROL STRIKE

Mr BARNIER: I address my question without notice to the Minister for Industrial Relations, Minister for Mines and Minister for Energy. Is the Minister able to say whether urgent legislation may be necessary to ensure that petrol supplies are made available to essential services, resulting from shortages due to the current dispute in the oil industry?

Mr HILLS: Legislation is before the Parliament at the present time to deal with the question of emergency energy supplies. I am sure that that matter will come before the Parliament for debate later today. The information available to me is that

at the present time no emergency situation has developed. For the benefit of honourable members I shall read a telex that I received in the last quarter of an hour from Caltex which operates the AOR oil refinery at Kurnell:

> In view of the circumstances existing in New South Wales and particularly in consideration of current press reporting we wish to advise all responsible parties that our Kurnell refinery is presently processing 120 000 barrels per day for local and imported crude oil. The refinery is capable of processing approximately 135 000 barrels per day and is expected to reach that capacity in nine days hence when our second catalytic cracker returns to service. The companies that normally draw stocks of petroleum products from the Kurnell refinery are each receiving an equitable share of current production both in Sydney and outports although distribution to outports can only be effected as shipping becomes available. It is however our view that most companies have a capability of satisfying their own essential requirements from stocks made available from Kurnell and that no real emergency situation has yet developed despite current press reports.

KONANGAROO STATE FOREST

Mr MORRIS: I wish to direct a question without notice to the Minister for Lands. Was a decision made last year to revoke the Konangaroo state forest preparatory to incorporating the whole of the Boyd Plateau in the Kanangra-Boyd National Park? Has the revocation of the forest taken place and is this area now lying as vacant Crown land? Will the Minister inform the House when it will be possible to incorporate the whole of the Boyd Plateau in the Kanangra-Boyd National Park?

Mr CRABTREE: I should like to congratulate the honourable member for Maitland on his asking this important question. It is a matter in which the honourable member over a long period has shown a keen interest. I know that the honourable member when Minister for Lands pursued this project with enthusiasm. However, his efforts were interrupted by the historic event that occurred on 1st May. It is a fact that soon after taking office as Minister for Lands I formally gazetted revocation of the Konangaroo state forest. All lands previously in the forest, including the area known as Boyd Plateau, are now vacant Crown lands.

The House will be happy to know that moves to incorporate the former forest into the Kanangra-Boyd National Park are well advanced. The former forest area covers almost 10 500 hectares and with its incorporation the Kanangra-Boyd National Park will be expanded to an area of almost 68 000 hectares. The formal concurrence of all other land use authorities has been received and only minor details to finalize the boundaries of the enlarged park remain to be settled. I have instructed the director of the National Parks and Wildlife Service to push ahead with the completion of the project as a matter of urgency.

LOCAL GOVERNMENT RATES

Mr McGINTY: Did the Minister for Local Government on 4th October say that he informed a deputation from the Local Government Association and the Shires Association that he hoped to be able to inform councils, even in advance of the passage of legislation, of the percentage increase figure allocated to them? Has the Minister been able to do what he is reported as having stated he will do and, if not, will he delay the passage of the legislation until after the announcement?

Mr JENSEN: It is true that I intimated to representatives of the Local Government Association that if necessary by the delay in implementing legislation, the percentage increase that councils would be allowed to apply for 1977 would be announced ahead of the legislation.

At a later time today, the bill will be introduced into the House and I expect that it will be approved by the Parliament in the course of the next few days and that the announcement as to the extent to which rates for 1977 may be increased over the level of rate income for 1976 will be made in the few days that follow its approval.

AWABAKAL NATURE RESERVE

Mr FACE: Has the Minister for Lands been able to take any action to bring into reality suggestions that a nature reserve be established in Newcastle to be used specifically for environmental education? Does the Minister support the plans of the Awabakal Association for Environmental Education that approximately 300 acres between Dudley and Redhead in the electorate of Charlestown be dedicated as such a reserve? If so, will the Minister, as a result of his recent visit to the area, assure the House of the co-operation of the various government departments involved in the project?

Mr CRABTREE: I commend the honourable member for Charlestown for the enthusiasm he has shown in pressing for the establishment of the proposed Awabakal Nature Reserve. On a recent visit to the area with the honourable member for Charlestown I received submissions from the Awabakal Association for Environmental Education plus on-site reports from officers of the National Parks and Wildlife Service and the Department of Lands. I am delighted to inform the House that we shall be able to proceed with the dedication of approximately 300 acres as a nature reserve to be used especially to help the young people of Newcastle learn about and appreciate our natural environment.

I should like also to pay a tribute to my colleague the Minister for Education and the officers of his department, who have wholeheartedly supported the project. The Minister has approved the appointment of a specially qualified teacher to conduct an environment education programme on the reserve. We are delighted that we have been able to establish this programme on an area which has such a diversity of natural environment, including intertidal rock platfonms, coastal cliffs, clifftop sand dunes and a permanent fresh water lagoon. The range of vegetation, wildlife and marine life is widely representative of the Newcastle region. The people of Newcastle are fortunate that such an area of vacant Crown land was available in such a convenient position. The establishment of the Awabakal Nature Reserve will be an important step in our Government's programme to build up community appreciation of our natural heritage. Developing an awareness in the community of the importance and beauty of our natural environment is one of the top priorities of the Wran Government, and there is no better place to start than in the schools of this State.

HIGH SCHOOL FOR NAROOMA

Mr HATTON: I should like to ask a question without notice of the Minister for Education. Is the Minister aware that specific undertakings, backed by official departmental correspondence, were given by the previous Government to the effect that a new high school would be begun at Narooma during 1975? Is the Minister aware that the planning has been completed but no firm date for the start of construction has been set? Will the Minister inform the House when the Narooma high school will go to tender?

Mr BEDFORD: I was glad to note, looking at the list today, that children from Narooma high school were to be in the gallery. On that basis I took the opportunity to check the departmental files and ascertain the exact position. The files indicate that the honourable member for South Coast has on a number of occasions made assiduous inquiries concerning the establishment of a new high school at Narooma. I must say, in fairness to the previous Minister, that some difficulty was encountered concerning ?he site at Narooma, but that was finalized in about mid-1975. On that basis, sketch planning has been completed and active planning is well under way. The indications are quite clear that the new high school will be a firm commitment against the 1977–78 capital works programme.

I am happy to advise the honourable member and our visitors from Narooma that the school will consist of one flexible learning unit of four classrooms; one science unit of three laboratories; one home science unit consisting of a kitchen suite and one needlework unit; one art unit and heavy equipment area; an industrial arts unit consisting of three workshops; one library suite; one theatrette-music unit and one senior study centre. So it will be quite a special high school that will be established in Narooma during the capital works programme that I have mentioned. Once the pressure on the central school is relieved by the building of the new school in 1977–78, there will be a refurbishing and upgrading of the central school, which will provide all the necessities for primary school education in Narooma during the years to wme.

ENRICHED FLOUR IN BREAD

Mr KEANE: I direct my question without notice to the Minister for Consumer Affairs and Minister for Co-operative Societies. Has the Minister's attention been invited to the statement by the chairman of the division of nutrition of Prince Henry Hospital that Australia is one of the few western countries which do not use enriched flour in bread and biscuits? Is it a fact that many lower income families are missing out on the essential vitamins B1, B6 and E because of the use of highly refined flour in most bread and biscuits? Will the Minister ascertain why Australian consumers are compelled to eat bread and biscuits that are deficient in essential vitamins because of the actions of bread manufacturing monopolies?

Mr EINFELD: The honourable member for Woronora ought to be commended for showing a special interest in bread. It is a burning question these days and of vital concern in the community at large. Mrs Renwick, senior researcher with the Australian Consumers Association, said that most of the nutritional content is in the outer layer of the wheat grain, and this is what is discarded in the process of milling white flour.

A report by Dr Joan Woodhill, the chairman of the Division of Nutrition and Dietetics at the Prince Henry Hospital, and Dr Silvia Nobile, the chief chemist of Vitamin Laboratories, states that Australia is one of the few western countries that does not use enriched flour in bread. These doctors have found that during milling of wheat for white flour about 50 per cent of vitamin B1, 80 per cent of vitamin B6 and 50 per cent of vitamin E are lost. These vitamins are used by the body to turn food into energy. There is no question that the use of white flour in the manufacture of bread does away with most of the nutritional value of the bread. The refining process before white flour is used in the manufacture of bread and biscuits causes a deficiency in their quality. White bread has much less food value than bread manufactured from wheatmeal or unrefined flour that has not lost any of its food value. I shall do exactly as the honourable member requests me to do, namely, consult the

Minister for Industrial Relations whose department is vitally concerned with the quality of the contents of bread. Recently the Minister revitalized the bread advisory committee by making new appointments to it, and I am sure the committee will help a great deal. All of us, including the Premier, are well aware of the quality of bread. We want to ensure that best quality foodstuffs, particularly bread, are available to consumers. We want them to receive not only quality, but also a product that has food value.

ALBURY GAMBLING CASINO

Mr MACKIE: I address my question without notice to the Premier who, I hope, will dwell on it. Will he inform me and the House what action has been taken to close the Townsend Bridge club premises at Albury which, as he is aware, are being used as an illegal casino. Is it true that it started since this Government——

Mr Mallam: You have been aware of it for years.

Mr MACKIE: It started since your Government came to office.

Mr SPEAKER: Order! The honourable member for Albury will ignore interjections and address his question to the Chair.

Mr Mallam: Mr Speaker, he has a share in the business.

Mr SPEAKER: Order!

Mr Mackie: On a point of order. That remark of the honourable member for Campbelltown is offensive to me and I ask that he be ordered to withdraw it and to apologize.

Mr SPEAKER: Order! I did not hear the remark that the honourable member for Campbelltown is alleged to have made. The honourable member for Albury in taking a point of order has referred to a remark. I shall have to know what the remark was, so as to determine whether it is unparliamentary.

[Interruption]

Mr SPEAKER: Order! Does the honourable member intend to relate what the remark was?

Mr Mackie: No, sir. I should like to proceed with my question.

[Interruption]

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

Mr MACKIE: I ask the Premier whether it is true that police reports confirm the illegal use of the premises, and has 21 Division visited Albury and failed to act in the matter? In view of the fact that Albury does not want a casino—and certainly not an illegal one—will the Premier, as ministerial head of the New South Wales police force, honour the responsibilities and law that he has sworn to uphold by conferring immediately with the Commissioner of Police and taking whatever action is necessary to close these unwelcome and offensive illegal premises before certain citizens of Albury take appropriate legal action to compel the commissioner to do so?

Mr WRAN: The emotion and enthusiasm which the honourable member for Albury displayed in asking this question must have been building up for the past six months that we have been in office. He tells me that this casino has come into existence since 1st May.

Mr Mackie: Quite true.

Mr SPEAKER: Order!

Mr WRAN: As I understand it, some sort of illegal gaming house is operating at Albury. It has been the subject of visits by the police, and I have been informed by the Commissioner of Police that evidence is available that will lead to the closing of that establishment. I am delighted that the honourable member for Albury—no doubt with the assistance of the honourable member for Sturt—has given me the opportunity to assure the House that no effort will be spared to ensure that that activity ceases.

The only other matter I should like to mention in relation to casinos is that the Government has announced its intention to legalize casinos in New South Wales. I should not like the honourable member for Albury or any other honourable member to accept that as meaning that there will be any proliferation of gambling outlets in this State, at Albury or elsewhere.

AMBULANCES AT SPORTING FIXTURES

Mr SHEAHAN: I ask the Minister for Health whether many community groups, particularly show and sporting organizations in country areas, have complained of the extreme difficulty of meeting the steeply-increased hourly fees now charged for having an ambulance on standby at outdoor public events. Will the Minister take action to reduce these charges to a level that non-profit organizations can more easily afford, thereby ensuring that ambulances will be on hand at events where injuries are likely to occur?

Mr STEWART: When the honourable member for Burrinjuck mentioned this matter to me the week before last he said that a show society in his electorate applied to have an ambulance and an ambulance officer in attendance at its show, but found that the fee quoted was out of proportion with the amount of money expected to be raised at the show. I set some inquiries in train, and since that time I have received representations from other honourable members in similar circumstances.

I point out to honourable members that there has been a change of policy in the administering of ambulance services, including an edict that officers shall no longer raise funds by selling lucky envelopes and running chocolate wheels on street corners. It appears that in the past when ambulances attended country outdoor events the ambulance officers engaged in fund-raising activities; it was considered by the New South Wales Ambulance Board that this compensated for the loss of wages paid on Saturdays and Sundays when officers were attending these funotions. Following a request from the previous Government to the Ambulance Board, officers no longer participate in this type of fund-raising, and the board has instituted a policy of charging societies that request the presence of an ambulance and an ambulance officer at their functions.

All I am willing to say at present is that I have asked the Ambulance Board to review the scale of charges to people engaged in these types of functions, with a view to charging some sort of nominal fee. I am of the opinion that the fee now charged for the presence of an ambulance and an ambulance officer at this type of function appears to be excessive. I am awaiting a report from the Ambulance Board.

LOCAL GOVERNMENT BOUNDARIES

Mr MURRAY: I ask the Minister for Local Government a question without notice. In view of the large number of objections being lodged against the proposed local government amalgamations in New South Wales, will the Minister undertake to hold referenda in the existing local government areas? Having done so, will he allow the will of the people expressed at those referenda to determine whether or not the amalgamations will take place?

Mr JENSEN: It has long been the practice of this Parliament to conduct investigations as to the appropriateness of boundaries, not only of local government areas but, indeed, of electorates. If we were to adopt the principle suggested in the question asked by the honourable member for Barwon and have the people determine electoral boundaries by vote the number of members on the opposite side of the House would diminish rapidly. The procedures that have been adopted traditionally for the determination of local government boundaries in this State have been, first, for this Parliament to take into consideration all of the relevant factors and then for it to determine what boundaries would be appropriate in order that the ratepayers will benefit from the operations of the local government bodies they elect.

The principle suggested by the honourable member for Barwon is not appropriate. It has never before been advanced, not even by the former Government, which was supported by that honourable gentleman. It does not appear to be a proposition meriting deep consideration at all. The members of the Boundaries Commission who, as I have informed the House before, were appointed by the previous Government, are able persons and they can work out objectively the appropriateness or otherwise of existing local government areas. Should the commission fail to make recommendations that seem to be sensible, the Government is not obliged to accept them. It is the Government's intention to proceed with its stated policy of investigating to what extent local government areas in New South Wales should be reduced, and to do that by having the Boundaries Commission inquire into existing areas, conduct public hearings wherever appropriate, and then make recommendations to the Government for its consideration. The Government has no intention of altering that policy.

LUTTER ENTERPRISES PTY LIMITED

Mr JOHNSON: I direct a question without notice to the Minister for Consumer Affairs and Minister for Co-operative Societies. Has the Commissioner for Consumer Affairs received complaints about a company known as Lutter Enterprises Pty Limited? If so, is the Minister aware of the nature of the complaints and of the activities of this company? What action can be taken on behalf of the complainants?

Mr EINFELD: I have had complaints against Lutter Enterprises Pty Limited. The company's registered 'business address is 244 Harbord Road, Brookvale, and its direotars, according to the records of the Corporate Affairs Commission, are Evelyn Betty Lutter and Joanna Lea Ferry. The nature of the company's business can be stated simply as being a calculated and callous deception aimed at defrauding its unfortunate victims of substantial sums of money. The company places in the daily press advertisements, such as the one I have in my hand, which purport to be seeking people to invest in cigarette and tobacco runs, and promising returns ranging from $30 weekly for an investment of $900, up to $150 weekly for an investment of $4,500. Invariably, the people who invest their money later discover that their agreement with the company gives them no more than a list of wholesalers from whom they may buy cigarettes and tobacco and another—and for all practical purposes—

worthless list of likely customers. Needless to say, the promised returns are illusory and the terms of their contract with the company are such that they have no way of recovering their investment.

The activities of this company are virtually identical with those of two other linked firms, Four Square Tobacco Service and Four Square Aluminium Company, which apparently ceased trading following a successful action against them in the Industrial Commission in May this year. His Honour Mr Justice Macken then described the activities of Four Square Tobacco Service as "a modern example of the thimble-and-pea trick" and stated that its victims received "an unwanted lesson in deceit and duplicity." There are reasons for believing that the same people are behind the activities of Lutter Enterprises as are behind those of Four Square Tobacco Service. The activities of such companies do not come within the terms of the Consumer Protection Act because the contracts entered into are of a business nature. However, persons caught in such situations can seek relief under section 88F of the Industrial Arbitration Act. Indeed, the action against Four Square Tobacco Service in May was taken under that section, which empowers the Industrial Commission to void or vary work contracts that are harsh, unconscionable or against the public interest.

I might add that it is the Government's intention to introduce legislation to confer a wide discretion on the courts generally to void or vary any contract which is harsh, oppressive, unconscionable or unjust in either its form or effect. A report on the matter and a draft bill have recently been prepared by Professor Peden of the Macquarie University Law School. Professor Peden is an acknowledged authority in commercial law and also a member of the New South Wales Consumer Affairs Council. It is expected that the legislation, which will apply to all contractual situations, will be introduced during the first session of Parliament next year.

FIRE BRIGADES

Mr COLEMAN: I ask the Minister of Justice and Minister for Services whether Mr Justice Sheehy of the New South Wales Industrial Commission recently ordered the executive of the Fire Brigade Employees Union to lift the bans imposed on certain transfers of staff, bans supported by only a small minority of the union membership. Did the Minister subsequently, in obedience to the union executive's demand, state that he would ignore Mr Justice Sheehy's ruling and would appoint from outside the Industrial commission a committee to arbitrate on the question, to decide the issue, and to overrule the lawful statutory authority of the Board of Fire Commissioners as well as of the Industrial Commission itself? If this is so, will the Minister now assure the House that he will not follow such a policy but will conform with the law? Will the Minister state also that he will expect the union executive to do likewise and to lift its bans immediately?

Mr MULOCK: A number of honourable members have been cornmended this afternoon for questions they asked. The honourable member for Fuller is to be condemned for his question. I am interested to note that the honourable gentleman at last is taking some interest in matters concerning fire brigades in this State. Although in the former Government he was at one stage Minister responsible for the fire brigades, his first visit to see the Fire Brigade in operation was made after he had been deposed as Minister. It is significant also that I have received some correspondence from the Board of Fire Commissioners. It would appear that the honourable member for Fuller, in taking that course of action, did so for the express purpose of seeking to be, if possible, the mouthpiece for the board in this Parliament.

It is true that Mr Justice Sheehy ordered the unions to lift the bans that had been imposed. He did so in the context that he did not have power to arbitrate this matter. Mr Justice Sheehy issued his order after a number of adjournments which he allowed in an endeavour to have this matter resolved between the board and the unions. On 15th September, His Honour said:

> I want to give the Union another short period during which time it can make political representations if it so desires or it can ask the executive to reconsider the matter in the light of what I am saying now.

On 24th September the matter came before the court and was adjourned. On 5th October the judge ordered:

> That the N.S.W. Fire Brigade Employees' Union and its executive shall forthwith take whatever action is necessary to remove all bans and limitations now imposed upon the implementation by the Board of Fire Commissioners of N.S.W., of its proposals, described in these proceedings, as to the establishment of the new metropolitan headquarters at Alexandria, the resultant movement of employees, appliances and equipment and the new manning scales.

Sir Eric Willis: On a point of order. Mr Speaker, I invite your attention to the fact that the Minister is reading from what he claims is a letter. In the past, when anyone on this side of the House has read from a letter it has been your practice to ask him to table the letter and thus make it available to all honourable members. I ask you to adopt the same course on this occasion.

Mr Mulock: On the point of order. I am reading the relevant parts of the judgment of Mr Justice Sheehy and I am using them as a basis for my answer to the question asked by the honourable member for Fuller.

Mr Brewer: Further to the point of order. I believe it is important that this Parliament should be aware of all the contents of the letter.

Mr SPEAKER: The matter of the reading of documents in this House has caused me some concern and I propose to look at it closely. I have noticed a decision of the House of Commons in 1646, when the Speaker suggested that if an honourable member continued to read from a document he would ask him to put twelve pence in the poor box. An equivalent amount in 1976 would be much more. In rulings given by the late Sir Kevin Ellis he said that if a member persisted in reading from a document, he would be interrupted by the Speaker and asked whether he would provide the document to other honourable members and if the reply were in the negative, the Speaker would have no alternative but to ask him to discontinue reading the document. I had intended on this occasion to ask the Minister if he proposed to read the whole of the document but he has already answered my intended query by what he said in furtherance to the point of order taken by the Leader of the Opposition. The Minister said he was referring only to part of the document and I believe that he had finished quoting from it just as the Leader of the Opposition took his point of order.

Mr MULOCK: Earlier in the proceedings to which I have referred, Mr Justice Sheehy addressed Mr Small, who represented the Board of Fire Commissioners, and said: "You are not prepared to submit such a matter to arbitration; you cannot anyway." In reply Mr Small said that his instructions were to the contrary. Consequently, a dangerous situation prevailed with regard to the public interest and welfare of the community with this weeping sore of confrontation between the Board of Fire Commissioners and the Fire Brigade Employees Union. This situation existed when Labor came to office. It ill-behoves the honourable member for Fuller, who was my

immediate predecessor as the Minister responsible for the fire brigades, and the Leader of the Opposition who at one time was Minister responsible for the administration of the fire brigades but saw fit to intervene this afternoon, to attempt to hide behind the autonomy of the Board of Fire Commissioners of New South Wales. Subsequent to the suggestion by Mr Justice Sheehy that the union should be given a short period in which to make political representations, the union did make representations. Earlier there had been a series of complaints from the union. As the Minister responsible I referred each and every one of those complaints to the Board of Fire Commissioners of New South Wales for individual comment. In due course I received comments on each item from the board. On some particular items I received comment from the president of the board, Mr Verrells.

Having heard both sides of the matter I then moved in Cabinet to recommend that the Board of Fire Commissioners be brought directly under ministerial responsibility. When the matter was referred to my officers with a request to prepare the necessary material to support a Cabinet minute which I proposed to put forward, they were unable to find any other statutory body in New South Wales that was not subject to ministerial direction. They did learn that in recent years the Public Transport Commission, the Metropolitan Water Sewerage and Drainage Board, the Hunter District Water and Sewerage Board and the Maritime Services Board had all been brought directly under ministeral control by the former Government.

Mr Coleman: On a point of order. My question was directed precisely to asking the Minister whether he would maintain the law. It had nothing to do with the history of statutory bodies and their responsibility to a Minister. I ask you, Mr Speaker, to direct the Minister to answer my question.

Mr SPEAKER: Order! The honourable member for Fuller knows full well, because he has been a member of this House for some time, that the Speaker has no control over the way a Minister replies to a question.

Mr MULOCK: Subsequent to Mr Justice Sheehy indicating on 5th October that the ban should be lifted, a general meeting of the union was called for 25th October to consider the matter. The union requested that a deputation be received on 20th October to see what the Government had in mind about this matter. I was able to inform that deputation that Cabinet had approved of the necessary legislation being prepared to bring the board under ministerial control. Similar advice was communicated to the Board of Fire Commissioners. On 25th October I had a discussion with the president of the board in which I informed him of my proposals in relation to a method of settling this dispute. The proposal that I had mentioned to the union was conveyed orally by me to the president of the board.

Mr Coleman: Mr Justice Sheehy settled it.

Mr SPEAKER: Order! I call the honourable member for Fuller to order for the first time.

Mr MULOCK: Mr Justice Sheehy did not have the legal power to settle it. I was seeking, in the interests of the people of New South Wales, to resolve a confrontation issue which was highlighted by this particular matter of the staffing in the inner metropolitan area and the transferring of people to the outer metropolitan area. I was not attempting to hide behind the Board of Fire Commissioners being an autonomous body—as the Opposition did for eleven years, thus exacerbating problems that existed between the board and the union. I do not believe that all the issues fall clearly on either side in this particular matter. However, I do know that it is not in the best interests of the people of New South Wales to allow this dispute to continue. I advised the president of the Board of Fire Commissioners verbally of my intention to

set up a committee consisting of a representative of the board, a representative of the union and an independent chairman nominated by myself to look at this whole question of staffing.

I believe that things were leading to a direct confrontation, which had been brewing for about eleven years due to the attitude of the previous Government, which allowed the matter to run on by its failure to face up to its responsibilities. I make no apologies for my decision. I have received a letter from the Board of Fire Commissioners pointing out what it sees as its legal responsibilities. The board assumed from a letter from the Fire Brigade Employees Union, which was forwarded without my knowledge, that it was my intention to set up a standing committee, but I have never indicated that. I have arranged a meeting with the Board of Fire Commissioners in which I shall indicate my position quite clearly. It is my clear view—and I believe that I have the support of all my colleagues on this side of the House—that this matter needs to be resolved.

Mr Cameron: What about the law?

Mr MULOCK: The honourable member for Northcott talks about the law, but all his knowledge of the law would fit into a thimble. The honourable member for Northcott and the honourable member for Fuller, who is often his running mate in this Chamber, say that if the Industrial Commission does not have jurisdiction about these disputes, nobody else should seek to resolve them. I am seeking to resolve this dispute and I am looking forward to co-operation from both the board and the union. Let me make it quite clear that I have no intention of allowing the union to decide what the staffing is to be. I have no intention of doing anything other than to set up the mechanism by which this weeping sore can be healed. I have detailed the method I have in mind and I feel confident that it will be a means by which we can ascertain the best position in regard to staffing in the New South Wales fire brigade service. I am concerned about the overall staffing policy of the board. My concern is shared by a number of honourable members on both sides of the House and by the public. We all want to see the best possible fire service available in this State.

Sir Eric Willis: On a point of order. Mr Speaker, lest there be any impression created among spectators, those in the press gallery and, indeed, among honourable members, that there are two sets of rules applicable in this House, I should like your ruling in regard to the tabling of letters in respect of which an honourable member reads extracts or the whole part. My clear recollection is that when I was reading from a letter recently you, Mr Speaker, interrupted me and said that I would be required to table it as a means of authenticating it. On another occasion I remember that you took similar action in respect of the honourable member for Hornsby, who was reading from a telegram concerning schools for handicapped children. The Minister of Justice and Minister for Services has read a lengthy extract from a letter about which we will know nothing unless it is tabled. We will not know whether it is authentic; we will not be able to recognize it as being factual. In accordance with your previous rulings and past practices in regard to other honourable members, I submit respectfully that if it is appropriate for a member of the Opposition to be required to table letters from which he reads, a similar ruling should apply and have equal force to members of the Government who may do likewise.

Mr Sheahan: On the point of order. Mr Speaker, you have ruled, as did earlier Speakers, that honourable members are entitled to read from material. The Minister, in answering a question, quoted from the judgment of Mr Justice Sheehy, He quoted extracts that he said were contained in some information provided to

the Minister by the Board of Fire Commissioners. There is nothing improper in that. There is no question of a different standard applying to Government members.

Mr Pickard: Further to the point of order. Mr Speaker, it is quite clear that you ruled previously that any member quoting from a letter must be able to substantiate its reliability and table it for the information of the House. On the occasion to which the Leader of the Opposition referred, when I was challenged on the document I was reading you asked me to table it. The Minister today has quoted from a letter that he says has extracts from a document. We have no evidence to that effect unless the document is tabled and we are able to view it.

Mr Stewart: Further to the point of order. Mr Speaker, the Leader of the Opposition has a lamentable memory in regard to the tabling of papers and the reading of letters in this House. I remember one historic occasion when the Leader of the Opposition, as Minister for Education, read an extract from a letter written by a lady who was a resident of East Hills. The former member for East Hills took the view that the Leader of the Opposition should give the name and address of the person who wrote the letter to him, but the Leader of the Opposition positively and arrogantly defied the Speaker, Sir Kevin Ellis, and refused to reveal the source of the letter or to give the name and address of the writer. He forced Sir Kevin Ellis into a situation where he had to make a partial decision in order to protect the Government of the day. It ill-becomes the Leader of the Opposition now to claim the protection of the Chair in respect of the authenticity and authorship of the document referred to by the Minister. The Leader of the Opposition should remember that people in glass houses should not throw stones.

Sir Eric Willis: Further to the point of order. My memory is so lamentable that I do not recall the incident to which the Minister for Health has referred. However, displaying more charity than was shown by the Minister, I accept his account of the story. He has said in effect that the arrogance of a former Minister caused the Speaker to act in a partial manner. I should like to ask, Mr Speaker, that the arrogance shown by the Minister today should not cause you to act in a partial manner.

Mr Wran: Further to the point of order. The memory of the Leader of the Opposition may be lamentable but his knowledge of the practices and procedures of the House is deplorable. The rule which relates to the authentication of documents is well founded in logic and in practice, and moves on the premise that if an honourable member, be he a Minister or not, refers to parts of a document, then the practice—though not the obligation—is to identfy the document. On the other hand, if the honourable member seeks to have the whole contents of the document put before the Parliament, by means other than the production and tabling of it, the obligation is on him to so produce and lay it on the table. There has been no infringement of that rule of practice here today. In effect, what the Leader of the Opposition is seeking to do, as so often he has done this session, is to have a snide gibe at the impartiality of the Chair. That is something that is obvious to all honourable members and it reflects more upon the Leader of the Opposition than upon the Chair.

Mr Healey: On a further point of order. The Premier has spoken about the lamentable knowledge of things by other honourable members, but it is clear from what has been said by members on this side of the House that they were not discussing the ruling that you, Mr Speaker, gave today. On two former occasions members from this side of the House sought to quote from documents and you, Mr Speaker, asked them to place the documents on the table so that they could be verified. Honourable members on this side of the House were asked to do that and we ask you to treat both sides of the House in exactly the same manner. If any

honourable member, whether a member of the Opposition or the Government, seeks to read a large portion of a document, or quotes from a document, both sides should be treated equally. The honourable member concerned should be asked to verify the document and place it on the table so that it can be seen.

Mr Mulock: Further to the point of order, the record will show that I quoted no more than four paragraphs which related to the judgment by Mr Justice Sheehy. The letter from which I quoted contained about three and a half foolscap pages of close type.

Mr SPEAKER: Order! Points of order were taken by the Leader of the Opposition, the honourable member for Hornsby and the honourable member for Davidson. Those points of order were spoken to by Government members. As I said earlier, the rule to be applied has given me some little concern. On a previous occasion I asked the Leader of the Opposition whether he intended to continue to read from the document and whether he was willing to make it available to other honourable members. The Leader of the Opposition said unequivocally that he was happy to do so. I made the same request of the honourable member for Hornsby. I draw the attention of the Leader of the Opposition to appendix VIII of the decisions of the late Sir Kevin Ellis. I shall not read it all, because most of what is contained in the decision is fairly clear. The final paragraph of the ruling of Sir Kevin Ellis is summarized in this way:

> Lest there should be any misunderstanding he said he should say also that some slightly different considerations apply to Ministers quoting from departmental reports of a private nature. These are regarded as confidential matters and the public interest may arise. In these circumstances Ministers are not forced, (i.e. by the Speaker) to table such documents.

Sir Kevin Ellis said that he hoped that would clarify the situation. I believe that there are two rules and that they have prevailed during the time that the Leader of the Opposition has been a member of the House. The rule applied by former Speakers is that ordinary members are treated somewhat differently from Ministers in respect of matters they read. I said earlier that I was not happy with the situation. I have carried out some investigation. I am clear on the point taken by the Minister for Health when the former honourable member for East Hills took exception to a letter from which the present Leader of the Opposition, who was then a Minister, had been reading. That letter was from a constituent in the East Hills electorate. On that occasion the former honourable member for Burrinjuck, the late hon. W. F. Sheahan asked the Speaker for clarification of the issue. Arising out of that debate, dissent was moved against the ruling of Mr Speaker. I am not completely satisfied on this question at the moment, and I intend to look at the matter closely and subsequently make a statement to the House. I am satisfied that the Minister of Justice and Minister for Services was in order in the reference he made to the document.

BRISBANE STREET CLINIC

Mr STEWART: On 13th October the honourable member for Burrendong asked me a question without notice concerning an embargo that the Government had placed on the engagement of further trained staff for the narcotics programme at the Brisbane Street Clinic. I undertook to the honourable member and to the House that I would provide a detailed answer as soon as possible. The Brisbane Street clinic has an authorized establishment of fourteen professional staff and two clerical staff. In

May, 1976, three professional positions—one nurse, one social worker and one psychologist—were vacant as a result of resignation. These positions were advertised, interviews conducted, and persons were recommended for appointment. The appointments were not proceeded with owing to a temporary freeze on the filling of positions by the Public Service Board.

Since that time, there have been a further five resignations from the professional staff of the Brisbane Street clinic. Six of the eight positions have been advertised and applications have now closed. It is expected that some appointments will be made shortly. The remaining two vacant positions are for counsellors, and approval has been given to the advertising in the press of the positions. However, as a result of continuing disputes at several publishing houses advertising delays are being experienced. As a result of staff shortages, the Brisbane Street clinic has been unable for some time to accept new persons into the methadone programme. However, basic services have been maintained to 140 persons in the programme who attend daily. Services for persons with drug problems are, of course, available from other centres in the metropolitan area. I was aware of the general freeze on staff recruitment, but I was not aware of the specific effect on the Brisbane Street clinic.

JOCKEY INSURANCE FUND

Mr BOOTH: On 29th September the honourable member for Campbelltown asked me a question concerning the Australian Jockey Club. I have made enquiries of the club. I have been advised that the insurance fund administered by the Australian Jockey Club was set up in 1926 by the then committee of the club and has operated continuously ever since, providing insurance to racing clubs, racing associations, owners and trainers of racehorses against liability on account of injury, loss or damage sustained or caused by jockeys, apprentices, stable hands, workmen and employees in their employ. Full cover is provided under the workers' compensation legislation. Jockeys, in which term is included apprentices, whether injured in riding work on a racecourse or riding in a race for a fee are not separately insured but are covered by the fund along with other employees for benefits under the Workers' Compensation Act, because under section 6 (10) of the Act they are deemed to be employees of the club upon whose course they sustain their injuries. In the event of death, the benefits of the Act are provided by the insurance fund to their dependents in accordance with law.

The insurance fund is not a separate legal entity. Rather is it an account within the financial structure of the Australian Jockey Club in relation to which separate books are kept and a separate banking account is maintained; and its books are the subject of separate audit by the club's auditors. The Australian Jockey Club is recognized as an insurer by the Workers' Compensation Commission of New South Wales and is the holder of workers' compensation licence No. 2, issued by the commission on 2nd July, 1926, and maintained ever since. Annual returns are made by the club in relation to the fund to the Workers' Compensation Commission as required by law, and the rates charged by the fund are in accordance with approvals given from time to time by the commission. The Australian Jockey Club has always endeavoured to maintain the rates of the fund at the lowest level consistent with due provision being made to meet the risks insured against, and over the years this has resulted in substantial savings in premiums to those engaged in the industry. Rising rates of compensation payable to injured workers under the Workers' Compensation Act have necessarily led to increasing premiums being paid by those required to take out cover for their activities, but the premiums charged by the club are always subject to close scrutiny by the committee, which is concerned to service the industry to the full at the lowest viable charge.

On 1st August, 1974, the provisions of the Insurance Act, 1973, of the Parliament of the Commonwealth came into operation. After examination of the Australian Jockey Club's activities generally and in the insurance field, including an examination of the last audited accounts of the fund and of the club, the Australian Insurance Commissioner advised that he did not consider that the club carried on the business of an insurer within the meaning of the Insurance Act and accordingly it was unnecessary for the club to comply with its provisions. Every race club in New South Wales insures with the fund and every jockey riding work on a racecourse or riding in a race for a fee falls within its protection. The insurance fund is administered, subject to the superintendence of the whole committee, by a subcommittee of at least three committee members, and the day-to-day running of the fund is the responsibility of an employee of the club known as the insurance office. The fund is backed by the whole of the assets of the club.

When a horse races in New South Wales the owner is required to pay a current fee of $5.00 to provide workers' compensation cover for his jockey. Formerly it was $3.50. Within the Sydney metropolitan area this fee is fully met by the club staging the meeting, the Australian Jockey Club or Sydney Turf Club, in order to assist owners in containing costs. In the provincial and country areas 93 of the 114 clubs receiving T.A.B. revenue subsidize the owner either wholly or in part in respect of this charge. In order to provide cover for its employees, each race club pays at $30 premium for each meeting it conducts. Premium income in the 1975–1976 financial year was $574,671 of which $266,624 referred to payments made for jockeys riding either in races or barrier trials. An underwriting loss of $29,700 was incurred in this year,

The Australian Jockey Club insurance fund has never been misappropriated. The accounts of the fund are separately kept and separately audited by the club's auditors in each financial year. At no time have the accounts been questioned by the auditors, who have always acknowledged their validity. The chairman of the Australian Jockey Club has indicated to me that he is deeply concerned that doubt has been cast on the integrity of the Australian Jockey Club and its employees. No Australian Jockey Club member is provided with a balance-sheet of the insurance fund. The net financial result after audit is disclosed each year in the club's revenue and expenditure account. The fund's balance-sheet is consolidated with that of the club, and the consolidated accounts duly certificated by the auditors are presented to members each year in the annual report. Mr B. R. Kelly, vice-chairman of the Australian Jockey Club, is the former Liberal member for Wollondilly.

RACING INDUSTRY

Mr BOOTH: On 5th October the honourable member for Waratah asked me a question concerning the restriction of entries and the bracketing of horses trained by the same trainer. I have sought the views of the major racing clubs, the Totalizator Agency Board and the Greyhound Racing Control Board regarding the matters raised by the honourable member. Training in the horseracing industry tends to be carried out on a professional basis with a relatively small number of trainers being responsible for the bulk of horses competing. For example, in the Sydney metropolitan area there are 282 registered trainers handling 1 343 horses in work at the peak of the season. The most recent figures available indicate that the four principal trainers in New South Wales have an average of fifty-seven horses under their control. In view of this, it would not seem reasonable or feasible to restrict entries by individual trainers. There is a general feeling within the horseracing industry that owners should be entitled to have their horses trained by the trainer of their choice and that any restriction of entries could have serious repercussions throughout the industry.

Bracketing already occurs in horseraces in those instances where the number of final acceptances exceeds the capacity of the totalizator facilities. Bracketing creates problems particularly in the event of a late scratching which not only affects on-course and off-course win and place betting but also has very serious problems with quinella betting. For example, when a short-priced favourite is bracketed with a 100-to-1 outsider and the favourite is withdrawn at the barrier all on-course and off-course tote punters are left with "live" tickets on a 100-to-1 outsider with odds of even money. If bracketing of trainers or owners were introduced, there would be considerable confusion where an owner or trainer had two, three or four starters in one race and the same problems would occur not only on the totalizator but also with bookmakers.

If bracketing were introduced only on the totalizator it would certainly force many people to bet with bookmakers on-course and with illegal starting-price bookmakers off-course. Even if bracketing were introduced with both totalizator and bookmakers, there would still be a problem of what to do when a horse included in the bracket was withdrawn after betting had commenced either an hour before the race or one minute before starting time. Another disadvantage of bracketing of stable entries is that if a trainer or owner had three starters all of which were reasonably well fancied, the odds on offer for this bracketed combination with bookmakers or the totalizator would probably be in the vicinity of even money. This is clearly a most unacceptable price to any punter who may clearly expect to get more attractive odds on an individual bet on any of the three runners.

The rules of greyhound racing generally prohibit more than one greyhound in the same ownership or under the same trainer from competing in the same race. The restriction was imposed in the public interest with due weight being given to the fact that the number of runners in any race is limited to eight. Generally, it can be said that the greyhound industry involves a high ratio of owner participation in training. As at 31st March, 1976, there were approximately 19 533 greyhounds in training and 9 824 owners or trainers registered with the Greyhound Racing Control Board.

The New South Wales Trotting Club does not apply any restriction on the number of entries by owners or trainers in any one race. However, in practice trotting trainers usually only accept for a maximum of two horses per race. This is because there is a restriction on the maximum number of horses which could compete in any rat-ten at Harold Park and twelve at most other tracks—and about 95 per cent of licensed trainers also drive the horses which they train. Bracketing of stablemates appears to be generally applied throughout the United States of America in both racing and trotting, but it seems that handicappers and racing secretaries are quite selective in their choice of fields and apparently endeavour to avoid brackets as far as possible. 'It must be appreciated that the United States is an all-totalizator betting country. However, in Australia where the system of bookmakers in competition with the totalizator operates, a totalizator with stable bracketing would have difficulty in attracting customers.

A rule that would have restricted the number of entries per race by each trainer was foreshadowed by the committee of the Australian Jockey Club approximately two years ago, but it met with widespread criticism and after due consideration was not validated. A record number of acceptors for any one race by a single trainer was nine by Mr J. Denham in the Red Lammas handicap at Rosehill on 1st November, 1975. The race was run in two divisions and Mr Denham had four runners in one division and five in the second division. It should be noted that there were no ballots in the race.

Mr Booth]

ALBURY GAMBLING CASINO

Personal Explanation

Mr MACKIE: During my question to the Premier the honourable member for Campbelltown by way of interjection used his filthy, lying tongue to suggest that I had a financial interest in the casino in Albury. I want to make it perfectly clear to the House that I have no financial or any other interest in the casino in Albury, other than to see that it is closed as soon as possible.

LOCAL GOVERNMENT (STANDARD RATES) AMENDMENT BILL

Introduction

Mr JENSEN (Munmorah), Minister for Local Government [3.27]: I move:

That leave be given to bring in a bill to amend the Local Government Act, 1919, with respect to the making and levying of rates in 1977 and subsequent years.

In his policy speech prior to the last elections, the Premier undertook that upon election of a Labor government the Minister for Local Government would be empowered to fix a maximum percentage by which rates could be increased in any given year. Since this policy undertaking was given the Australian Government has altered its method of funding local government throughout the nation. The Government of this State, however, believes that a much larger contribution from federal funds will be necessary before any substantial reduction in rates can be effected by local councils. This Government has undertaken that councils will be relieved of contributions to statutory authorities during its present term of office, but its capacity to assist local government in other ways is limited.

A review of the rating situation throughout the State confirms that in recent years rate increases have, generally, tended to exceed other forms of cost increases and the Government considers that in the present period of economic stringency some restraint on rate increase is necessary so as to ensure that councils exercise the same restraint in their spending as do the State and Commonwealth governments. The position has now been reached where ratepayers throughout the State are no longer able to suffer large rate increases of 30, 40 or 50 per cent from year to year. Increases of this magnitude are not unusual and in some cases rates have doubled in two or three years.

This Government considers that the power which the ratepayers exercise through the ballot-box over their elected local government representatives is not in itself sufficient to contain council expenditure which must, of course, to a large extent be financed from the ratepayers' pocket. This bill is therefore designed to permit the Government to exercise some control, in the interests of ratepayers generally, over a council's rate-making powers. I emphasize that the bill does not propose to take away from councils their power to make rates nor does it seek to control the manner in which a council raises its revenue from the various types of rates, such as local rates, special rates, and so on.

For reasons I shall explain in my second-reading speech, it is not proposed to impose limits on water and sewerage local rates levied by councils; also it is not proposed to control rates levied in connection with trading undertakings. The bill is designed to interfere as little as possible with the internal management and funding of the council. Rather, what it seeks to do is to impose on each council, with reference to the amount which it raised from rate revenue in 1976, a maximum amount which it may raise by its rates in each subsequent year.

I emphasize that, although the council's permissible rate levy will be merged into a single figure for calculation purposes, each council will be completely free in any year to rearrange its rate structure so long as the total income which it calculates it will receive from the rates concerned on the basis of ratable values as at 1st January in the particular year does not exceed the limit calculated in accordance with the provisions of the bill. I shall give a full explanation of the provisions of the bill, as well as of the background to the measure, at the second-reading stage.

Sir ERIC WILLIS (Earlwood), Leader of the Opposition [3.31]: It would seem from what the Minister said that the bill is another measure typical of the Wran Government's posturing, grandstanding and gimmickry. It is a bill that will presumably be quite meaningless and impractical of implementation in the literal sense in which it has been described. However, I must admit that it will be a grand, flamboyant gesture designed to fool the gullible citizens of this State into believing that the Wran Government is doing something in their interests. Whereas 1 200 years or more ago King Canute undertook to stop the tide rising, it seems that the Wran Government has learned a little from that experience and waited until high tide before saying that it will stop the tide from rising. King Canute made the mistake of saying he would stop it from rising when the tide was low; the Minister and his colleagues have waited until it is almost high tide before saying that they will stop it from going much further.

What I mean by those statements is this: everybody knows that the boom days of inflation are now on the wane. Mr Whitlam is no longer the Prime Minister. The inflationary balloon that he caused to be such a curse for several years to the Australian nation—we are still feeling the effects of it—has now been somewhat deflated. The new Government in New South Wales seeks to take credit for any easing of the burden on ratepayers. It seeks to take the credit for the small extent of the increase that will occur next year and which would occur whether the bill were enacted or not. If I may be permitted to give a simple illustration, this year the total amount of rate revenue collected for general purposes throughout New South Wales will approximate **$420** million. If inflation can be calculated at approximately 12 per cent it means that about **$50** million more will be required in 1977 than in the present year. The federal Government is providing an extra **$22** million; the State Government is easing the burden on councils to the extent of **$2** million. That means there would be a need for only approximately a 6 per cent increase, on the average, throughout the State.

It would be easy to make a prediction here and now that there will be no need for rates to increase by more than about 6 per cent on the average. The Minister can make a really good fellow of himself, at least in the eyes of the gullible and the unthinking, by saying that he will limit the increase in rates, taking the illustration that I have given, at something of the order of 7 per cent or 8 per cent. That would mean that the election undertaking had been fulfilled and the Minister would be able to take all the credit in the eyes of gullible people for having stopped rates increasing at anything like the rate of increase evident during the Whitlam years. All the praise would go to the Wran Government for its having achieved this wonderful result.

The Minister conceded in an indirect way that the needs of councils vary from council to council and so does the capacity of ratepayers to meet those needs. If the percentage increase permitted is to vary from council to council, I suggest that the Minister is producing an administrative nightmare in the measure for which he is now seeking leave to introduce. If it is a matter of deciding by how much each council is to be permitted to increase its total revenue, it will be most interesting to see the criticism that will be heaped upon his head for having caused councils so much difficulty. In any event, as is ever the case, the maximum will soon become the minimum. If the Minister is to permit an increase by a certain percentage and a council had not intended to increase its rates by that percentage, it will unquestionably say, "Goodness me, the Minister said we can increase up to a certain amount; we were not going to increase rates by that amount, but if he thinks that is all right we will go ahead and do it." The ratepayers will thereby finish up paying somewhat more than would have otherwise been the case, particularly as 1977 happens to be a local government election year. Having had some experience in local government, the Minister will know precisely what I mean by that statement.

The final irony—or is it hypocrisy?—of the bill is that it reveals the Government's low opinion of local government. A few days ago I returned from a session of the Constitution Convention at which the Minister for Local Government and other Labor members spoke in glowing and eloquent terms, their pious platitudes pouring forth, about the important role of local government and its vital place in the system of administration in Australia. The third tier of government was the way that they described it in laudatory tones. When he returns to this House he says, "Although they hold this high place in my opinion, I do not trust them and we are not going to let them play around with the ratepayers' money; we will control them as they have never been controlled before."

I seem to recall this same kind of thing back in the days when the Minister was a member of the Sydney city council, when a similar move was threatened and withdrawn by a previous Labor government that was a little more practical than the one now in office. That government was not quite so theoretical. I seem to recall also that it was withdrawn because the Labor Ministers of that day realized the nightmare they would be creating for themselves if they introduced this type of legislation. I repeat, the bill indicates how little the Government trusts local government and what a low opinion it has of it. Although the bill will not do any harm, it will not do any good. It will be just a meaningless exercise that the Opposition might as well allow to be presented. At least we shall have a look at it and perhaps offer some more comments and maybe some constructive amendments at the second-reading stage.

Mr JENSEN (Munmorah), Minister for Local Government [3.38], in reply: I am grateful to the Leader of the Opposition for at least the comments that he made when he drew part of the picture of what occurred at the recent session of the Constitution Convention, when I had the privilege of addressing that august body for the purpose of indicating my attitude towards local government. I there moved a motion —not at my behest—that had been agreed upon for submission at the unanimous request of representatives of local government from all over Australia.

Sir Eric Willis: Which I drafted for them.

Mr JENSEN: This proposition was put and approved by the representatives of local government notwithstanding that they knew that I intended to introduce into this Parliament the bill about which the Leader of the Opposition complained. He said by way of interjection that he was responsible for drafting the motion that I put to the

convention. I dispute the veracity of that contention. I attended a meeting of local government representatives which was attended also by another Minister for Local Government at which a proposition, which may have eventuated from the Leader of the Opposition—I do not know from where it came—was subject to substantial amendment and redrafting. Although it may have formed the basis of the submission made to the convention, local government representatives requested me to move my motion, which was seconded by the Victorian Minister for Local Government. The Prime Minister and the federal Leader of the Opposition spoke in favour of the motion. To my recollection it was the only motion put to the Constitution Convention which was carried unanimously. So much for the Leader of the Opposition's contention that what I proposed to do---and am now doing on behalf of the Government by my introducing the measure—in some way demeans my standing with local government. The facts that I have related give the answer to that part of the honourable member's suggestion.

It is quite impossible for local government to determine, in the way that the federal Government and this Government did, the role that it would play in the light of the federal Government's economic policy. I do not agree with the economic policy being applied by the federal Government, but the Government of New South Wales made a decision that it would co-operate with the federal Government in the application of that policy. That was the only sensible and practical thing to do. It had nothing to do with acceptance of the policy as being proper in the circumstances; it was a recognition that the federal Government had a right to determine policies and that it was sensible for the State Government to co-operate in putting them into effect. What the Leader of the Labor Party of New South Wales said in the last election campaign was that, while the federal Government applies economic stringencies to itself and to the State of New South Wales, while this State imposes economic stringencies upon itself and resists double income tax—which was part of the federalism deal applied by the federal Government and would have been applied in this State had Labor not won the last elections—local government should also be subject to some restraints. Because there are several hundred local government authorities in New South Wales it would be impossible for each of them to determine the degree of stringency that should apply. For that reason, it is proper in every way that in these times, with ratepayers groaning under the heavy burden of increased rates, someone should become the champion of the ratepayers, but in doing so he would be in no way demeaning the role of local government.

These are times of great economic difficulty. The ratepayers of this State have had their living standards reduced because their incomes have not increased by as much as rates have. In an endeavour to do something to assist ratepayers and to put local government in a better position in relation to its ratepayers than would be the case while rates continue to rise more rapidly than incomes, this Government is determined in the action that it will take.

There has been established within the Department of Local Government a committee comprising experienced local government officers and officers of the Treasury, which will investigate all the economic indices that are appropriate to be investigated for the purpose of determining what would be a fair thing to apply in respect to local government rates. I am sure that local government authorities recognize that the role the Government intends to play in this matter is justified only in economic circumstances such as exist at present. I commend the motion to the House.

Motion agreed to.

Bill presented and read a first time.

Mr Jensen]

LOCAL GOVERNMENT (ELECTIONS) AMENDMENT BILL

In Committee

Consideration of Legislative Council's amendment.

Schedule of the Amendment referred to in Legislative Council's Message of 4 November, 1976

No. 1—Page 9, Schedule 1, line 10. **After** "passed," ***insert*** "or where such a petition is presented or such a resolution passed".

Mr JENSEN (Munmorah), Minister for Local Government [3.45]: I move:

That the Committee agree to the Legislative Council's amendment in this bill.

After the bill was considered in this Chamber it was found that in the drafting stage the words inserted by the Legislative Council, on the motion of the Government, had been omitted in error from one of the proposed amendments. The amendment relates to the provision in the schedule concerning the taking of polls on the system of voting. Honourable members will realize that, without the inclusion of the words inserted by the amendment, there would be nothing covering the situation where a petition is presented to a council to hold a poll as to the system of voting, or the council resolves to hold such a poll, six months or less before the end of the council's term of office where no such poll has been taken since the last ordinary election. The amendment is simply to amend a drafting error and in no way alters the original intention of the bill.

Motion agreed to.

Legislative Council's amendment agreed to.

Adoption of Report

Resolution reported, and report adopted on motion by Mr Jensen.

ENERGY AUTHORITY BILL

Second Reading

Debate resumed (from 3rd November, ***vide*** page 2375) on motion by Mr Hills:

That this bill be now read a second time.

Mr OSBORNE (Bathurst) [3.47]: I welcome the opportunity to speak to this bill. My main interest is in clause 3 which deals with gas. I am concerned about the supply of natural gas to my electorate. The Minister has stated, as the previous Government also did, that country laterals would be built and he intimated that it was this bill that would help him to bring the supply of natural gas to country areas. I shall speak a little later on what I see, and what other speakers have seen, as an alternative proposal.

The story of natural gas is probably one of the saddest stories in a decade for the country areas of this State. When originally planned in 1970, the economics of the supply of natural gas to country areas meant for the first time in our history that those areas were to get it on an equal footing with the Newcastle-Sydney-Wollongong complex. These areas were built over a coal shelf and had the advantage of an ample supply of energy compared with other areas for a long time. It appeared that for once

the areas would be able to attract industry on a competitive basis by the supply of this form of energy, natural gas, at an economic price that would equalize things for the first time in the history of this country.

I listened with interest to the arguments and I have read the many statements made as to what went wrong with the supply of gas. I have heard both Ministers and members on this side of the House talk of the various problems that were responsible. I believe that if the State had been allowed to continue to be the authority to control this gas, taking into account the normal delays that occur because of weather, industrial problems and things of that nature, we would have had gas in country areas by now.

I read with interest an article in the ***Western Advocate*** of 21st February, 1973, from which I should like to quote a couple of extracts. There is a statement from Canberra saying that federal Cabinet had decided to set up a natural gas pipe authority. It was anounced by the Minister for Mines and Energy, Mr Rex Connor, that transmission of natural gas by an interstate pipeline system would ensure continuity of supplies and uniformity of price. Mr Connor said the Government proposed linking Sydney with the Gidgealpa natural gas fields in the Cooper Basin in South Australia by a central pipeline. The first stage of the project would be from Sydney to Cidgealpa to ensure there was no delay in planned supplies of natural gas to Sydney. He went on to say that extensions would be built to Newcastle and Wollongong and that the route taken by the pipeline authority would be the southern route.

On the same date the following report was published:

> The N.S.W. State Government will insist that natural gas brought to the State from South Australia will cost the same for consumers in rural areas like Broken Hill and Wagga as it does to consumers in Sydney, State Minister for Mines and Power (Mr Fife) said tonight.
>
> Mr Fife said the State Government would insist on four distinct principles before it would agree to participate in the industry.
>
> They were:
>
> That the cost of transporting the gas from South Australia to N.S.W. remain unchanged from that agreed upon before the decision to establish the authority.
>
> That the Australian Gas Light Company and the South Australian Government Producers' Consortium is a favourable one for N.S.W. and that transport costs are not allowed to escalate.
>
> N.S.W. to get assurances that the decentralization aspects of the proposal are adhered to, and that a condition of the issue of necessary licences to AGL be that lateral and offshoot pipelines be constructed at the same time as the main line both now and in the future.
>
> That gas be supplied on a uniform tariff basis in all centres.

That was on 21st February, 1973. The federal Labor Government, through its Minister, decided to take over this pipeline. That Minister, Mr Connor, said that he had the authority that would overcome the problems and delay, but instead it seemed to worsen the delay. The Bathurst city council has a fairly old gasworks. Some years ago the council had to decide what it would do to provide future supplies to customers. Having a clear indication then that natural gas was coming to country areas, the council decided to keep the old plant working without spending any more money than was necessary so as to continue gas supplies until natural gas flowed into Bathurst.

The council has been greatly embarrassed by the delay in getting natural gas. It has already spent $187,000 to keep the plant operating. The staff and everyone associated with the Bathurst gasworks have been under tremendous pressure. The longer the delay in getting natural gas to Bathurst, the worse the position will become for the Bathurst city council. The old gasworks will prove more costly as time goes on. By the time natural gas reaches Bathurst, the council will have incurred a great deal of expense on the old works.

Mr Hills: I opened the last extension when I was previously the Minister.

Mr OSBORNE: I am aware of that. I put it to the Minister and the House that in the interests of decentralization and development the supply of natural gas to Bathurst should be expedited. Gas is needed in Bathurst to promote the decentralization of industry. The problem is that the gasworks are run down. This is no reflection on anyone. The council decided that it would be better to persevere with the old plant until natural gas came to Bathurst. This was probably the wisest decision to make at the time. It was made on the understanding that natural gas would be supplied to Bathurst within a reasonable time. Without natural gas, the council must look to other methods of supplying gas to its customers. It is of the opinion that extraction of gas from coal would prove too costly because there is no longer any market for coke. The price of coal has increased to $21.53 per tonne and the freight is about $11.27. The recent freight increase of 7 per cent will cost the Bathurst undertaking $6,900 a year. The council looked at the alternative of putting in a plant to extract gas from coal, but found out that this would be uneconomic. The council has considered a plan to extract gas from petroleum products, but the escalation in the cost of petroleum products seems to indicate that this, too, would not be economic. Bathurst needs natural gas for a number of reasons. First, it has serious problems with the existing gas plant; and second, it is a segment of the growth centre, and to attract industry there would be a great benefit. The Minister said that he would be able to use some provisions of this legislation to help him get natural gas into the city.

I invite his attention to an earlier suggestion about the Pipelines Act of 1967. Section 25 of that Act provides:

> (1) The Minister, on application in writing served on him—
>
> (a) by a licensee whose pipeline has not previously been in operation; or
>
> (b) by a licensee who has ceased to operate the pipeline specified in his licence,
>
> may, if he is of the opinion that the pipeline may be operated with safety, by instrument in writing served on the licensee, consent to the commencement or resumption, as the case maye be, of operations.
>
> (2) A consent under subsection one of this section may be given subject to such conditions, if any, as the Minister thinks fit and specifies in the instrument of consent.
>
> (3) The Minister may, by instrument in writing, served upon a licensee, from time to time vary any conditions subject to which a consent under subsection (1) was given to that licensee or attach additional conditions to such a consent.

A licence has not been issued for the existing pipeline.

Mr Hills: A licence will be issued for construction of the pipeline.

Mr OSBORNE: According to the Pipelines Act of 1967, when the pipeline has been constructed the Minister must issue a licence to operate it. I refer the Minister to subsections (2) and (3), which I have already read. I ask the Minister to study them carefully.

Mr Hills: I have. You are trying to get yourselves off the hook because the Hon. Wal Fife did not do it.

Mr OSBORNE: I think we must agree with the Minister that he cannot act on that until he has an application in writing served on him, as provided for in section 25 of the Pipelines Act. I have spoken of the need for natural gas in Bathurst and I appeal to the Minister to heed my plea. I think he will. Bathurst wants natural gas, but does it want it at any price? Bathurst city council, as the Minister would know, has made submissions in the matter. Before I read those, it is fitting that I read from a statement this week by the Australian Gas Light Company:

> The Australian Gas Light Company has stated it has not refused natural gas to country centres. It has been offered, and is still available to producers if they are prepared to meet their own costs of transmission.

The Bathurst city council has always been willing and prepared to enter into a contract with the Australian Gas Light Company for the supply of natural gas. It is of significance that, notwithstanding the correspondence between council and the Australian Gas Light Company, the only reply that council received to its letters was on 7th April, 1976, when telephone advice was confirmed by letter to the effect that the Australian Gas Light Company was not in a position to provide a draft contract.

Mr Hills: What date was that letter? Was it April, 1976?

Mr OSBORNE: It may be. The letter went on to say:

> The council thought that if there is any undue delay in commencing, the cost will escalate at such a rate that the lateral will never be constructed.

I am emphasizing the urgent need for natural gas to be extended to Bathurst and to other areas. I refer particularly to Bathurst, which has the problems I have described. I ask the Minister to examine the 1967 Pipelines Act, especially the section to which I have referred. I ask him to appreciate that the cost of this gas will be of vital importance to the country areas of the State. The Minister has foreshadowed amendments. I believe that we also shall be proposing amendments, which will permit the Government to subsidize the gas in the event of the cost increasing, as feared by the Bathurst city council.

It has been argued that country laterals could be uneconomic. It has never been contended that they would be economic, and I doubt whether many services in the energy field when extended to the country could stand alone economically. If that principle were adhered to, the population would never have moved across the Blue Mountains and should still be concentrated on the coast. The country councils have never argued that, standing alone, this would be an economic exercise. Indeed, the reimbursements made by the Commonwealth Government take into account that the smaller States are less able to stand on their own feet and, with the concurrence of the larger States, the smaller States are given a bigger *per* capita reimbursement from the national income. Of course, it is not all one way, because in the field of public transport the country areas are subsidizing city transport to a degree.

Although these particular laterals might not be economic at the moment, in the course of time they will prove to be economic. That is why I am asking the Minister to look at some sort of subsidy scheme, so that an opportunity will be given for the

build-up in the use of natural gas. Some figures I have show that in the first year the Bathurst council expects to use 3 600 000 therms, and by the eighth year this will have increased to 4 080 000 therms. It must be appreciated that we live in a period of infiation. Whatever is done there will always be inflation of some sort. The capital cost today must be related to the future use, for the picture in ten years' time could be completely different. Once the pipeline is established at a basic cost, we expect the volume of gas carried by it to increase. As it does, it will go through the pipe that was constructed at an initial cost. The economics of the capital outlay now must be considered in the light of how things will balance out over the years. Also, the capital cost of providing natural gas should be compared with the capital cost of providing other forms of energy, which also will rise in cost. I ask the Minister to look at that aspect.

At the moment the basis might look uneconomic, but the country people admit that they have never claimed that, standing alone, the supply of natural gas to country areas will be economic at the present time. However, they wntend that in, say, ten years it will be found that the economics of these pipelines will adjust themselves. If costs continue to increase as they have with the existing pipeline, these laterals would probably not get under way without some form of subsidy. The council has stated that the cost will increase to such a degree as to ensure that they will never be constructed.

Many aspects of the bill have been discussed, but I have concentrated on this particular part of it. I have put as clearly as I can my arguments for the people in the area I represent. I know that the Minister is aware of some of the problems we face, but I wish to refresh his memory and to appeal to him to get natural gas to Bathurst. I suggest to him that the 1967 Pipelines Act is probably the only means by which he can do it, although there might be some clause in this bill that would enable him to do so. I notice that the Minister has foreshadowed an amendment at page 7, line 24, where he proposes to insert "(3) except as provided in section 14, nothing in this Part authorizes anything to be compulsorily acquired." I thought that the Minister was going to take the powers of acquisition as a threat to having the gas provided there.

Mr Hills: No, the honourable member should look at the amendment proposed for page 9.

Mr SPEAKER: Order! The honourable member for Bathurst has the call.

Mr OSBORNE: I have suggested to the Minister that we want natural gas in Bathurst, and I appeal to him to supply it. I have asked him to study the Pipelines Act, and also to bear in mind that, if costs continue to rise, natural gas could price itself out as a fuel that we need. Therefore, I ask the Minister to make provision, in whatever he does in his final plans for country laterals, for some form of subsidy, if it is required. We hope that it will not be required but, if it is necessary, we ask him to subsidize these country laterals because I think in the long term he will find that the economics will be in favour of natural gas.

Mr KEANE (Woronora) [4.8]: I am glad to have this opportunity of speaking in support of the Energy Authority Bill, which probably is one of the most important pieces of legislation to be introduced during this session of Parliament. I was interested to hear the honourable member for Bathurst say that the Bathurst people needed natural gas; if that is so, I shall be interested to see the way he votes on this bill. One way to get natural gas to Bathurst is to support the measure, so no doubt he and his colleagues from the Country Party will cross the floor when a vote is taken.

I congratulate the Minister on presenting the bill, and on the illuminating way—if one might use that term—he outlined its provisions during his second-reading speech. The Minister certainly shed a great deal of light on the hitherto shadowy reasons why the former Government, whose Minister for Mines and Energy failed to ensure that the Australian Gas Light Company would be legally bound to carry out the condition of its licence that required it to build the laterals to the nominated country towns at the same time as it constructed the main trunk route. It certainly has been clear indeed, as the Minister said in his brilliant expose, in which he spotlighted the glaring administrative deficiencies of the Liberal-Country party Government, that although the Australian Gas Light Company had given a verbal undertaking that it would build natural gas pipelines to Wagga Wagga, Cootamundra, Cowra, Orange, Bathurst, Lithgow, and Queanbeyan in conjunction with the main pipeline, the Liberal-Country party Government did not bother to ensure that this verbal undertaking was subsequently confirmed in writing. One can easily understand why the honourable member for Young, who was previously Minister for Mines and Minister for Energy, delivered such a devastating and withering attack upon the bastion of private enterprise, the Australian Gas Light Company, immediately following his leader's pathetic attempt in his speech to protect and to excuse the obvious lack of faith by the Australian Gas Light Company.

It must have been extremely humiliating for the Leader of the Opposition to find his support speaker and former Minister of the Crown castigating the same private-enterprise company that he had previously attempted to defend. Of course, it shows that the Leader of the Opposition's time is fast running out. He is soon destined to be replaced by either the honourable member for Wollondilly or the honourable member for Fuller, depending on who provides the majority of free drinks in the members' bar. Never had I heard before a senior spokesman for the Opposition completely cut away the ground from under the feet of his Leader as the honourable member for Young did so succinctly and successfully in his speech on this bill. That highlights the deep division that exists between the Leader of the Opposition, representing the Liberal Party faction of the ramshackle coalition, and the Country Party members, who were dismayed and disgusted with the Leader of the Opposition's attempted whitewash of the Australian Gas Light Company's refusal to honour its agreement to supply gas through lateral pipelines to country areas.

No matter how much the Leader of the Opposition might attempt to confuse and to disguise the issue, the irrefutable fact is that the Country Party and the country people have been flagrantly sold out by the Australian Gas Light Company. That is why the honourable member for Young delivered his blistering attack on the Australian Gas Light Company, an attack that received headline prominence in city and country newspapers. It is obvious. that this is a pointer to the beginning of the end of the Liberal-Country Party coalition. It is impossible at this stage for members of the Country Party to serve two masters with a clear conscience. They are on the horns of the proverbial dilemma. If they rally behind the Liberal Party leader of the Opposition in defending, as he has done, the indefensible attitudes of the Australian Gas Light Company, they will be selling out the interests of the country people who live in the towns they represent.

If the Country Party is to have any chance of survival, it must repudiate the Leader of the Opposition's defence of the Australian Gas Light Company and support the provisions of this bill. That is its one and only remaiing hope whereby country people may still obtain their natural gas lines. It will be most interesting—indeed, it will be fascinating—to observe what part the Leader and Deputy Leader of the Country Party direct their members to play. I am certain that some of the Government supporters representing country electorates, such as the honourable member for Burrinjuck, the

honourable member for Monaro, and the honourable member for Blue Mountains, will be observing the stand of Country Party members with keen anticipation, and will lose no time in relaying the message to the people of the country districts.

Mr Webster: On a point of order. You have ruled on this matter before. Since the honourable member for Woronora got to his feet he has read, meticulously and precisely, every word he has uttered. He is reading a prepared speech.

Mr Keane: On the point of order. It has been ruled on many previous occasions that an honourable member may refer to copious notes when he is speaking. That is exactly what I am doing.

Mr SPEAKER: Order! I accept the assurance given by the honourable member for Woronora. I am sure that he will refrain from reading a speech, which could have been prepared by persons outside the House, thus giving them an opportunity to speak in Parliament.

Mr KEANE: It is interesting to see that my words have stung the Opposition. Honourable members opposite are now taking points of order. The proof of the pudding will be in the eating; that will be when they vote, and when they go back to their country electorates and declare themselves. Members of the Opposition representing country electorates are not terribly interested in the outcome of the debate. They are not even present in the House. No doubt the honourable member for Burrinjuck will convey to the country people their attitude in this regard.

The extravagant—one might even say hysterical—phrases with which the Leader of the Opposition attacked the provisions of the bill are indicative of the typical knee-jerk reaction of that honourable gentleman whenever he is confronted with legislation that embodies the possibility of positive and immediate action. Instead of making a reasoned and dispassionate analysis of this most important bill, the Leader of the Opposition went into this now entirely predictable and extremely boring song-and-dance routine. He thumps the table. He froths at the mouth and shouts "Socialist legislation". His supporters parrot his cry.

[Interruption]

Mr SPEAKER: Order! I call the honourable member for Hornsby to order for the first time.

Mr KEANE: The Leader of the Opposition has used such colourful hyperbole as "a monstrous plan to nationalize the energy industry". He then went on to say that the general purpose of the bill is quite welcome. He affirmed that the State needs an energy authority to look at the long-term energy needs of New South Wales, and that his government had announced that it would bring in a bill to establish such an authority. He claimed that the former coalition government had planned to do something along these lines. How inconsistent can the Leader of the Opposition become. On the one hand he condemns the Government's bill as a piece of socialist legislation and a monstrous plan to nationalize the energy industry and, on the other, states that the Opposition is in favour of such a bill—and indeed that it intended to do something similar itself. These are sentiments, of course, that typify the complete lack of energy that characterized the conduct of members of the Opposition when they were in Government. If there were ever a need for some authority to put energy into the members of the Opposition, it was when they formed the Government of New South Wales.

The Leader of the Opposition in his second-reading speech also put forward the extraordinary proposition that he was doubtful whether the proposed Energy Authority should be under the control and direction of the Minister. It is incredible

that the former Premier, admittedly although Premier for only a short period, should put forward a proposition that a Minister of the Crown, responsible to this Parliament, should not direct and control the Energy Authority proposed to be established by this legislation. Who else but a Minister responsible to this Parliament is fitted to direct and control a State-wide energy authority? Does the Leader of the Opposition suggest that the general manager of the Australian Gas Light Company should be the person to control it.

What evidence does the Leader of the Opposition put forward in support of this proposition that the real purpose of the legislation is to nationalize the energy industry? The only statement of his I could find in support of his argument was that the bill proposes that a member of the Labor Council of New South Wales should be appointed to the authority. Therefore, ***ipso facto,*** according to the Leader of the Opposition the bill becomes a secret weapon that will overnight convert the energy resources of New South Wales into a nationalized undertaking. I put it to the Leader of the Opposition that he has not studied the bill or if he has, the details of it have not registered on his paranoia-clouded mind. Does the Leader of the Opposition seriously suggest that an energy authority consisting of persons designated in the bill would be a secret weapon that the Government would use to nationalize the energy industry? The Leader of the Opposition only makes himself sound ridiculous by putting forward such a puerile proposition. The people designated in the bill are pillars of the establishment who, no doubt, would bitterly resent the Leader of the Opposition's baseless charge. I suggest that the honourable gentleman should for a brief space of time at least divest himself of his colourful histrionic phrases which, though possibly entertaining to the uninitiated, are completely at variance with the facts.

The Leader of the Opposition should commit himself to a study of the energy crises that face this State. He disputes that the provisions contained in this bill are essential for the protection and fostering of the energy resources of this State. I shall enlighten him as to the paramount importance of energy and energy resources, not only to the citizens of New South Wales, but indeed to all peoples, wherever they may reside. Research shows that, next to food, an adequate supply of energy is the most urgent problem facing mankind. The whole economy of Australia rests upon an enormous consumption of energy. The energy consumed in industry, transportation, heating, domestic uses, et cetera, is increasing at the rate of 6 per cent each year. World use of fossil fuels is now a hundred times faster than it was a century ago, and one million times faster than the rate at which they were formed. For example, a nomadic Australian Aborigine used energy at a rate equivalent to the constant burning of a single 100-watt light bulb. Today, an Australian uses energy equivalent to the continuous burning of about six 1,000-watt radiators. I suggest to all honourable members that they read Professor Charles Birch's brilliant book, ***Confronting the Future —Australia and the World During the Next 100 Years,*** if they wish to glimpse the problems and the crises that will face this nation in the years ahead. Professor Birch has written that the non-renewable capital stocks of fossil fuel are dwindling at the fastest rate in history. The biggest user of fossil fuel is the United States of America where the average growth rate of consumption of energy is ***6*** per cent per annum. Paradoxically, more than 2,000 million people in developing countries do not yet have electricity.

The ten major industrial countries account for 75 per cent of the world's energy consumption. The United States of America alone consumes 35 per cent of the total energy produced and already imports **30** per cent of its oil needs.

Mr Webster: Still reading.

Mr Keane]

Mr SPEAKER: Order! I call the honourable member for Pittwater to order for the first time.

Mr KEANE: If present trends in world consumption of energy continue, energy usage will double at least every fifteen years. The second report of the Club of Rome recommended that the developed world should accept limits now on *per capita* use, not only on oil, but on other fossil fuels as well. Australia, as Professor Birch points out, is an energy-rich country with a per *capita* average of fossil fuel reserves six times that of the world average. This is largely the result of our extensive coal reserves. Natural gas reserves are seven times larger than those of oil.

Australians are amongst the highest users of energy in the world, exceeded only by the United States of America, Canada, Sweden and the United Kingdom. Between 1963 and 1973 the consumption of electricity in Australia nearly doubled. Consumption a customer increased during that period by 60 per cent and most of this increase was in domestic use. Suppliers of electricity have to plan on a doubling of output each decade. Petroleum accounts for 50 per cent of the total energy use, with natural gas taking an ever-increasing share of the market. The total consumption in Australia shows a high average rate of increase of energy use of 6 per cent per annum. The major consumer of primary energy in Australia is industry, followed by transport, domestic and commercial users, and then agriculture. In the district of Sydney, it has been estimated that industry uses 36 per cent of primary energy, transport 29 per cent, commercial and domestic users 8 per cent, with loss in reticulation of 19 per cent.

Mr Schipp: On a point of order. Mr Speaker, a short while ago you ruled that the honourable member should not continue to read from copious notes. However, since that ruling—with the exception of a short, dramatic outburst—the honourable member for Woronora has read expressly from notes.

Mr SPEAKER: I invite the attention of the honourable member for Wagga Wagga to decisions of the late Sir Kevin Ellis, in particular on Standing Order 123 which allows a member to read from notes when discussing a highly technical subject. I have listened intently to what the honourable member for Woronora has been saying and he has been quoting percentages, periods of time and other technical matter. So far the honourable member for Woronora is quite in order.

Mr KEANE: Undoubtedly when the honourable member for Wagga Wagga has been in this House a little longer he will be aware of these rulings. In the meantime I suggest that he might do well to study them before taking frivolous points of order. I can understand that he would be upset. Soon he will be put to the test by having to vote. He will then learn that points of order will not save him. It will be interesting to see whether the honourable member will put his money where his mouth is. Australia is a country rich in terms of energy resources, and an extravagant country, in terms of the energy use a person. Half the energy at present consumed comes from Australian oil, but that source will last only about another ten years. Professor Birch states that Australia is part of a world where there will be energy shortages and international pressure will largely determine prices. He predicts that the 6 per cent rate of increase of energy consumption a year cannot continue. The immediate problem is the replacement of the 50 per cent of energy derived from oil, and used mainly in transportation. Professor Birch refers to the energy options for Australia and mentions three possible courses of action which are now under serious consideration in other countries, particularly the USA.

The first would allow the use of fossil fuel to continue to increase at about 6 per cent a year with costly development of all possible energy sources. This would mean that oil in Australia would run out after a decade. The second course,

provides for the reduction of the rate of increase of use of fossil fuel to about half the expected rate in the coming decades. This would involve sweeping applications of energy saving technologies and policies designed to reduce demand. The third option is zero energy growth, in which the total use of energy in Australia would grow only slightly, levelling off to zero at about the year 2000. It would be associated with zero population growth and reduction of growth in industries producing consumer goods. Zero energy growth would not imply zero economic growth, for there would be plenty of scope for growth in services.

Professor Birch suggests that we should be asking ourselves just how much of our energy consumption is necessary, and how much it could be reduced when compiling real needs. He refers to our present modes of transportation as being extremely inefficient, particularly the motor car, which averages only eleven passenger kilometers a litre of fuel.

Mr Pickard: On a point of order. For the past four minutes the honourable member has continued to read from his notes and has quoted only one figure. He has been talking of the concepts of Professor Birch. We do not know whether the honourable member is quoting Professor Birch in full or in part. However, we do know that despite your ruling and recommendation to the honourable member that he should read from his notes only when complicated facts and figures are concerned he has not done so. In the past four minutes the honourable member has quoted only one percentage figure as a means of illustrating his point. I suggest that you direct him to refrain from reading.

Mr SPEAKER: The point of order taken by the honourable member for Hornsby has some merit. However, over the past few years there has been some flexibility and tolerance with regard to members using their own words to address the House. It is most important that honourable members should address the House in their own words and not from speeches that could have been prepared for them by someone else. Therefore I ask the honourable member for Woronora to use his own words in addressing the House and therefore not give the opportunity to someone outside the House to have his words used in the Chamber.

Mr KEANE: It is interesting to observe that what I have said has got under the skin of members of the Opposition. They are not interested in the energy problems of New South Wales; all they do is take captious points of order in an endeavour to shut me up, but they have not succeeded.

Mr Sheahan: They are like Laurel and Hardy.

Mr KEANE: We do not know where Laurel is but we certainly know that Hardy is on the Opposition benches. Professor Birch suggests that our priorities should be to curb energy consumption, intensify the search for oil and gas and develop solar energy. He says that Australia could then aim to cut by half its rate of growth in the use of energy in the decade ahead. I suggest that the problems, their solutions and the options available to Australians—particularly the citizens of this State—have been outlined clearly by Professor Birch. The bill, which proposes to constitute an energy authority for New South Wales, is the first and one of the most important steps in the sensible development, utilization and conservation of energy and energy resources in New South Wales.

Mr Schipp: It is a form of nationalization or socialism.

Mr KEANE: The honourable member for Wagga Wagga interjects and talks about nationalization and socialism. Opposition members put forward the same parrot cry—talk about a knee-jerk reaction. For a change, they ought to come up with some reasoned arguments, instead of giving the same old parrot cry. After they stop

saying nationalization and socialism, they will be bereft of all reasoned arguments; that is the only parrot cry they can come up with. If the Opposition is at all concerned about providing the impetus for a better way of life for the citizens of this State, it should not be involved in hysterical and carping criticism of the provisions of this bill; it should not be referring to it as a plan to socialize and nationalize the fuel industries. On the contrary, it should be supporting the bill and giving credit to the Minister for Industrial Relations, Minister for Mines and Minister for Energy for his undoubted perspicacity and personal energy in bringing the bill before the House. I wholeheartedly and unreservedly support the bill.

Mr WEBSTER (Pittwater) [4.33]: I should like the honourable member for Woronora to go to the Clyde refinery at Meadowbank right now, make contact with the shop steward of the Amalgamated Metal Workers Union, and say to him: "I have just congratulated the Minister for Industrial Relations, Minister for Mines and Minister for Energy for bringing down a bill under which he can direct you to deliver fuel into the tanks of the service stations of this city. If you fail to comply with my order, you will be fined $1,000." Government supporters purport to represent the trade union movement; they purport to be its spokesman in this House. It is interesting to note that during the early stages of the Minister's second-reading speech last Wednesday, not one Government supporter was willing to come into this Chamber and back up the Minister. We know about the feedback that is coming through, thick and fast, from the trade union movement—indeed from many other people—to the effect that the Government is not happy with this bill. This measure will become known as the natural gas bill—goodness knows for what reason. The honourable member for Bathurst said that it is now a matter of urgency that natural gas should be provided to Bathurst —and so it is.

Mr Schipp: It was urgent three years ago.

Mr WEBSTER: I agree. I have a great personal affection for the Minister. He is a such a nice fellow that he went down the line and said: "I want you fellows to come up with an energy bill. What can you come up with?" They came up with something. When a similar measure was shown to the previous responsible Minister he said, "Get that out of here". Though this Minister has bought the bill, neither he nor the Government has read it.

Mr Keane: It is obvious that you have not read the speech made by the honourable member for Young.

Mr WEBSTER: The provision of natural gas to Wagga Wagga, Bathurst and Lithgow is urgent. Since the late 1960's, largely due to political interference a feeling of expectancy has been planted in the minds of the people of Wagga Wagga, Lithgow and Bathurst that they were to get natural gas. Before the last State elections the Premier trotted off to Wagga Wagga and said the same thing; he told the people of Wagga Wagga that they would get natural gas in 1977. The Minister at the table knows as well as I do that the people of Wagga Wagga will not get natural gas in 1977.

Mr Hills: That would be impossible.

Mr WEBSTER: In the election campaign the Premier went down to Wagga Wagga and told the people that he would get them natural gas. Look at what happened with the firm of Albaware and the promises that were made to it. We ought to be taking notice of history and we should stop this nonsense. People should not be told that they are to get natural gas this year, next year or some time in the future—or perhaps never. The other night Mr Krummell, manager of the Wagga Wagga gas undertaking, was in the gallery here. Mr Krummell has said that his firm had seen

the way things were going and he had rebricked his kiln. It may be that the Minister will serve the people of Bathurst, Wagga Wagga and Lithgow better by telling them the same sort of thing. Though he has now admitted that natural gas will not be available in Wagga Wagga in 1977, the Premier said that it would be available in that city by then.

Mr Hills: I never said that it will be available then.

Mr WEBSTER: That is another indication of how the Government is divided. I ask honourable members to consider the history of the matter. Not many people in this community, in this Parliament, in other Parliaments—or in the private sector, if you like—would be proud of our development of energy as a whole, particularly natural gas. Nobody can say with pride, "I have contributed to the development of natural gas." The Opposition is being kicked in the pants about raising the issue of nationalization and socialism, but the people who make that criticism obviously have not read the bill. Clause 12 sets out the functions of the authority. One function is "to carry out such investigations relating to the locating and the development, extraction, provision, transportation . . ." If that is not socialism in respect of gas producing and distributing undertakings I should like to know what it is.

In the late 1960's and the early 1970's there was a great deal of excitement in the community. Explorers and developers were at work. They were drilling in the Amademus Basin and the Cooper Basin; they were drilling in Bass Strait and on the North-West shelf. However, in the early 1970's Rex Connor got his hands on a federal petroleum and mineral bill. In the process he terminated the exploration subsidy and tax deductions for share subscriptions; he banned farm-ins; he imposed a 25 per cent bank deposit freeze on overseas funds; and he terminated the tax exemption for petroleum dividends up to the amount of capital expenditure. In addition, he decided to acquire the North-West shelf gas at the well head. He forbade the building of the liquids treatment plant at Redcliffe in South Australia, despite the protests of Mr Dunstan. If we want co-ordinated energy development, one needs the people who are expert and are willing to put up the money. We all know what happened after Mr Connor's legislation: these projects were closed. Much has been said about natural gas from the Cooper Basin, but the fact is that the Cooper Basin can give a guarantee to provide natural gas for up to only ten years. Back in the days before political meddling the gasline was to be built and gas made available to Sydney for a cost of $155 million. More than $400 million has been spent, representing $200' million by the private sector and $223 million by the Pipeline Authority. I ask the Minister to visit Moomba and have a look at the $100 million that has been spent there.

Mr Healey: He has not been there.

Mr WEBSTER: No, he has not been there. Although $400 million has been spent the people of Sydney are still unable to turn on the jet for natural gas.

Mr Healey: It is not even in Sydney.

Mr WEBSTER: It will not get to Sydney. Please do not start me on the sweetheart agreement between the Pipeline Authority and the unions.

Mr Sheahan: What about the sweetheart agreement for local government?

Mr SPEAKER: Order! The honourable member for Pittwater has the call. Any other member wishing to participate in the debate may seek the call.

Mr WEBSTER: The shame of it is that all this time has passed and this large amount of money has been spent without anyone receiving satisfaction. The Minister, who is supposed to be a responsible person, will repeat the whole process all over again.

Earlier I read to the House some sections from the federal Act, which provides also for the following powers: to explore, to recover, to refine and to manufacture petroleum. These provisions have frightened hell out of the oil companies and the oil explorers—the persons prepared to put up risk capital. If anybody is willing to put up $100 million of risk capital for the development of energy in Australia, he deserves some consideration from a government. However, the bill will have the same effect on the oil and gas instrumentalities in Australia as did the federal legislation.

The Opposition has been accused of adopting a pretty hard line with the measure. In 1973 Sir Robert Askin announced that the Government at that time wanted an energy authority established in New South Wales. Of course we want an energy authority, but the one that we should be looking for would be an authority that would increase exploration for petroleum and natural gas on-shore and off-shore, with early efforts to establish the ultimate reserves of the Cooper Basin. The ultimate reserves of that basin are not known. Further, an energy authority should investigate and evaluate known coal deposits. The report presented in 1973 states that an investigation of coal deposits was urgent. The proposal was to conduct a detailed investigation into the final uses of energy to determine whether any rationalization is needed, and so on. That sort of role is acceptable to the Opposition. That emanates from Mr Dunstan's Government in South Australia. I refer the House to a letter from the Minister for Industrial Relations in Western Australia which is in these terms:

> You will appreciate that this Commission has no statutory authority to indulge in exploration or development on its own in the fields which you have mentioned and from the enclosed copy of the most recent annual report of the Commission you will see that there is a clear statement of the role which the Commissioner plays in the affairs of Western Australia.

The Opposition would welcome a body that would work in conjunction with others in exploration, initiate research and offer assistance where money was needed for the development of energy resources in New South Wales. The Opposition does not accept the provisions that the Government will control, direct, acquire, and dispose of. That is not its business and the sooner we wake up to it the better we shall all be. The Minister has lost a great deal of credibility. Recently I attended the Institute of Fuel convention at which the Minister for Mines and Minister for Energy made a good speech, which was applauded by all present. They felt that here was a man who would encourage the sort of thing that I have just described. The Minister told that convention all about the great interstate exchange across the border. He said "We are going to run electricity into Victoria and New South Wales will receive that State's gas in exchange." Those attending the convention said that this was wounderful; it represented one of the early breakthroughs in the broken-gauge syndrome, which the Minister discussed in this House. In the process of making those statements the Minister did not say that he intended to acquire, control and direct the fuel industry. On leaving that conference the Minister was interviewed.

Mr Hills: The honourable member tried to stand behind me and get on to television.

Mr WEBSTER: No.

Mr SPEAKER: Order! The honourable member for Pittwater will ignore interjections.

Mr WEBSTER: I did not like the lighting. I want to inform the House what the Minister said when he was being interviewed by the Australian Broadcasting Commission. It is one of the big traps. That same night the interview was televised in

Victoria, particularly Melbourne. Watching Channel 2 in Melbourne on that night were men named Hamer, Neil Smith, Balfour and Clyde Holding, who said "It is not on". It was seen as a trade union sprag. Mr Holding saw the proposal as an intrusion into the industrial affairs of Victoria. The Newport power-house did not require the interference by the Government of New South Wales. More important, the Minister told the Parliament during his second-reading speech that he would provide peak-period electricity—I think 250 megawatts was the figure—to Victoria.

Mr Hills: It was 350 megawatts.

Mr WEBSTER: That was in exchange for natural gas.

Mr Hills: Who said that?

Mr WEBSTER: You did. This is what was presented on the Australian Broadcasting Commission television programme. The Minister was too busy worrying about whether I would appear on television when he should have been concentrating on the interviewer's questions. Mr Hamer was going on what emerged at the interview and he said: "That is most interesting. I have been in touch with the New South Wales State Electricity Commission and it has informed me that it cannot provide any power to Victoria during peak-load periods."

Mr Hills: If he said that, he was incorrectly informed. Dream on.

Mr WEBSTER: A further interesting thing he said was that natural gas would not be available further north than Albury, and that Bass Strait natural gas would certainly not be available to Wagga Wagga.

Mr Hills: Are you happy about that?

Mr WEBSTER: I am not willing to mislead the people further, which is what the Minister is doing. The Minister proposes to bring natural gas from Albury to Wagga Wagga. He sold out Bathurst and Lithgow.

Mr Schipp: And Cootamundra.

Mr WEBSTER: The Minister is prepared to use the expedient of bringing Bass Strait gas to Wagga Wagga with no regard whatever for the honourable member for Burrinjuck. The Minister asserts that he is well versed in the subject of natural gas. He said in his second-reading speech that it was intended to hook up the Albury–Wagga Wagga line to the Young 34-inch main; there would be a reciprocal arrangement. He foresaw a reciprocal arrangement being possible to minimize the effects of breakdown. During a loss of supply of natural gas in either Melbourne or Sydney it would be possible to feed from one line to the other. The Minister does not need to ask the Australian Gas Light Company, for the Pipeline Authority will tell him that it is technically impossible. Anyone who has put a nozzle on a hose would understand what happens when pressures are increased or decreased. This applies when a 12-inch main is connected to a 34-inch main with a pressure of 1 000 lbs a square inch.

The Minister has lost a lot of credibility by presenting this bill to the Parliament. He has taken guidance from what he has seen written in the history books. Unfortunately, the Minister has not taken heed of what happened in the federal Parliament in the **early** 1970's or taken a good look at what this **sort** of legislation **did** to the whole energy scene in Australia. The Minister probably does not know that

private companies are well aware of fuel shortages, the need for rationalization and for a programme of education to encourage people to use one fuel for one reason and another fuel for a different reason. Clutha and British Petroleum came to a deal because they wanted to marry two technologies, coal and petroleum. They were aware that there had to be some sort of rationalization. They did not need the Government to tell them what is required in the energy business. This bill is one of the most important pieces of legislation to come before the Parliament.

Mr Sheahan: Now you are coming to the bill.

Mr WEBSTER: Not one member on your side has spoken on the bill. Nobody wants to talk about it. Government supporters know what will happen. A large body of members on the Opposition side wanted to speak on the bill and to make valid points, and a good deal of time and effort was put into preparation of the amendments. We are not sitting here with our eyes closed. We know what will happen. We know the guillotine will be applied within an hour, thus curtailing proper discussion and requests for amendment to the bill. This distresses me.

Let me go to the beginning, The bill is called the Energy Authority Bill. It will be declared invalid in the first challenge made to it in the court. Energy cannot be defined as loosely as it is in this bill. That is the first point. Will the Minister give consideration to appointing the Chief Commissioner of the Public Transport Commission, not the chairman of the Electricity Commission, as chairman of the authority, on the ground that transport accounts for 98 per cent of the whole business of the energy industry? Why it is logical to appoint the chairman of the Electricity Commission as chairman of the authority?

Mr O'Connell: You say 98 per cent of the business is transport? No.

Mr WEBSTER: How much a tonne is wal? The honourable member for Peats is so ignorant that he would not understand the argument. The Opposition proposes a number of amendments. Many of the provisions of the bill worry us, though we commend parts of it. We favour the establishment of an energy authority but we do not want a star chamber court set up. The authority will have all the powers of a fully fledged court, almost those of a Royal commission, the Industries Assistance Commission or the Corporate Affairs Commission. I do not see why somebody engaged in legitimate business should be called as a defendant and have to front up to the inquiry. There is no provision for an appeal, but there is provision for a fine of $1,000, which can accumulate to $7,000. Then there are the emergency provisions. Perhaps the honourable member who is seeking to interject will join the honourable member for Woronora and trot out to Meadowbank to tell them what the Government has done. In 1976 the Minister for Industrial Relations has come forward with a heavy-fisted piece of legislation that will push the trade union movement around.

The Opposition's proposed amendments to this bill are worth while. We do not want to mess around with the structure of the authority. It can be argued that the authority is too big or too small. It will be too small if it is out on its own, and too big if it is built up into a great bureaucracy and other departments grow round it. The Minister might build another huge department under the authority. We of the Opposition do not like the phrase "to carry out such investigations" in reference to asking somebody to plan the locating. Why not "assist in and plan"? Let the Government put out its hand to the people who have the expertise and the money. No provision has been made in the Budget for the pipeline. The money will have to come from someone and somewhere. Why not meet them half-way? There is money in it. We reject entirely

paragraph (d) of clause 12 (1): "To acquire and dispose of energy and energy resources for operations connected with the locating . . . . Such a provision should not be put on the statute book. Paragraph (b) of clause 13 (1) provides that the authority may:

> . . . carry out, or commission the carrying out of, such inspections, tests, investigations, surveys, experiments, boring, drilling and exploration as it considers necessary or desirable . . .

Mr O'Connell: You said that was not in the bill.

Mr WEBSTER: Your mind is as cloudy as that of the honourable member for Woronora. With respect, some of those words should be deleted, namely, surveys, experiments and boring. In other words, the Energy Authority should be able to carry out inspections, tests and investigations, but it should not become involved in the practice of mining or production of gas. The Minister talks of gas producing. He has his eyes on the Australian Gas Light Company and the gasworks at Bathurst and Wagga Wagga, but he forgets that Shell Oil and Caltex are gas producers, as are some of the coalmining interests. The whole of New South Wales is afraid of the possibility of extension of this legislation. We welcome it because it is the sort of bill that will get us back into government. Wait until it hits the boards.

Paragraph (d) of clause 13 (1), provides that the authority may maintain a central pool of information. That is splendid. The whole industry will be able to refer to this pool. The authority may promote and co-ordinate the locating and the development, and certain other things. The Government has used the word "promote", but it appears nowhere else in the bill. This is a little sortie into socialism. Paragraph (j) of clause 13 (1) provides that the authority may formulate proposals for requiring the provision of certain proposals. The Opposition asks that the terminology be changed to read "formulate proposals for assisting with the provision". This is a very important change. There is no doubt that the bill will be challenged in the courts, and when it is, that provision will be summarily rejected.

Paragraph (k) of clause 13 (1) provides that the authority may acquire a gas-producing or distributing undertaking by agreement. Paragraph (1) of clause 13 (1) provides that the authority may:

> . . . formulate proposals for the compulsory acquisition by the Authority of a gas producing or distributing undertaking and proposals in respect of any compensation that may be payable to any person affected by that compulsory acquisition;

They are dreary words, but not socialist words. They have nothing to do with nationalization. Paragraph (m) provides that the authority may:

> . . . undertake, or cause to be undertaken, the construction of works or apparatus to be used for or in connection with the locating or the development, extraction, provision, transportation, distribution, conservation or utilisation of energy or energy resources;

And paragraph (n):

> . . . maintain and operate any undertaking constructed or acquired by it under this or any other Act.

We should like to have that whole block omitted and to insert this phrase: "to maintain and operate any energy or producing undertaking which provides essential service or essential commodities in the event of that undertaking ceasing permanently to carry

out such operations". In other words, we want the Minister to have power to go in and to help Bathurst if its gasworks break down. He should have authority to assist gasworks. It is wrong to give him *carte blanche* to go in and take over.

Clause **14,** which deals with acquisition of land, is interesting. It provides that sections **34, 35, 36** and **37** of the Public Works Act do not apply in respect of expenditure on any works constructed in pursuance of this Act, though section **38** of that Act does apply. The effect of the clause is that if ordinarily in respect of expenditure a proposal would have to come before this Parliament for consideration, those parts of the legislation do not apply. Guess who will authorize the expenditure, and authorize it singly? The Minister. He will not know what the Premier is doing; the Premier will not know what he is doing. He will not know what the Premier is saying; the Premier will not know what he is saying. So it is this man who is going to do the deal and sign away millions of dollars of State money.

Some honourable members who represent electorates near Lake Macquarie will remember what happened in similar circumstances in respect of Aberdare. Exactly the same sort of technique applied when Aberdare colliery had to be propped up. They wanted a gasworks, and they got it. Maitland and Cessnock get their gas, but the honourable member for Lake Macquarie ought to sniff around and ask his constituents, who are ratepayers in the Lake Macquarie shire, how much they are paying for that stupid action of a socialist government.

There are other parts of the bill to which we take exception. Clause **14** (4) is one of them. We do not see any reason for clause **14** (5) which, in relation to the acquisition of land, provides that for the purposes of clause 14, and not otherwise, schedule 2 will have effect. An energy authority should not be involved in public works, should it? An energy authority should exist to advise, to promote, and to encourage people to do certain things, but not to get involved in the building business. We do not see any objection to the inclusion of provisions to enable the authority to conduct inquiries, but we cannot abide the provision in part V which is designed to allow such a court to be established with such powers, giving a defendant—as he is called—no right of appeal and making him liable to such a heavy penalty.

In Committee we shall propose an amendment to the emergency provisions of the bill. Perhaps it is fortuitous that the bill comes forward at a time when there is a petrol shortage. I should have thought that in this year **1976** we were further along intellectually and would have been able to take a look at emergency powers as one thing and the need for an energy authority as another. I should have thought we could have looked at the community as a whole, and at the need to protect it, and treated that as a matter distinct from the establishment of an energy authority. The fact that there is a petrol shortage at the moment is one thing. If the Government wanted to make use of emergency powers, even in these circumstances, it could have acted directly. I see the possibility of grave trouble occurring when the provisions of this measure come to the notice of the trade unions at Banksmeadow. That trouble **will** run through the food industry and the liquor industry, and we shall finish up with a general strike and a complete stoppage of work—simply because of the stupidity of the Minister for Industrial Relations, Minister for Mines and Minister for Energy.

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

Mr SHEAHAN (Burrinjuck) [5.3]: At the beginning of this debate I thought the issues were clear. All I know now is that I understand the bill and like it. I believe that the Minister for Industrial Relations, Minister for Mines and Minister for Energy has done the right thing in introducing it, and I cannot understand the arguments raised against it by honourable members opposite. Towards the latter part of

his speech the honourable member for Pittwater decided to turn his attention to what he thought was in the bill—not necessarily what was in it. He talked about gas producers. The gas producers he had in mind were nothing like the gas producers on the Opposition benches who have been raving and ranting about the Government's proposal.

Mr Webster: We know who was raving and ranting.

Mr SHEAHAN: The honourable member for Pittwater had his turn. He abused the half hour available to him. He had to be directed to resume his seat because his time had expired. However, he did get one fact right, and he was so pleased about it that he kept repeating it. That was that this year is **1976.** He said that a few times.

Mr Webster: You have already said it yourself once.

Mr SHEAHAN: I have not been talking for half an hour.

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

Mr SHEAHAN: During the debate we have heard a lot about nationalization and socialization. They are emotive terms used by members of the Opposition to describe public enterprise and government involvement. I should like to know from honourable members opposite what their attitude was when the Public Transport Commission was established. I do not recall any of them suggesting that a private company ought to run our train services. I should like to know what they think about the idea of private companies running our electricity undertakings throughout the State, or our water supplies, or providing other essential services. All that is happening with the introduction of this legislation is that the Government is bringing the control of energy into **1976,** to use the words of the honourable member for Pittwater, to enable us to cope with changes in the energy situation. Although I was of tender age when the Electricity Commission of New South Wales was established, 1 am aware that the same sorts of arguments were raised by the coalition parties when the Labor Government of the day introduced that legislation. The same sorts of amendments as have been foreshadowed here were proposed then, and the same pedantic points were taken on the wording of the bill.

I noticed when listening to the debate—and I listened to all of it—that the honourable member for Young said the Government was abdicating its responsibility to the Department of Mines. I had to refer to ***Hansard*** to make sure that I heard him correctly. Where is the old Department of Transport now that its functions have been taken over by the Public Transport Commission? Where are all the governmental functions that have been given to various instrumentalities under the umbrella of a new ministerial portfolio and a new ministerial responsibility? What is the difference between an energy authority and a public transport commission in that respect, particularly as the latter was sponsored by the coalition parties when they were on the Treasury benches?

There has been much talk about the Hon. R. F. X. Connor and the policies that he implemented during the period he was Minister for Minerals and Energy in the federal Government. It is interesting to see that there are no members of the Country Party in the House at the moment. Their federal leader, the Hon. J. D. Anthony, is under attack from interests that are supporting the Country Party, and from members of the Country Party themselves, because his energy policy is now what they describe as unfortunately similar to that adopted, sponsored and implemented, as far as possible, by the Hon. R. F. X. Connor. Indeed, the honourable member for Pittwater objected to the idea that responsibility for the administration of a piece of legislation should

repose in an elected official, a Minister of the Crown—a person elected by the people of the State and given a portfolio in a government elected by those people. Where is the fault in that? Are we now getting away from a period of eleven years of government when the regulatory power in most pieces of legislation that came before this Parliament was said to be the most important provision of the bill?

We on this side of the House are not unhappy to have our Ministers responsible for decisions that are made in the interests of the community, and made in good faith, with that objective in mind. In the course of an exchange, the honourable member for Young highlighted this point in relation to the emergency powers of the bill. When the honourable member for Young was Minister for Mines and Minister for Energy he endeavoured to invoke such powers. He now says that they should not be contained in this measure. Other Opposition speakers have agreed that there is a need for emergency powers.

Mr Schipp: But in a separate bill.

Mr SHEAHAN: But in a separate bill, says the honourable member for Wagga Wagga, from which remark we see that he subscribes to the curate's egg approach --some parts are good and some are not so good.

Mr Schipp: There are lots of parts that are not good.

Mr SHEAHAN: The honourable member for Wagga Wagga has had his say. He will have to decide how he will vote on the legislation when the time comes. The honourable member for Pittwater made an extraordinary suggestion that 98 per cent of the natural resources of this country are used in its own transportation. That is an extraordinary proposition. If he had quoted the percentage used in transportation and said that a certain percentage of it was transported, we should accept that type of figure provided it was not as high as 98 per cent, but to suggest that 98 per cent of energy is used in the transportation of energy resources was extraordinary.

Mr Schipp: That is not what he said.

Mr SHEAHAN: He can make a personal explanation tomorrow. The rest of the honourable member's remarks were directed to being pedantic about the use of words in legislation. He said on one page that the authority had the power to commission inquiries and on another page that it should have had the power to commission inquiries. He went around and around this circuitous path of pedantic analysis of some of the machinery provisions of the bill.

As I said at the introductory stage, the issue here is the co-ordinated development of the State's energy sources and potential energy sources. That co-ordination is important for the good interests of the community as a whole and is vital to the stimulation of what decentralization programmes the federal Government has decided to allow to continue. The Leader of the Opposition and the honourable member for Young, as shadow minister for mines and energy in the Opposition, both said that they would have liked to establish an energy authority. Then why are we spending two or three days debating the establishment of an energy authority? At long last we have a Minister responsible for the department who has been willing to say that one of the first measures he will introduce to the Parliament will be the Energy Authority Bill. The honourable member for Young said the idea was taken from reading the Brown report. If he read the Labor Party policy over recent years he would know that we had an energy policy long before the Brown report came into being and therefore we are leading the way as far as the adoption of policies is concerned—policies that both the Leader of the Opposition and the honourable member for Young said that they would have been willing to have followed.

As I said earlier, members of all parties who represent areas that may or may not be served by natural gas under the lateral pipeline proposals will be in a dilemma. I say that because there are towns such as Yass and Queanbeyan not directly on the line and there are proposed industrial developments in Tumut and Gundagai which are not directly on the lateral pipeline as at present planned. All honourable members representing areas likely to be affected by the potential supply of natural gas will be in a dilemma when deciding how they will vote on the second reading of this legislation and on the various provisions of the bill. The honourable member for Woronora, following the honourable member for Bathurst, suggested that the honourable member for Bathurst might cross the floor because he said in his speech that the provision of natural gas——

Mr Moore: At least he could find his way across from one side of the Chamber.

Mr SPEAKER: Order! I call the honourable member for Gordon to order for the first time.

Mr SHEAHAN: At least he has more brains than to come in here with a tape recorder.

Mr Moore: I know the standing orders——

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

Mr SHEAHAN: The honourable member for Woronora suggested that the honourable member for Bathurst might cross the floor, assuming he could find his way with the help of the honourable member for Gordon who obviously will not cross the floor but will stick with the North Shore push on the Opposition benches and oppose the bill. The honourable member for Bathurst said it was urgent to get natural gas to Bathurst. If he is wondering about crossing the floor, he might remember that at one stage, before the honourable members for Wagga Wagga, Gordon and The Hills were in the Chamber, he moved urgency to discuss what had happened at Bathurst prison, and at a later stage voted against his own motion. That is rather an extraordinary record. I do not think we need be under any illusions about his crossing the floor to vote with us on this enlightened piece of legislation.

Though both the Leader of the Opposition and the honourable member for Young said that they would have been happy, had they remained in Government and in ministerial office, to have introduced an Energy Authority Bill into this Parliament and said that they would have had some different provisions in it, those two honourable gentlemen have had somewhat different attitudes during the course of the debate. As has been pointed out, the Leader of the Opposition sought to defend the attitude of the Australian Gas Light Company. The honourable member for Young sought to condemn it and attracted considerable publicity by the outspoken comments that he made about that company ceasing to command respect yet calling for the protection of this Parliament. I certainly agree with that.

The Minister at the table has twice spoken at length in this Parliament and on one other occasion in shorter terms about the history of the negotiations between the former State Government and the Australian Gas Light Company regarding the construction of the country laterals. I remind the honourable member for Wagga Wagga, who interjects and others who have spoken and interjected regarding these matters that that error, to put it mildly, was made in 1971 when Mr Connor was nothing more than the honourable member for Cunningham in the federal Parliament.

[Interruption]

Mr SPEAKER: Order! I call the honourable member for Wagga Wagga to order for the first time.

Mr SHEAHAN: When the honourable member's predecessor was the Minister for Mines and Minister for Power we had a multi-million dollar enterprise subjected to the level of telephone discussions, an occasional Ietter and no government-sponsored contract. During the second-reading debate the Minister produced the contract and pointed out the omissions from it. There can be no doubt from the history of the matter as exposed by the Minister, that there was a sell-out of the country areas of New South Wales by the Australian Gas Light Company and that the honourable member for Young was quite correct when he pointed out to the people of New South Wales and to this Parliament that that company had forfeited the right to the protection of this Parliament in this matter.

Once again we see the dichotomy between the country and city which occurs so often on the other side of the House, the result of which is the curate's egg argument. The honourable member for Wagga Wagga says if we were to bring in three or four bills he would support a couple of them and would oppose a few others. That would resolve his dilemma as he could vote in favour of a natural gas bill if it were introduced, but he says he will not vote in favour of this enlightened piece of legislation even though, as I said at the introductory stage, and repeated publicly outside the Parliament, in my view the issue in this legislation is natural gas for the country areas or no natural gas for the country areas.

Mr Webster: Rubbish. This is an energy bill.

Mr SHEAHAN: Natural gas would not be energy in the honourable member's pedantic analysis of the legislation. Last week various members of the Opposition said they opposed the emergency provisions in this bill. Yesterday, if they were rightly reported by the media, they were calling for the implementation of some emergency powers at a time when no emergency existed and at a time when even one of their great friends, the Caltex oil company, told the Minister for Industrial Relations, Minister for Mines and Minister for Energy that there was no emergency and no issue of emergency powers had arisen at this stage. If honourable members opposite want to seek to defend the indefensible, let them defend the indefensible. In my view the attitude of the Australian Gas Light Company to the provision of natural gas for the country areas of New South Wales is indefensible and any fair-minded Australian would support the provision of this amenity to country areas.

Twenty-five years ago the political organizations on the other side of the House saw fit to oppose the setting up of the Electricity Commission but during their eleven years in office they did not disband it. They shunted it from Minister to Minister but did not disband it. They are now taking the same attitude to this legislation. If the misfortune were to befall the people of this State that the Opposition should become the government and the honourable member for Pittwater the deputy Minister for Mines and Energy instead of the deputy shadow minister for mines and energy we might then see whether or not honourable members opposite would be willing to dismantle the authority that will come into existence of the result of the passage of this bill.

The honourable member for Wagga Wagga made a contribution to the debate to which I listened with some interest because it seems that it may have confused the second-reading debate with Question Time. He was concerned about to whom the Minister had talked and to whom the Minister had not talked, where the Minister went and where the Minister did not go. He made the laughable suggestion that the Minister for Industrial Relations, Minister for Mines and Minister for Energy had made a statement in Wagga Wagga but had used my name because he was not game to make it himself.

Mr Schipp: Correct.

Mr SHEAHAN: You lousy little liar. I am willing to incorporate the copy of my statement. I do not know whether the Minister has invisible ink but his signature is not on it and I know that the typing is definitely not from his typewriter. I am sure the Minister would tell the House that he had nothing whatsoever to do with such a statement. All I did was to issue an occasional statement about natural gas—the honourable member for Wagga Wagga issues them every day—but he saw fit to raise the matter in the House. I thank the honourable member for the praise he has given me.

Mr Schipp: You are being misleading.

Mr SHEAHAN: What I said is not misleading.

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

Mr SHEAHAN: We will have no trouble with the passage of the bill if he keeps up that behaviour. The press release reads:

> The issue involved in this bill is natural gas *versus* no natural gas——Mr Sheahan said.

I am not being misleading—that is what the issue is all about. Between 1971 and April, 1976, the former Government did nothing about its expressed wish to supply natural gas to the people of New South Wales. Now we have the suggestion that the provision of natural gas—I think the honourable member for Bathurst said this—will aid decentralization. He certainly said that it would aid the growth centre he represents in this Parliament. On the other hand, other Opposition members, including the honourable member for Wagga Wagga, said that the bill would destroy decentralization. The honourable member for Wagga Wagga went on to talk about questions he wanted the Minister to answer.

I hope that sanity will prevail among all members of this Parliament. I hope that history will not show that the bill is carried by a narrow majority in the Legislative Assembly. The bill should be supported by all fair-thinking Australians, by people who believe that the energy resources of this country must be co-ordinated in the interests of the community as a whole and the balanced development of the State. I compliment the Minister for introducing the measure and I commend the bill to the House.

Mr DOWD (Lane Cove) [5.21]: I rise primarily to speak about the emergency provisions of the bill. I propose, first, to say something about the extraordinary statements by the honourable member for Burrinjuck—although that is not unusual for him. I feel obliged to point out some of the absurdities put forward by that honourable member. He said that we should proceed on the basis of natural gas or no natural gas. Certain situations have occurred, such as a change of federal government, and we have heard enough about that. What may have been economically possible in 1971 is now drastically different. The people of New South Wales have been told that this measure will result in the provision of natural gas to many country centres. I hope that in two and a half years' time the Government will be willing to defend itself as a result of its promise: if it thinks it can con the people of New South Wales in two and a half years' time when they have not been provided with natural gas, it has another think coming.

It was interesting to hear Government members talk about laterals; I have never noticed them display any lateral thinking; in fact this is probably the first time they have heard of it. The honourable member for Burrinjuck criticized one honourable member

who finds good and bad parts in the legislation. He said: "an announcement was made that there would be an energy authority bill. We have got an Energy Authority Bill, so why criticize it?" The simple fact of the matter is that the bill does not do what the former Government would have wanted an energy authority measure to do. I propose now to refer to the emergency provisions of the bill to see whether they are in fact the provisions that were foreshadowed. It is curious to see the honourable member for Burrinjuck and other Government supporters attack the Australian Gas Light Company. One would have thought that they were on their traditional kick of talking about what they refer to as evil multi-nationals. It is easy to select a *bête noire* on which to push through legislation. I ask the honourable member for Burrinjuck to remind himself about the owners of the Australian Gas Light Company—it is owned by the Australian people.

Mr Sheahan: That does not mean that it always does the right thing.

Mr SPEAKER: Order!

Mr DOWD: As Government members have spoken about the emergency provisions of the bill, I propose to examine those provisions. Part VI is headed "Emergency Provisions", which is a marvellous heading which should assist the courts no end in later years to determine what the bill means. If one looks beyond the heading, one sees the meaning of that part. It contains a definition of emergency but any import of emergency eludes the reader. To understand the structure of the provision it is necessary to go back to the definition section.

The bill contains a marvellous definition which gives the meaning of energy as energy, power and fuel, which is really enlightening. It means that those three words have their ordinary meaning; which means any manner of energy, any manner of power and any means of fuel. It does not need much imagination to know that a court will construe those words in the widest possible way so that any fuel, for instance timber—or whatever fuel one would like to name—may be brought within the provision as a form of fuel. These emergency provisions do not merely deal with energy; they deal with something more than it. Clause 29 provides:

> In this Part, "proclaimed form of energy" means a form of energy or energy recources . . .

However, as energy resources are not defined, they must be something other than energy. If one thinks that the definition of energy as energy, power or fuel is wide, one has got to take it even further to determine the meaning of energy resources, which, of course, has its ordinary common meaning.

Clause 31 is the primary enabling provision that brings into effect the so-called emergency provisions. That clause which is probably cast in as wide terms as one could possibly find, reads:

> . . . whenever it appears to the Governor . . .

and that is wrong ——

> . . . that from any cause the available supply of any form of energy or energy resources is——

and that is not sufficient ——

> . . . likely to become less than is sufficient for the reasonable requirements of the community . . .

The Minister said in question time this morning——

Mr Sheahan: This afternoon.

Mr DOWD: It was so long ago that it seems like this morning. The Minister said that there is no fuel emergency at the moment. It is all very well for the Minister to make that assertion; he should try to tell that to the public, many of whom are trying to get supplies of fuel. Many people have their own personal emergency because they cannot obtain the fuel they need. The Premier was reported in today's press as saying that he will use the provisions of the bill if there is any question of jobs being at risk. He should know that there are plenty of jobs now at risk in this State because a lot of people cannot carry on their business in a State that has a Government that is abdicating its responsibilities and will not take a stand to show its disapproval of the present strike situation.

People right across the city are being inconvenienced because they cannot get fuel. It is easy for the Minister so say there is not a state of emergency; he has probably rung up the oil companies or they have told him by telegram that oodles of fuel are available. I suggest to the Minister that he try to get fuel in some parts of this city. It may be that panic causes problems. The trouble in this State is that the Government offers no security to the people; they do not know that they have any form of protection. The power here in the bill is not limited in any shape or form to an emergency power. There needs to be only the slightest dimunition in the quantity of any fuel for the provisions of clause 31 to be invoked. That clause reads:

> . . . the Governor may exercise all or any of the powers conferred on him by or under this section and do and perform all such acts, matters and things as are necessary or expedient . . .

The provisions of that clause are not limited to New South Wales; they are completely at large. If there is a diminution or a restriction in the supplies of any kind of fuel in any other State, these provisions can be brought into force and they will give the Government power to advise the Governor to make the necessary proclamation. Clause 32 makes it clear, despite any assertions to the contrary, that the Minister will have the power in certain circumstances—even though he says there is no emergency—to invoke the powers contained in clause 31. He can maintain until kingdom come that there is no emergency. This provision is not limited to any emergency; it is completely at large. Clause 32 reads:

> So long as a proclamation referred to in section 31 (2) remains unrevoked the Governor may make a regulation.

Then one sees the sort of powers that the Minister will have. They provide the authority with certain powers. Subclause 1 (b) of clause 32 provides that an authorizing authority or a person specified in the regulation—Bob Hawke or whoever it may be—shall exercise and discharge such functions as to the Governor appear to be necessary or expedient, and so on. The Minister wants authority to give a person the unrestrained power to do all the things listed, including the power to control, direct, restrict and prohibit the sale, supply, use or consumption of the proclaimed form of energy. He wants power to make that simple proclamation when it is likely there will be less than sufficient fuel for the State's needs. What is sufficient? New South Wales, with a population of five million people, does not have sufficient oil supplies to provide for a reserve. It is reasonable that there should be a reserve. New South Wales does not have the supplies that it should have, and the Minister knows it.

Once the measure is passed, even though the Minister may assert to the contrary he will have the power to which I have referred. He, or a person specified—like Bob Hawke, or Jack Mundey, who would be a good man although a bit green—wants the authority to deal not just with fuel supply but with those who deliver it. He will not only give directions as to where the powers can be enforced but also specify the terms and conditions on which the proclaimed form of energy shall be extracted, provided,

transported or distributed. He can specify totally how these people will go about their business. I remind the Minister that this is the State of New South Wales; we are not behind the Iron Curtain, at war or in a state of emergency. World history shows that in times of emergency governments attract to themselves powers to protect the people. Today there is no emergency. The Minister has told us so. He has said also there is no requirement for these powers today. I remind him that a serious oil strike is taking place.

The Minister wants to be able to introduce these powers at the Government's whim. Subclause (1) (b) (iv) of clause 32 provides the following authorization: "to direct that a person to whom the proclaimed form of energy is provided or transported accept the proclaimed form of energy so provided or transported." The Minister can decide that somebody who transports energy will take on this form of fuel delivery. He is seeking to direct transport workers—and good luck to him if he can get them to do it—to deliver from point A to point B, whether they like it or not. What sort of community do we have now, that a Minister wants these sorts of powers to give that sort of direction?

This morning the newspapers reported the Minister and the Government as using the excuse of the present fuel disruption to justify the Government's putting through the bill. The Government did not introduce the measure to deal with the present strike. The Leader of the Opposition called for proper emergency powers—and they are needed in this Parliament. *The* bill does not provide for emergency powers. The word emergency has not changed its meaning: to the public it means dire oircumstances. The bill does not cover that position. The bill affords any government a virtual discretion to decide whether there is an emergency. No amount of emphasis on the heading "Emergency Provisions" makes them emergency provisions. The honourable member for Burrinjuck, who is so concerned about pedantry and about the meaning of words—as a lawyer he ought to be—should know that a judge can use that heading to determine the powers only if there is some doubt about the meaning of the words. There is no doubt about the width of power that the Government and the Minister seek to take to themselves.

The Government has not built up a proud record in terms of its dealings with the citizens of New South Wales. We know that all members of Parliament in times of emergency want power to protect human life, to see that emergency supplies are available, and to ensure that fuel can be made available to allow the State to go ahead. It is not just a matter of jobs, as the Premier would like to make out. We want the people of New South Wales to have guarantees that if there is an emergency—for instance, people getting to a doctor, a hospital, to work or going about their business—there will be proper protections and not just at the whim of the Government. How will these powers be used? It is all very well for the Minister to say that no emergency exists today. The Government and the Minister know only too well that once the powers are there, with their intended width of discretion they can be used without actually being invoked.

Parliaments and parliamentarians have the job of restricting discretions. The bill affords an absolute discretion. As parliamentarians we have a function to give some certainty to the law. How could one advise an oil company, a gas company, or any fuel supply company in respect of this bill? If the Minister were to wave his big stick under the provisions of part VI and to state that if someone does not do something he will invoke the emergency provisions, no one could advise that the part means other than an absolute discretion. History shows that because of the uncertainty that absolute discretions may bring, authoritarian governments have used them to enforce their will on particular areas of industry and on certain people. This state of

affairs will exist in New South Wales if the bill passes through the Parliament. Businessmen, employers and employees in New South Wales already face too many uncertainties about how this great State will develop. The Premier on any occasion that a businessman is about to leave New South Wales says, "Come to me and I will tell you to which State you can go." How many more uncertainties can be put upon a business community by a government that has such a sorry record of disruption of businesses over the past few months?

On corrected figures unemployment in New South Wales has increased alarmingly. Because of the sort of thing that the Minister is bringing about, any responsible board of directors in New South Wales could only reduce staff. This would not occur in Victoria. The proposed redundancy legislation that is being waved about at the moment will create an enormous air of uncertainty. This wide measure covering energy, power, fuel and energy resources can be used by the Government as a stick against industry and the people. It has a discretion that is anathema to the law and to parliaments. I urge the Parliament to reject the bill and to bring in, as the Leader of the Opposition intimated, proper emergency provisions—not just power provisions.

As I am aware that the Minister, with the fair-minded attitude he takes towards parliamentary practice, intends that the bill shall go into Committee, I foreshadow an amendment then to try to limit in some way the discretion to which I have referred. The amendment will take the form of deleting subclause (3) of clause 31, and inserting in lieu thereof:

> **(3)** A proclamation made under this section shall take effect from the making thereof or from a later date specified therein and shall unless sooner revoked continue in force for such period not exceeding 30 days.

There must be some restriction on the Government's power to intimidate the oil, fuel, coal and timber industries. The products of these industries can become a fuel, an energy or a power. The Minister wants a controlling authority. I urge the rejection of these provisions. The people of New South Wales do not want the sort of State that gives the government this sort of power. I urge further that honourable members support the proposed amendment to limit the Minister's power so that the Parliament will have time to introduce proper legislation. I ask, above all, that members realize what they are doing, and what powers they are giving. They must remember that these powers will be valid for at least 2½ years until a Liberal-Country party government is returned to office. Only then will we have the opportunity of restricting or amending these provisions.

Mr JONES (Waratah) [5.40]: I support the bill and the arguments of members on the Government side. I shall deal with the impact of the measure on the Newcastle area. With other members representing Newcastle electorates, I have on a number of occasions talked to representatives of the Australian Gas Light Company and the Newcastle Gas Company. The AGL representatives came to the House a couple of times to explain the support that was needed for the laying of the pipeline to Newcastle. They indicated the route that was to be followed between Sydney and Newcastle. The AGL had put the case to different departments, including the Department of Planning and Environment, so that plans would be well advanced when the work was ready to proceed and departmental heads and Ministers would be able to tell the people what the Government was doing. The company gave all indications that it was going to proceed with the pipeline. The Newcastle Gas Company was willing to receive the gas at Barnsley in the Wallsend area. It was not until late in the Liberal-Country party administration that we found out that this plan of the AGL would not be proceeded with.

The Minister has indicated that this Government will go ahead and build the pipeline between Sydney and Newcastle. This is another indication that the Government will go out of its way to assist Newcastle, which is the second city in New South Wales and the seventh city in the Commonwealth. This is not the first time that a Labor government has assisted the people of Newcastle. In earlier years, the present Minister assisted the people of Newcastle by building a number of power stations in the Newcastle environs and by building the expressway between Berowra and Calga. We are confident that he will fulfil his obligations to build a pipeline between Sydney and Newcastle. The industries in Newcastle are happy with the situation. They were upset by announcements by the Australian Gas Light Company and the previous Government's inaction. The AGL made a statement, but the former Government did not make any announcement in respect of these matters.

Members of the Opposition referred to Lake Macquarie and the setting up of Aderdare county council. It is ridiculous to say that county councils are an exercise in socialism. Anyone who has that opinion should peddle his stories around country areas and see what reaction he gets. County councils are established to direct and ensure that energy is distributed in the best interests of the consumers. The Aberdare county council was set up when the mining industry was in a slump. Something had to be done to help the mining industry to overcome some of its problems. The Lake Macquarie shire has a problem——

Mr Hills: That might be a matter fur consideration by the Energy Authority.

Mr JONES: That is right. As the Minister says, the Lake Macquarie shire can look forward to the setting up of this authority.

Mr Morris: And Maitland city council, too?

Mr JONES: They will all be given consideration now. The Minister has said this.

Mr Morris: I wanted to hear the Minister say so.

Mr SPEAKER: Order! If the honourable member for Maitland has a point to make he may seek the call later.

Mr JONES: Broken Hill Proprietary Company Limited and other industries in my electorate and adjoining electorates will be pleased when the pipeline gets under way. I and other members representing Newcastle electorates will be delighted to hear from the Minister, after this legislation has been passed, when the Government intends to go ahead and build the pipeline. The Newcastle Gas Company has been waiting anxiously for many months to find out where it stands. We are hopeful that the building of the pipeline will relieve unemployment in Newcastle. The Premier has said that Newcastle has the highest incidence of unemployment in New South Wales. Any building work in the area would relieve unemployment. The Newcastle Gas Company has a 90 per cent domestic load and a 10 per cent industrial load, but when the pipeline is built and natural gas goes to Newcastle the distribution will most certainly change. Industries in Newcastle have told the Newcastle Gas Company that they are interested in getting natural gas. My constituents and I are right behind the bill. The sooner it gets under way the better. Newcastle looks forward to the time when the pipeline from Sydney to Newcastle will be built.

Mr PICKARD (Hornsby) [5.50]: I take some issue with the Government on this measure, which is really three bills in one. I hope that the Minister for Industrial Relations, Minister for Mines and Minister for Energy will give consideration to the amendments that have been foreshadowed, and that in the Committee stage he will

agree to at least some of them. The bill proposes granting wide, compulsory powers of acquisition to the Minister. For the benefit of the honourable member for Burrinjuck, who seemed to think that nobody in the Opposition ranks was attempting to debate the measure, I invite attention to clause 5 which provides in part that energy means energy, power or fuel. That is another way of saying that energy means energy. It could be any form of energy—olar energy, uranium energy, energy deriving from the movement of the tides, from metals, minerals, and so on.

Mr Akister. Or energy provided by the wind or the sun.

Mr PICKARD: Yes. The Government's stated intention in introducing the bill is to make sure that natural gas reaches certain country towns. The history of the matter has been repeated *ad nauseam* and I do not intend to go over it, for the Opposition starts from a completely different assumption from that made by the Government. The concept upon which this bill is based is not that natural gas should reach one country town or another, but that the Minister should be able to acquire compulsorily the means of producing any form of energy at any time he wishes.

The Opposition will be concerned in moving its amendments to safeguard the interests of individuals, their civil liberties, and to prevent discrimination before a kangaroo court or star chamber. We shall be anxious to ensure that the proposed authority will not usurp, by the application of powers nationalization of the functions of individuals or companies throughout the State. Clause **12 (1)** (d) proposes that the Energy Authority may acquire and dispose of energy and energy resources or operations connected with the locating and the development, extraction, provision, transportation, distribution or utilization of energy and energy resources. The intention is not merely to promote the generation and distribution of energy, and energy resources or operations, but rather to acquire them at any point of time. This power is open-ended.

If all that the Minister wanted to do was acquire the Australian Gas Light Company to make sure that natural gas reached certain towns, and said so, we then should know that there was a limitation on his power. All we have been told in the bill is that the acquisition powers are to be open-ended, and that the Minister will be able to invoke them as he wishes. I defy the Minister to show where any government has been given such far-reaching powers as are proposed in the bill. Will Government supporters tell their electors, particularly those in the country, that it has taken to itself power to acquire compulsorily any energy resources when and where it likes? Will the Government say that its powers are so open-ended that no government, even in wartime, had vested such responsibility in one Minister?

Clause **13 (2)** consists of a number of paragraphs, and in the Committee stage the Opposition will propose an amendment to paragraph (j) which deals with the general power of the authority to formulate proposals for requiring the provision, by a gas-producing, gas-extracting, or gas-transporting undertaking, of a bulk supply of gas to a gas-distributing undertaking, including the scheme to enable that gas to be provided. Our amendment will have the effect of requiring the authority only to assist with the provision of such services—in other words, to subsidize it. Do not let us get away from the word nationalization, for that is what we are dealing with here. Members of the Opposition are not afraid of the word; those on the Treasury benches are, because they remember what happened in **1949.** They use another term now, but it still amounts to compulsory acquisition of certain enterprises, and to grabbing private enterprise in a socialist way, and taking control of it.

Paragraph **(k)** of clause **13 (2)** provides that the authority will be able to acquire a gas-producing or gas-distributing undertaking by agreement. Paragraphs **(j) and (k)** together lead one to ask how such an agreement as is referred to in paragraph

(k) would come about. The Government's intention is not to assist in the attainment of these objectives, but to require them to be done. The Government will be able to say to a producer, through the Energy Authority, "You produce *x* volume of gas"—or it could be electricity, fuel or anything of the sort—"and we require you to supply it to y at a given price". Recently the Minister for Consumer Affairs and Minister for Co-operative Societies had a bill passed through this House extending his ministerial power to fix the price of any commodity, regardless of what the price-fixing tribunal said about it. As a result of this legislation he and the Minister for Industrial Relations, Minister for Mines and Minister for Energy between them will be able to control the price of gas, for example, even through the Minister for Consumer Affairs and Minister for Co-operative Societies, who has that power.

Mr Akister: The former Government did nothing in that respect.

Mr PICKARD: At least I speak Australian. I do not go on with a lot of mumbo-jumbo.

[Mr Speaker left the chair at* 6 *p.m. The House resumed at* 7.30 *p.m.]

Mr PICKARD: Before the adjournment I was saying that the term energy is so wide-reaching that it does not limit the Government, any government or any Minister in any way. I was pointing out also that in clause (d) of clause 12 there was a capacity to acquire and paragraphs (j), (k), (1) and (m) of clause 13 (2) gave power to formulate proposals for the compulsory acquisition by the authority of a gas-producing or distributing undertaking. That does not necessarily refer to the Australian Gas Light Company, which seems to have been the object upon which our attention has been constantly focussed. It may refer to some oil company processing its products. It could be a coal company at Lithgow. It could be a company at Newcastle wanting to dispose of its gas surplus to its requirements. I am looking at all the possibilities, The honourable member for Burrinjuck said that we on this side were not dealing with the bill. I forecast that in Committee we shall be moving amendments to these provisions because we consider that the powers the Government is drawing to itself are too vast, and include every source of energy within the State.

We shall propose an amendment to clause 14 (4) because we believe that no authority should have the power to by-pass the Parliament. The authority ought to come responsibly to Parliament, declare its intentions to the people and have its proposals examined and justified by the peoples' house, this Legislative Assembly.

Clause 28 provides for the setting up of what has been referred to as a star chamber. It seems that the individual rights and civil liberties of persons can be usurped without any redress for those persons. I wonder why we have heard nothing from the Civil Liberties Council and Mr George Zendowski and others who a few months ago were making so much fuss about civil liberties. Here in this bill we have one of the greatest usurpations of the liberties of individuals ever seen in this country. The Government ought to take this bill away and look at it again. I am sure that the Minister did not intend the bill to go to this extreme. I believe, as has been said here tonight and as others have said outside this place, that a judge would interpret this Act to give it the widest possible interpretation. It provides that an individual may be required to attend with all his books and accounts at the court, from which he could have no possible appeal, to answer for actions he took in the normal course of his business against the authority which were not approved by the minions of the authority.

The Opposition would be recreant to its trust if it did not move an amendment to clause 31. I believe it is necessary to provide for emergency powers under certain conditions, but as was pointed out by the honourable member for Lane Cove the

definition of emergency is so wide that the likelihood of any possible inefficient supply of material in terms of energy could be regarded by the Minister or any Minister administering the legislation as an emergency. The clause gives the Minister and the Government the right to use powers which, I say again, I have not been able to find anywhere else in the records of the history of this Parliament. Not even in wartime have such powers been given to a Minister for an unlimited period.

For those reasons I shall support the amendments that will be moved in Committee and I should hope that the Government will reconsider many of these matters. The Minister ought to be honest enough to admit that this bill is not intended to deal only with the Australian Gas Light Company. If it is, why did not the Minister bring in a bill for that purpose. The whole of the debate from the Government benches has centred around that key point, but the bill is greater, wider and vaster and is indeed as vast as the resources of this State. Why would the Minister want to come before this House and say to the public that all the Government is trying to do is to get the laterals built to supply gas to three or four towns, or maybe five or six towns by further extensions? If that is what he is seeking to do why did the Minister not bring in a bill to do that? Why must he bring in a bill that makes it possible for a government to have powers never known before in this country and the capacity to nationalize—something the Chifley Government wanted in 1949 and the Whitlam regime sought by subterfuge to achieve, particularly under Mr Connor by adopting the squeeze method requiring delivery of certain things, stopping delivery of certain items, making sure that the inflationary process took away the capacity of a company to deliver goods? We in this State are facing a repetition of proposals made in the federal sphere. The bill does not deal only with gas; everyone in the community ought to look at the emergency powers prescribed and ask whether his property is safe. The people ought to know whether it is possible for the Minister to send one of his minions, during what he calls an emergency, to take charge of the individual's property without compensation and bring him before a court without legal representation under penalty of a fine of $1,000 for disobeying an order. I should hope that the Minister would be willing to consider some of the amendments that the Opposition proposes to move.

Mr HILLS (Phillip), Minister for Industrial Relations, Minister for Mines and Minister for Energy [7.40], in reply: During the second-reading debate on this bill we have been entertained by the old-fashioned phraseology of the Opposition which I should have thought had disappeared from use many decades ago. I refer to the Leader of the Opposition using phrases such as "an extraordinary piece of socialist legislation; a monstrous plan to nationalize the energy industry; extraordinary provisions; cunning device; sinister purpose, cunningly concealed" and similar terms.

The antiquated remarks by the Opposition in respect of this bill remind me vividly of the occasion in 1950 when the McGirr Labor Government established the Electricity Commission of New South Wales. Similar cries were made by the Liberal-Country party Opposition when that bill was introduced in 1950 by the late J. J. Cahill, in this Assembly. In those days electricity was generated and distributed by private-enterprise companies, local government authorities and the Department of Railways.

At that time there was insufficient power and no planning overall; generating capacity was only 500 megawatts and there were frequent blackouts and endless complaints. The Electricity Commission Act enabled the commission to negotiate to acquire all of these separate undertakings. By the Electricity Commission Bill the Labor Government of the day provided for the acquisition of these companies to be first ratified by the Parliament before the acquisitions were completed—just as this

Government will require separate legislation to be debated by this House when and if a takeover of an enterprise such as the Australian Gas Light Company becomes absolutely necessary.

It is completely untrue for the Opposition to claim that the bill will enable undertakings to be nationalized. This measure contains no power that would enable the government of the day compulsorily to acquire any undertaking. I hope that honourable members will go away and read all about the bill. Some of the statements they have made have either been made in ignorance or with the obvious purpose of deceiving the public—but they certainly do not deceive the Government. Special legislation would have to be introduced into this Parliament before any undertakings such as the Australian Gas Light Company were acquired. However, at this stage I do not believe that such a move will become necessary. If it does, this House will have ample opportunity to debate the merits of such a decision.

When the Electricity Commission Bill was introduced the Leader of the Liberal Opposition at that time, Mr Vernon Treatt, threw up his hands in horror that such ghastly socialist legislation should raise its ugly head in this august Chamber. Mr Treatt said of that bill:

> It is a deliberate attempt by the Government completely to subjugate not only private enterprise, which has done so much for the State, but also local government.

He also had this to say:

> Nothing that the Minister has said and nothing that can be ascertained from a careful scrutiny of the bill, suggests that its passing will increase the electricity supply, within a measurable distance of time, by a single kilowatt.

At that time the electricity output of this State was 500 megawatts. In a few years the electricity undertakings of this State will have a capacity to produce 10 000 megawatts. So the statement that was made at that time by Mr Vernon Treatt, who was then Leader of the Opposition, was completely laughable.

A direct result of that Government's policy was the growth of large population centres throughout the State; they are centres of demand which seek an equitable share of energy resources, such as natural gas. Tonight the honourable member for Wagga Wagga came up with the suggestion that the Government should provide a subsidy to be paid in respect of the lateral gas trunk lines if the Australian Gas Light Company refused to construct them. In other words the honourable member is suggesting that the lucrative Sydney metropolitan and Wollongong areas should be left to the Australian Gas Light Company. He suggests that the organization should be let off the hook and the Government should come forward with a subsidy that would ensure that the lateral lines are built to Wagga Wagga and other country centres.

The Government's attitude is that if the Electricity Commission has the right to generate power exclusively and to deliver it throughout the Sydney metropolitan area, it should accept the responsibility to provide power to country towns. Anybody would know that it would be uneconomical for any organization to provide electricity only to country towns. Anyone who would think about doing that would not be right in his mind. The fact that the former Labor Government said that it would establish the New South Wales Electricity Commission for the purpose of providing electricity right throughout the State, made the proposition economically viable. The Government took into consideration that if the commission had the lucrative areas of Sydney, Newcastle and Wollongong to supply, it should have the responsibility of providing electricity to country areas.

If a government believes that the Australian Gas Light Company alone should have the sole right with its subsidiary, the North Shore Gas Company, to provide gas in the Sydney metropolitan area, why should it not carry some of the burden and deliver gas into country areas? If the honourable member for Wagga Wagga thinks that he can sell his proposition to any government, he has another think coming. I assure the honourable member for Wagga Wagga that his suggestion to leave the Australian Gas Light Company with all the nice, lucrative business of the Sydney metropolitan area and Wollongong—and possibly Newcastle—and to let it off the hook, is not a goer as far as the Government is concerned. The Government will expect —as the former Liberal-Country party Government expected—that the Australian Gas Light Company will have to carry some of the burden. The Government considers that some small country towns and cities should be supplied with natural gas.

Though some Opposition members have said that all the Government seems to be concerned with in this bill is the supply of natural gas, that is not so. This measure, the Energy Authority Bill, has as its purpose the conserving of energy in this State; it seeks to ensure that the non-renewable resources of this State are not wasted; that they are used for the betterment of the people of this State, and, if necessary, for the benefit of people in other States. The Government would expect to have reciprocal arrangements with other States in respect of energy resources. The provisions of the bill will cover the whole gamut of energy resources.

Objection has been taken to the definition of energy. The Government has given the term energy the widest possible interpretation. The Government would not introduce into this Parliament an Energy Authority Bill and exclude from it something that has not yet been thought of. From time to time we hear discussion about uranium, solar energy, waves, wind—indeed all forms of energy. This bill covers all forms of energy and I make no apology for the interpretation placed on that term by this bill. The Leader of the Opposition said that if the Government rushed through Parliament emergency legislation to deal with the present oil dispute, he would support it. Other Oppostion members have said that if the bill were broken up into three or four measures they could support different aspects of it, but they did not like the provisions of the bill being lumped together under one piece of legislation.

This bill is about energy in all its facets—all forms of energy as we know it at the moment—and it will incorporate all forms of future energy. There should be no misunderstanding about the situation in that respect. The Leader of the Opposition said that he had a suspicious mind. Perhaps he should have a suspicious mind having regard to what his colleagues are up to; I suppose he should be suspicious about them. However, his suspicious mind has led him up all sorts of blind alleys, as his contribution to this debate has illustrated. Opposition members spoke about the bill giving a power to nationalize energy, but such a suggestion is completely untrue and fallacious. To satisfy the ego and worries of some Opposition members, I have circulated copies of an amendment that I propose to move in Committee. That amendment is to the effect that the bill will not give power to nationalize, and that will be spelt out explicitly in Committee.

As has been said by honourable members opposite, the authority has the power to acquire undertakings. That is not synonymous with appropriation or resumption. If someone wants to sell, one can buy it. That is not resumption or appropriation. I wish that honourable members opposite would understand what acquisition is all about. If the authority in the normal course of its business wishes to acquire an undertaking it would have to do it contractually. If the authority wished compulsorily to acquire separate legislation would be required. The Opposition seems to think that clause 14, which relates to the acquisition of land, gives such a power. An undertaking cannot be acquired by compulsorily acquiring land. There is a lot more to an

undertaking than that. Does the Opposition think really that members of the proposed authority will proceed about their business by compulsorily acquiring land held by undertakings so as to make them unworkable by the owner or the authority? The authority needs the power to acquire land so that it can initiate, not take over, undertakings. The Government wants the authority to be able, in its own right, to construct pipelines and to set aside and husband land containing energy resources.

I shall inform the House what the previous Government did about acquiring lands for pipelines. Private industry—not the Government--obtained the right compulsorily to acquire lands under the provisions of the Pipelines Act. Earlier in the debate the honourable member for Wagga Wagga referred to that Act, which was legislation introduced by the former Government. That Act provided a novel right for a private company—not the Government or a local government body—to acquire land. I give by way of example the section of pipeline built from Sydney to Wilton. By a document to which I referred the other evening, signed by the former member for Wagga Wagga, when Minister for Mines and Energy, the Australian Gas Light Company was given a right compulsorily to acquire land for the building of that pipeline. Did Opposition members when in Government think there was anything wrong with that? Did they attempt to repeal it? Did the honourable member for Hornsby, when Minister for Education, who sees some great danger in the Australian Gas Light Company having the right compulsorily to acquire, take action? I did not hear of his kicking up a fuss about that private company having that power.

Mr Freudenstein: That was a specific job.

Mr HILLS: If the States Pipelines Authority wants to acquire land to build a pipeline from Albury to Wagga Wagga, Opposition members will now say it should not have that power. The bill provides that power.

Mr Webster: It does not say that.

Mr HILLS: The Act states the the Pipelines Authority can acquire land compulsorily. That is what honourable members opposite are objecting to.

Mr Webster: No.

Mr HILLS: The honourable member for Pittwater is not objecting. I wish I could work out what he is objecting to. Quite frankly it is beyond me. As I have said, that provision is contained in the pipelines legislation. While I am speaking of the Pipelines Act, I shall pause to mention to the House one of the red herrings drawn across the trail by the honourable member for Young. He and the honourable member for Wagga Wagga have thought of a way out of the dilemma of bringing natural gas to country areas. The former member for Wagga Wagga let them down. He granted a licence to the Australian Gas Light Company to construct the pipeline between Wilton and the city. Honourable members opposite have said that before AGL was given any permit to construct pipelines they would insist on that company entering into an agreement about laterals.

The other night I showed honourable members that in a document of 1974 the former Minister for Mines and Minister for Energy had failed to include that provision in the agreement. They then went searching through the Pipelines Act in the hope of finding some other way to trap the AGL company and rectify the mistake that had been made. I do not know whether the proposition of that company having a right to construct the pipeline has the support of the honourable member for Pittwater. The bright men, the honourable member for Young and the honourable member for Wagga Wagga, suggested that before I issue a certificate. that it is safe for the company to use the pipeline I should insist that it sign an agreement about completing the

laterals. I should like to know whether the honourable member for Pittwater supports that proposal by the honourable member for Young and the honourable member for Wagga Wagga. I assume by his silence that he does not. Those honourable members told me to use section 25 of the Pipelines Act which provides that the Minister may consent to the commencement of operations of a pipeline if he is of the opinion that it may be operated with safety. They are referring to the consent to the operation of the Wilton to Horsley Park pipelines.

The honourable member for Young solemnly said that when he left the Ministry authority had not been issued and that he would have made construction of the laterals a condition of that consent. The honourable member for Wagga Wagga said that that was the intention in the first place. If that was the Opposition's intention when in Government, let me elaborate. It means that the Opposition when in Government allowed the Australian Gas Light Company to proceed to draw up plans for the part of the pipeline and to spend immense sums of money constructing it without divulging that its operation would not be permitted until the laterals were built. Is the honourable member for Young—a former Minister for Mines and Minister for Energy—saying that purposely the former Government issued the permit and allowed the company to spend all that money and that at the eleventh hour he would say, "I am not going to issue this permit; it is unsafe, and until you sign that agreement about the laterals——"

Mr Freudenstein: That is the way to deal with it.

Mr HILLS: That is what he would have done. I oan assure him that he would have finished up in court and the company would have been successful in its action against him. He would not have hit the deck with such a stupid proposition. All he is seeking to do is to let his colleagues off the hook as a result of the failure of a former Minister for Mines and Minister for Enargy to have the company sign an agreement when he was issuing the pipelines permit. It is a simple as that.

The honourable member for Young said also that the former Government would have established an energy authority. I have read the papers and the honourable member knows as well as I do what happened. He might have had views about establishing an energy authority. First there was the Brown report which got bogged down in a government subcommittee called the Viney committee. The honourable member for Young knows that if he had waited for that committee to come up with its conclusions and have the matter dealt with by the Government parties of the day, the Energy Authority would never have eventuated. The honourable member for Young quarrelled about the personnel on the authority.

Mr Freudenstein: Only about one.

Mr HILLS: So the honourable member agrees with the appointment of the chairman of the Electricity Commission, the chairman of the Electricity Authority, and the under secretary of the Department of Mines. He was concerned about who may represent the Labor Council. I want to assure the House that in respect of those whu represent the oil, gas and fuel industries that I shall be looking to private industry and private enterprise to come forward with appropriate people whom I shall have much pleasure in recommending to His Excellency the Governor.

The Leader of the Opposition was concerned that we have a geologist on the authority. The honourable member for Young, a former Minister for Mines, knows that the under secretary of the Department of Mines can avail himself of the expertise in his department. Those people will be available to us. The honourable member for Young said a lot of nasty things about the inquiry provisions. As a former Minister for Mines, he should know that such provisions are standard as affecting corporate bodies

representing the Crown. The former Government used them in a number of Acts, one of which was the Waste Disposal Act. That was mentioned the other evening by the Minister for Local Government. Over the years parliamentary counsel have formulated the basic provisions that are used over and over again in various Acts. They appear in the same form because they are well drafted provisions that have worked usefully in the comunity interest. The inquiry and resumption provisions of this bill are of that type.

The honourable member for Young told the House that with these inquiry provisions, no mining or similar operations would be free from the prying eyes of the Crown body that Parliament is setting up. Has he forgotten the wealth of statistics, data and operating details that can be obtained compulsorily from such undertakings under the Mining Act of 1973 or the Coal Mining Act of 1973? The very same provisions about people being brought forward to give evidence are in the mining legislation of 1973, which was introduced by the Liberal-Country party Government. The Hon. Wal Fife was Minister for Mines at that time. The Coalmining Act of 1973 contains exactly the same provisions.

Mr Freudenstein: No.

Mr HILLS: It is no use your saying no. Go and look at the legislation. The honourable member for Young has told me of his great opinion of the under secretary of the Department of Mines. The under secretary and his legal officer told me that the same provisions are in that legislation. In fact, the requirement that information be supplied has been on the statute book for sixty-eight years. It was in the old mining Act of 1906? Yet honourable members opposite have said that they have not heard of these methods. As I have said, the Opposition uses old, worn-out cliches about socialism and accuses the Government of doing things by secrecy and stealth. The same provisions have been in existence in New South Wales since 1906. They have stood the test of time, with all sorts of political parties in government. Another matter worrying the Opposition is the emergency provisions. The Leader of the Opposition said that this Government should put through a separate bill dealing with them, that the Opposition would support such a measure and would want to get it through because people are being inconvenienced by the petrol shortage.

The Energy Authority will have a role in the proper regulation and use of energy in nonmal times and in times of emergency. What could be more appropriate? It will be the only body concerned with general energy resources rather than specific energy resources. It will be able to draw on the services, expertise and data of many departments of government, and also on industry. It will have tremendous potential to co-ordinate the proper use of resources, and the Government intends to ensure that this potential is available in the interests of the community in times of emergency. What is wrong with that? What is wrong with using as a framework the emergency provisions that have worked well and equitably in legislation since 1935? Who inserted those provisions? Not a Labor Premier, but Sir Bertram Stevens. I am taking of the emergency provisions of the Gas and Electricity Act, which was introduced by the Stevens Ministry in 1935. The Opposition has been looking under the bed and behind the woodwork for flaws that do not exist. The provisions for bringing people to give evidence have been in existence since 1901 in one Act and since 1935 in another. The Mines Regulation Act of 1902 has the same provisions. I have said that these provisions in this bill were modelled on those in other Acts. Let us have a look at the existing powers under section 81 of the Gas and Electricity Act. Subsection (1) provides:

> Whenever it appears to the Governor that from any cause the available supply of gas or electrioity is or is likely to became less than is sufficient for the reasonable requirements of the community, the Governor may from time

> to time exercise all or any of the powers conferred on him by or under this section and do and perform all such acts, matters and things as are necessary or expedient for carrying into effect the purposes of this section.

They are the same words as those in this bill. I cannot see why honourable members opposite are getting all steamed up about it. The provision in this bill, modified to cover energy resources in general, appears in clause **31 (1).**

Let us now look at subsections **(2)** and **(3)** of the same section of the Gas and Electricity Act. Subsection (2) provides that the Governor may from time to time by proclamation declare that on and after a specified date the emergency provisions shall have effect; and subsection **(3)** provides that the emergency powers shall remain in force until the proclamation is revoked. This exact formula appears in subclauses **(2)** and **(3)** of clause **31** of this bill. A similar provision has been in the Gas and Electricity Act since 1935. This bill will repeal those provisions and put them in this legislation in exactly the same words. I cannot understand what all the flap is about. What are members concerned about? The petrol company representatives came to see me and we discussed the matter with them. They went away quite happily. I am concerned that members of the Opposition are trying to stir up trouble. The honourable member for Lane Cove has been talking to the trade union movement. They laughed at him. They asked me who was the fellow from Lane Cove. I told them it was Mr Dowd. They said that he had tried to tell them all the furphies about the place. The Opposition will have to do better than that. Opposition members will have to do their homework so as to understand what the bill is all about.

This bill is being introduced to ensure that available energy will be used for the benefit of the people of New South Wales. There is nothing wrong with that. I think the Opposition will agree that when I spoke the other day to the august body that the honourable member for Pittwater talked about, I got a fairly good reception. They felt the time had arrived when a government—a State government or whatever it was—should get down to the whole question of ensuring that non-renewable energy resources that are available in the State should be properly used—not wasted—and that wherever possible renewable resources should be used to augment the supplies of non-renewable resources that we have.

I do not propose to say anything more in this debate about pipelines. Enough has been said about that matter already. As a representative of the Government I have had discussions with Mr Robinson, general manager of the Australian Gas Light Company. I have had discussions with the entire board of the company. I accepted their hospitality for lunch, and we discussed the whole matter. We went out to Mortlake and inspected the works and the control centres that will operate when the gas starts coming through the pipeline.

Mr Schipp: You said discussions were fruitless.

Mr HILLS: I said in this House in answer to a question from, I think, the honourable member for Wagga Wagga that I felt we were starting to get somewhere after those discussions. Until then we were getting nowhere. Our discussions had been fruitless. We made no progress until we had legislation ready to bring into this House showing that the Government meant business in honouring the undertaking given by the Premier when he was Leader of the Opposition that a Labor government would see that natural gas went to certain country towns. I am sure that the Australian Gas Light Company now appreciates where the Government stands.

I shall move an amendment in the Committee stage in relation to the part of clause 13 (2) that deals with the formulation of proposals for requiring the provision of a bulk supply of gas to a gas distributing undertaking. At this stage I

commend the bill. I thank honourable members for their contributions to the debate, and ask them not to go around causing all sorts of confusion in the minds of people about the Government's legislative proposal, giving the impression that the Government intends to nationalize this or that industry. There is no such provision in the bill. Before compulsory acquisition of anything could occur, it would be necessary to introduce separate legislation dealing with the matter.

Motion agreed to.

Bill read a second time.

In Committee

Clause 4

Page 3

4. Nothing in this Act (section 49 excepted) **limits** *or* otherwise affects the provisions of the Electricity Development Act, 1945, the Electricity Commission Act, 1950, or the State Emergency Services and Civil Defence Act, 1972.

Mr HILLS (Phillip), Minister for Industrial Relations, Minister for Mines and Minister for Energy [8.14]: I move:

That at page 3, after line 12, there be inserted the words "Nothing in this Act affects the operation of the Mining Act, 1973, or the Coal Mining Act, 1973, and the Authority is bound by each of those Acts."

The amendment will ensure that any exploration or mining activities undertaken by the authority will be in harmony with and subject to the requirements of the Mining Act, 1973, and the Coal Mining Act, 1973. The amendment will put the authority in the same position as, say, the Electricity Commission of New South Wales when it is seeking to obtain a mining or prospecting title under those Acts. The authority will be governed by all the normal restrictions applying to applicants for and holders of titles under those Acts. At the second-reading stage the honourable member for Young raised the question whether the Energy Authority would be able to undermine the authority of the Department of Mines and the provisions of the Mining Act. To put the matter beyond doubt I am proposing this amendment, which, I think, makes the position clear.

Mr FREUDENSTEIN (Young) [8.15]: I foreshadowed an amendment to clause 12 which would have the same effect as the amendment proposed by the Minister, bearing as it does on the traditional relationship between the Department of Mines and private enterprise operations in this State. The Opposition did consider moving the amendment to clause 4, but I am content to agree that it should be included here. I should have thought the Minister would become zealous of the powers of his own department. I am concerned that he does not intend to withdraw the proposal to give the authority the right to undertake drilling operations and all sorts of other surveys and investigations, which normally it is the right of the Department of Mines to undertake. In that connection I hope that the Minister will accept another amendment that I shall move. In the meantime, the Opposition supports this amendment.

Mr HILLS (Philip), Minister for Industrial Relations, Minister for Mines and Minister for Energy [8.16]: The honourable member for Young talks about my being zealous in protecting the rights of the Department of Mines. I thought that I made it clear at the second-reading stage that the under secretary of the Department of

Mines will be a member of the authority. Where the authority can secure assistance from any department, whether it be the Electricity Commission, the Electricity Authority, the Department of Mines, and so on, it will seek to use whatever facilities can be provided for the obvious purpose of saving money as well as employing the expert knowledge of existing departments. If any drilling were to be done in exploring for coal, for example, it would be done by the Department of Mines. In other words, the department would be used to ensure that the sorts of things in which it is expert were done by it rather than get somebody else to do them.

Amendment agreed to.

Clause as amended agreed to.

Clause 12

Page 7

12. (1) The functions of the Authority are—

(a) to carry out such investigations relating to the locating and the development, extraction, provision, transportation, distribution, conservation and utilisation of energy and energy resources as it considers appropriate or as the Minister directs;

(b) to plan the locating and the development, extraction, provision, transportation, distribution, conservation and utilisation of energy and energy resources in such manner as it considers appropriate or as the Minister directs;

(c) to assist and advise, and make reports and recommendations to, the Minister in respect of matters relevant to this Act; and

(d) in accordance with this Act, to acquire and dispose of energy and energy resources or operations connected with the locating and the development, extraction, provision, transportation, distribution or utilisation of energy and energy resources.

(2) Nothing in this Act authorises the Authority to engage in the generation of electricity or the supply of electricity except in connection with its own undertakings.

Mr FREUDENSTEIN (Young) [8.19]: I move:

That at page 7, line 4, the words "carry out" be left out and there be inserted in lieu thereof the word "promote".

This amendment relates to the powers and status of the Department of Mines. The bill provides for a pure duplication of services and it is quite wrong that we should have functions of various departments in government cutting across each other. Today we saw a simple question asked of a Minister on the other side of the House and he

said that before he could give a reply he would have to refer it to the Minister for Health and another Minister, so three Ministers were involved. Here we are in the midst of a difficult financial period and we are making provision for another department to have the right to carry out and control development, extraction, transportation, distribution and conservation, rather than use the existing department to do this sort of work. That is why I am putting forward the amendment.

Mr HILLS (Phillip), Minister for Industrial Relations, Minister for Mines and Minister for Energy [8.23]: As the clause now stands, the Energy Authority will have the ability to carry out—that is, actually perform—the investigations relating to the location, development, extraction, conservation and the like of energy and energy resources. If the Government agreed to this amendment it would leave the State in the position that it is in now, with no body capable of effectively initiating and carrying out a co-ordinated and responsible energy programme. The Government does not want another advisory body. It has had enough of those. The Government wants a body with power to do something. It does not want a body with power merely to promote or encourage energy undertakings. The Government wants a body able to investigate in a practical way what it must do to provide enough energy for the State now and in the future, and that body must be able to carry out this objective, not merely promote it vicariously through a variety of unco-ordinated bodies and departments.

The Leader of the Opposition said that his party is quite in accord with the establishment of an energy authority to look at the long-term energy needs of New South Wales. How can such a body do this except by investigating those needs, by examining them and inquiring into them in the public interest? I have already moved an amendment to clause 4 to make any exploration of mining activities undertaken by the authority subject to the provisions of the Mining Act, 1973, or the Coal Mining Act, 1973. This means that the authority will be bound to comply with the same requirements and liable to pay the same compensation as any applicant or holder of a title under those Acts. The Government considers the authority's overall investigatory powers will be conducted on a completely satisfactory basis and accordingly opposes the amendment.

Amendment negatived.

Mr FREUDENSTEIN (Young) [8.24]: I move:

> That at page 7, line 9, the words "to plan the locating" be left out and there be inserted in lieu thereof the words "to assist in and advise on the planning of locating".

This again is an endeavour to protect the rights and privileges of the Department of Mines. We have just been through a certain crisis in endeavouring to plan the location of a gas pipeline from Sydney to Newcastle which is relevant to this bill; accusations have been made that all departments have been delaying it. It has been said that there are so many departments to go through that it is impossible to compromise them all. Yet here the Government is giving authority to another department to plan the locating and development, extraction and so on. If we are to talk in terms of extraction and provision, transportation and distribution, we must surely speak in terms of the powers of the Department of Mines and the Joint Coal Board, two authorities already controlling the extraction of coal in New South Wales.

By this bill the Government is seeking to create a third authority over the lot of them to plan the locating of a coal mine. Though the Minister, at our instigation, has moved for an amendment to clause 4 to omit the Coal Mining Act, in future this new authority will be involved in the locating and development of a coal mine. This to me is not merely a duplication but a triplication of services in this State. That is completely absurd and no amendment that the Minister has inserted earlier in this bill will correct that situation. How many more authorities is the poor coalminer or anyone else to have to go through before he can set up a coal mine in New South Wales? I hope the Minister will see the common sense of this amendment to assist and advise in, rather than to plan the locating as is provided in the bill.

Mr HILLS (Phillip), Minister for Industrial Relations, Minister for Mines and Minister for Energy [8.25]: For the same reasons as I gave in opposing the previous amendment, the Government opposes this amendment. It is aimed at producing an empty advisory body unable to cope with the real energy needs of the State. By the amendment the Opposition seeks to leave the authority with the mere function of assisting in the planning of this State's energy needs. What type of body does the Opposition consider the authority is going to assist? What existing body in this State is capable of undertaking the specialized, professional task of looking at the overall energy needs of the State, its energy distribution and storage system and its methods of extraction? There is none. Already the Government has clarified the situation so far as the Department of Mines is concerned. This authority must act in conformity with the existing legislation covering mining and the Minister for Mines, through the Department of Mines and the existing legislation protecting the mining indutstry, will be the person who makes the decision about the location of mines. The former Minister for Mines and Minister for Energy is fully aware of the situation and knows that the amendment which I included in clause 4 puts it beyond doubt that the Department of Mines is the authority and the Energy Authority will have to conform with the mining legislation already in existence.

Mr FREUDENSTEIN (Young) [8.29]: That does not quite satisfy me and I think the Minister will need to advise the chairman of the Public Service Board that in the very near future he will have to deal with a number of resignations from the geology section of the Department of Mines and quite a few other sections of that department. Staff will be transferring across to this authority to pick out a few plum positions in the geology field, which, of course, will result in greater promotion within the Department of Mines for those persons who remain there. I still believe this to be a dangerous clause and one duplicating the public service in a way that is consistent with the socialist policy of the Labor Party to increase the public service in this State.

Amendment negatived.

Page 7

(d) in accordance with this Act, to acquire and dispose of energy and energy resources or operations connected with the locating and the development, extraction, provision, transportation, distribution or utilisation of energy and energy resources.

Mr FREUDENSTEIN (Young) [8.30]: I move:

That at page 7, all words on lines 17 to 21 be left out.

We are opposed emphatically to clause 12 (1) (d). This is the nationalization or socialization clause to which reference has been made. If ones goes back to the time about which the Minister spoke tonight when the Electricity Commission Bill was introduced, one will see that this issue was not open. At that time energy was provided under the electricity operations of local government bodies or a couple of small private-enterprise organizations. The bill seeks to give power to acquire and dispose of energy and energy resources. Though the next clause excludes any intrusion into the supply of electricity this provision will not encourage private enterprise to move into the production of energy or to establish plants for the enrichment of uranium used for the purpose of producing nuclear energy. The clause is a frightening provision; it will frighten away private-enterprise groups from New South Wales. No energy-producing industry will come to New South Wales for fear of being nationalized or taken over. When I was the responsible Minister a particular group was interested in establishing a nuclear energy enrichment plant in this State. This group was held on ice while we were waiting for the federal Government to make up its mind about its attitude. When that organization reads this clause it will race off to South Australia. The Government of that State has empowered that group to operate there. If this group became established in New South Wales it would be likely be acquired, nationalized and its energy resources disposed of. Such action is nothing but socialism. The Opposition opposes this provision in its entirety.

Question—That the words stand—put.

The Committee divided.

Ayes, 49

Mr Akister	Mr Haigh	Mr Petersen
Mr Bannon	Mr Hatton	Mr Quinn
Mr Barnier	Mr Hills	Mr Ramsay
Mr Bedford	Mr Jensen	Mr Renshaw
Mr Booth	Mr Johnson	Mr Rogan
Mr Brereton	Mr Johnstone	Mr Ryan
Mr Cleary	Mr Jones	Mr Sheahan
Mr R. J. Clough	Mr Keane	Mr Stewart
Mr Cox	Mr Kearns	Mr Wade
Mr Crabtree	Mr L. B. Kelly	Mr F. J. Walker
Mr Day	Mr McGowan	Mr Whelan
Mr Degen	Mr Maher	Mr Wilde
Mr Durick	Mr Mallam	Mr Wran
Mr Einfeld	Mr Mulock	
Mr Ferguson	Mr Neilly	*Tellers,*
Mr Flaherty	Mr O'Connell	Mr Face
Mr Gordon	Mr Paciullo	Mr Hunter

Noes, 47

Mr Arblaster	Mr Cowan	Mr Leitch
Mr Barraclough	Mr Darby	Mr Lewis
Mr Boyd	Mr Doyle	Mr McDonald
Mr Brewer	Mr Duncan	Mr McGinty
Mr Brown	Mr Fisher	Mr Mackie
Mr Bruxner	Mr Freudenstein	Mr Maddison
Mr Cameron	Mr Griffith	Mr Mason
Mr Caterson	Mr Healey	Mrs Meillon
Mr Coleman	Mr Jackett	Mr Moore

Mr Morris	Mr Rofe	Mr Webster
Mr Murray	Mr Rozzoli	Mr West
Mr Mutton	Mr Schipp	Sir Eric Willis
Mr Osborne	Mr Singleton	Mr Wotton
Mr Park	Mr Taylor	***Tellers,***
Mr Pickard	Mr Viney	Mr Dowd
Mr Punch	Mr N. D. Walker	Mr Fischer

Question so resolved in the affirmative.

Amendment negatived.

Mr HILLS (Phillip), Minister for Industrial Relations, Minister for Mines and Minister for Energy [8.39]: I move:

That at page 7 after line 24, there be inserted the words

(3) Except as provided in section 14, nothing in this Part authorises anything to be compulsorily acquired.

The CHAIRMAN: Order! I notice that the Opposition proposes an amendment at this stage of the bill. Does the Opposition wish to pursue that amendment?

Mr Freudenstein: Not in view of the earlier amendment moved.

Mr HILLS: As I said, the bill is in no way a device to nationalize the energy industries of New South Wales. The motives and principles imputed to the measure by the Opposition cannot be substantiated on a proper reading of the bill's provisions. The amendment I have moved seeks to provide that except for the provisions of clause 14 nothing in part III authorizes anything to be compulsorily acquired. Clause 14 covers the compulsory acquisition of land. At the second-reading stage I said that the authority needed this power so that it can initiate in its own right—not take over—energy undertakings. Where necessary it wants to be able to acquire land for pipelines. That power is no different from the rights conferred on private enterprise by the Pipelines Act of 1967. It is no different from the power accorded by the previous Government to many authorities and commissions. The authority wants to be able to set aside and to husband land containing energy resources. These activities will not be practicable without a right to acquire land compulsorily. The power in clause 14 has nothing to do with the acquisition of existing undertakings and exercise of such power by this authority or by any of the bodies established by the previous Government with similar power would give it land—not the composite group of rights or elements making up an undertaking of that kind.

Mr FREUDENSTEIN (Young) [8.42]: The Opposition will strongly support the amendment. It is probably the best part of the bill. Although the Opposition does not consider that it means a great deal, at least it expresses an opinion that nothing will be compulsorily acquired. There is a pretence by the Government that this is a non-socialist bill. Paragraphs (j), (k), (l), (m), (n), of subclause (2) of clause 13 indicate that the Minister, or the authority with the Minister's approval, can require a certain fuel undertaking to do certain works. I shall give the Committee an illustration of an undertaking that would be thrown into the Government's hands without its being acquired. Boral runs the gas undertaking at Goulburn. If the Minister said to that undertaking that under paragraph (j) of clause 13 (2) it will quickly make gas available at Marulan or Crookwell that comany would go broke; it would have no saleable assets. The Government or the proposed authority would have to take over. This bill represents socialisation by stealth. Although clause 13 affords some protection,

the other clauses completely negative that protection and there is socialization by stealth rather than direct socialization where the Minister can acquire. I shall support the amendment, notwithstanding that it is only a pretence; it is an expression that there will be no compulsory socialization but there will be stealth of operation.

Mr WEBSTER (Pittwater) [8.45]: Although the Opposition supports the amendment moved by the Minister, I wish to place on record that the clause with the amendment points up the insincerity of the Minister and the Government. If the words compulsory, acquisition, control and direction did not recur so frequently in the bill, thus giving the Opposition cause for its suspicions, the amendment would not be necessary. I wish rather that the Government remove the need for the amendment. It is a farce, superficial and unncessary, but in the circumstances the Opposition must support it.

Amendment agreed to.

Clause as amended agreed to.

Clause 13

Page 8

(2) Without limiting the generality of subsection (1), the Authority may—

(a) investigate the extent of the energy resources available within the State;

(b) carry out, or commission the carrying out of, such inspections, tests, investigations, surveys, experiments, boring, drilling and explorztion as it considers necessary or desirable to enable it effectively to carry out its functions under this or any other Act;

Mr HILLS (Phillip), Minister for Industrial Relations, Minister for Mines and Minister for Energy [8.46]: I move:

That at page 8, line 2, after the word "may" there be inserted the words "in addition to any other functions conferred and imposed on the authority by or under this or any other Act".

I move the amendment to make is completely clear that the powers the authority may exercise under this subclause are in addition to the functions set forth in clause 12. I am advised this amendment is required, for the sake of clarity.

Mr FREUDENSTEIN (Young) [8.47]: The Opposition will not divide on the amendment. It feels that it is the thin edge of the wedge to obtain additional powers for an authority which may not already be provided in the bill. It is a clause consistent with parliamentary drafting and the Opposition accepts it. However, I hope that it will be carefully observed and not abused as similar clauses often are.

Amendment agreed to.

Mr FREUDENSTEIN (Young) [8.48]: I move:

That at page 8, lines 6 to 8, the words "surveys, experiments, boring, drilling, and exploration as it considers" be left out and there be inserted in lieu thereof the words "as may be".

This is an endeavour to cut down the fierce growth of the public service which is inclined to grow under a Labor socialist government. There is a duplication of services provided already by the Department of Mines. Why should power to survey, bore and drill be given to another authority in New South Wales? It is absurd. Does the Treasurer, who is present in the Chamber, intend to approve a further team of borers, drillers, and geologists to be established under the authority? Is it the intention to permit the Department of Mines to do the work for the Energy Authority? It represents an example of Parkinson's Law. There is an everlasting grab for power and an endeavour to increase staff. I submit that the clause will give to a separate authority rights and powers that traditionally belong to the Department of Mines. If one includes the Joint Coal Board the State will have three authorities with similar powers, which is quite stupid.

Mr HILLS (Phillip), Minister for Industrial Relations, Minister for Mines and Minister for Energy [8.49]: This is the same type of amendment previously moved by the Opposition. Its aim is to restrict the practical effectiveness of the Energy Authority. The authority may wish to carry out investigations of the mineral or energy-bearing qualities of land within the State. It would do so in connection with its function of assessing the energy resources and needs of the State. In the normal course of its operations, it would make use of the services of government departments, especially of the Department of Mines, in accordance with the provisions of clause 19. Under that clause, the authority is entitled to enter into arrangements with a department or instrumentality of the State. It would be entering into an arrangement such as this for the purpose of conducting its exploration.

The investigations by the Department of Mines are supported by a skilled staff of geologists and mining engineers. This supporting expertise will be available through the under-secretary of Mines in his capacity as a member of the Energy Authority. These powers have not been included, as the honourable member for Young puts it, to usurp those held by the Department of Mines, or to destroy that department. They are an adjunct to the exploration activities of that department. This is a rational, practical government. We view comments such as those as symptoms of the Opposition's panic in the face of creative and useful legislation. We shall use the Department of Mines. If the department's officers are not available to the authority at the time, the authority will be able to commission somebody else to do the work.

Mr FREUDENSTEIN (Young) [8.52]: I am not satisfied with that explanation. The Minister is pointing to the under-secretary himself, who is one member of a six-member commission. The Minister is telling the Committee that that man will have power to sway the other five members to vote in favour of using the services of the Department of Mines. I do not doubt that one or possibly two of those members might vote with the under-secretary of the Department of Mines, but Lord knows how the under-secretary of the Department of Mines will convince the other three members of the authority. They will be all Labor supporters from the Trades Hall. One of them could be the driver of a petrol tanker from the Labor Council of New South Wales. He will have a power grouping and they will go along with him. The under-secretary of the Department of Mines will be overruled.

The authority is going to be a power-grabbing concern. Its members will attempt to build up an empire. A majority of them will overrule the under-secretary of the Department of Mines when he tells them that the services of his department are available to the authority. The other five members will be able to outvote him and say that the authority will entice his geologists away from the department and put them on the staff of the authority. That will happen. This is a dangerous piece of legislation.

The other five members will well and truly outvote the under-secretary of the Department of Mines. When that happens there will be a duplication of work by geologists, drillers and borers—the whole gamut of them—at great cost to the taxpayers of this State.

Mr HILLS (Phillip), Minister for Industrial Relations, Minister for Mines and Minister for Energy [8.55]: I must comment on what the honourable member for Young said. During the second-reading stage he eulogized the chairman of the Electricity Commission, who will be the chairman of this authority.

Mr Freudenstein: He may not always be.

Mr HILLS: Under this legislation he will always be the chairman of the authority. The bill provides that the person occupying the position as chairman of the Electricity Commission shall be chairman of the Energy Authority. He is a responsible officer and a man of great experience. The chairman of the Electricity Authority will also be a member of the Energy Authority. The honourable member for Young eulogized these people, but now he is suggesting that they will set out deliberately to build up an empire for themselves. The honourable member is completely irresponsible in suggesting this. Let him read the bill. He said that they would build up an empire to get themselves more salary. All the members of the authority will be part-time members. They will not be empire-building. The bill provides specifically that the authority shall utilize the services of other government departments. The honourable member for Young is completely in error. The authority will utilize the services of the Department of Mines, the Electricity Commission and other government departments to ensure that energy is conserved in this State.

Amendment negatived.

Page 9

10 (j) formulate proposals for requiring the provision, by a gas producing, extracting or transporting undertaking, of a bulk supply of gas to a gas distributing undertaking, including a scheme to enable that gas to be provided;

Mr HILLS (Phillip), Minister for Industrial Relations, Minister for Mines and Minister for Energy [8.56]: I move:

That at page 9, all words on lines 10 to 14 be left out and there be inserted in lieu thereof the words:

(j) with the approval of the Minister, require a gas producing, extracting or transporting undertaking to provide, and continue to provide, a bulk supply of gas to a gas distributing undertaking;

The terms of existing paragraph (j) limit the authority's activity, under this head, to the formulation of proposals relating to the supply, by a gas undertaking, of bulk supplies of gas. We consider that this power must be fortified with an ability to take additional action. I mentioned, during the second-reading debate, that I have, on two recent occasions, sought assistance from the Minister for National Resources, for the purposes of securing a supply of natural gas to country areas. I have also, in recent weeks, put the State's need for natural gas in country areas to the Australian Gas Light Company. It is now clear that the Government must have, in this measure, an additional power so that it can require the gas company to take some positive initiatives in the

interests of the State. That is the purpose of this amendment. The present paragraph (j) provides that the authority shall have power to formulate proposals. This amendment seeks to provide that the authority shall have power to direct and cause the supplying body to supply natural gas to an undertaking. In other words, it would be able to say to the Australian Gas Light Company that the Government expected that company, through the authority, to supply natural gas to Bathurst, Orange, Lithgow and Goulburn.

Mr Webster: What about Tibooburra?

Mr HILLS: Surely we are talking of a body that has responsible people on it.

Mr Webster: We have no assurance of that.

Mr HILLS: The proposal is that with the approval of the Minister, and the authority must have that, the authority shall require a gas-producing, extracting or transporting undertaking to provide, and continue to provide, a bulk supply of gas to a gas distributing undertaking—say at Wagga Wagga or Cootamundra—after proper investigation as to whether that natural gas should be provided. Surely honourable members opposite who have said that they would compel the AGL to supply natural gas to those country towns and ensure that laterals were built will not have any objection to this amendment. I am sure it will have the unanimous support of the Committee.

Mr FREUDENSTEIN (Young) [8.59]: The amendment is not much improvement on the original provision. It is all very well to require a gas-producing, extracting or transporting undertaking to provide, and continue to provide, a commodity to a town without putting any price limit on the commodity. As I said before, it is possible that the authority would require the Boral company to put gas into Marulan from Goulburn or some other place, but the people of Marulan or Crookwell might not be able to pay for it.

If the Minister looks at the Act of 1837 that established the Australian Gas Light Company, he will see that it gave the company the protection of this Parliament and also controlled the price at which gas could be sold in the Sydney area. The Act also limited profits for the company to the bond interest rate. The Minister is now saying, virtually, that the company will be required to put gas into Bathurst and other places at a price that the people of Bathurst will not be able to afford. In addition, the Australian Gas Light Company will go broke in putting it there. It is gas-at-any-price legislation. I am sure that when local government sees this bill it will know that Labor's election promises have gone down the drain.

Mr WEBSTER (Pittwater) [9.2]: This afternoon I made several references to the sorry story of the development of energy in this country, and natural gas in particular. I said that it had been punctuated with political interference. In his second-reading speech the Minister for Industrial Relations, Minister for Mines and Minister for Energy made great play on the letter that passed between the former Minister for Mines and Minister for Energy and the Australian Gas Light Company, and on the fact that it took a couple of years to get a reply. What the Minister did not know, and still does not know, is that the best advice the Minister could get at the time was that it was better all round for the consumer or for those who were involved in capital expenditure, if gas were taken first from the heads direct to a city like Sydney, so that a supply could be established there before the next move was made. That is the world precedent. The Victorians have done it. Bendigo, Ballarat, and other places came on to the supply after the establishment of the primary line. The Sydney market was the only one from which the Australian Gas Light Company could expect a return.

The Hon. D. A. Dunstan did the same thing in South Australia. He is more alert than the Minister for Industrial Relations, Minister for Mines and Minister for Energy. What the Government is doing here is perpetuating its mistakes. The Minister has little background and knowledge, yet he is telling the experts that he will require them to provide a gas supply without any regard to the cost, either to those who are to receive it or to the community as a whole.

The CHAIRMAN: Order! The question is, That the words stand.

Resolved in the negative.

The CHAIRMAN: Order! The question now is, That the words proposed to be inserted be so inserted.

Mr FREUDENSTEIN (Young) [9.4]: The Minister for Industrial Relations, Minister for Mines and Minister for Energy moved that clause 13 (2) be amended by leaving out paragraph (j) and by inserting in its place a paragraph that would empower the Energy Authority to require certain persons to provide a bulk supply of gas to a gas-distributing undertaking. That paragraph is in the following terms:

> (j) with the approval of the Minister, require a gas producing, extracting or transporting undertaking to provide, and continue to provide, a bulk supply of gas to a gas distributing undertaking;

I move:

> That the proposed amendment be amended by leaving out the word "require" and inserting the word "assist" in lieu thereof.

I want to see natural gas in our country towns and cities, and the only way it will get there is if somebody subsidizes it. The Minister's amendment will require natural gas to be taken to certain places, but it says nothing about financing the works. How in the name of heaven are the people of Bathurst and Wagga Wagga and other places to pay for the complete cost of the laterals? It would be impossible. The Australian Gas Light Company cannot be held to its original agreement, and therefore we as the Parliament must assist. No provision is made in this bill for natural gas to go into country towns or cities at a price the people can pay. All I am saying here is that we should delete from the amendment the word "require" and insert the word "assist". This is the only feasible way of getting gas to country towns.

Mr RENSHAW (Castlereagh), Treasurer [9.6]: I have had the opportunity of listening to this debate for only a few minutes, but I am surprised at the attitude adopted by members of the Country Party to the building of natural gas lateral pipelines. It is all very well for the honourable member for Hornsby to be sermonizing about these matters, but I was in Parliament when a bill similar to this one was put through. In fact, I had the privilege of being responsible for its passage. That bill related to the uniform distribution of electricity. The provision now before the Committee will give the Government the power to assist in relation to a natural gas supply.

Mr Freudenstein: No. That is what we want to do, but the Government is going to require natural gas to be supplied.

Mr RENSHAW: It is all very well for the honourable member for Young to say that, but what he is doing is finding excuses for destroying a bill that will give country people natural gas just as they were given electricity, because their supply will be subsidized by city people. That will happen with the natural gas lateral pipeline. The Government will assist, which means that the people of the city will be contributing to the development of the State as a whole. Honourable members opposite are opposing

that proposition. They sit here piously arguing that what the Government proposes is in some way a sacrilege, yet their predecessors in Parliament put forward the same arguments when the Electricity Commission legislation was being considered. The passage of that bill led to the electrification of the State of New South Wales. Unless the Government had assisted, the country people would not have been able to afford electricity. Honourable members opposite say that it will be too costly to take natural gas to country towns and cities. They ask why the Government should build such lateral lines. The answer is that we have exactly the same situation here as we had with the distribution of power. That was said to be too costly. I am disappointed at the attitude of members of the Country Party on this issue, and their thinking is completely city-North-Shore dominated.

Mr FREUDENSTEIN (Young) [9.8]: I am amazed at the remarks of the Treasurer speaking in support of my amendment. He said that the Government should assist in the provision of these services. That is what we say. It was a revelation to me that he should have spoken as he did, for only recently I have been out into the western areas of New South Wales, which he represents, where some people are still without electric power.

Mr Renshaw: After eleven years of government by the coalition parties.

Mr FREUDENSTEIN: The people of Bathurst and Orange will continue to wait unless the Government accepts this amendment so that the gas undertaking will be assisted to put gas out there. Merely requiring to put it there means nothing. One can build a pipeline but if the people cannot afford to pay for the gas they will not buy it and it will be a complete waste of energy.

Mr HILLS (Phillip), Minister for Industrial Relations, Minister for Mines and Minister for Energy [9.11]: Let me put this matter to rest. What this Government is about is to see that the people in Wagga Wagga, Bathurst and Orange get gas and do not pay any more for it on the retail tariff than the people of Sydney will. Is that clear? It is to be not less and not more, but the same. A common retail tariff price will be established under what the Minister will be aiming to do. That is my policy as the Minister for Mines and Minister for Energy, representing the people. If anybody on the other side of the Chamber has any objection to that, let him now speak. Does the honourable member for Wagga Wagga object?

Mr Schipp: Yes.

Mr HILLS: You want it for less than what the people of Sydney will be paying. You want it at a retail price less than what people in Sydney will pay. Is that what you want?

Mr Schipp: The price at the gate.

Mr HILLS: You want the people of Sydney to subsidize it and to pay more than the people of Wagga Wagga. That is what you want. I am saying as the Minister representing the whole of the people of this State that the people of the country should not pay more for natural gas than the people of the city. Go back to Wagga Wagga and tell the people I have made it clear. I have told the honourable member privately that that was the policy of the Government, but he got it all mixed up. That is the situation. If there are members on the opposite side of the House who say that that is unfair, let them say so now. Does the honourable member for Lane Cove think that that proposition is unfair? By his silence I assume that he thinks it is all right.

That is what it is all about. What the honourable member for Young wants to do is allow the Australian Gas Light Company off the hook, allow it to retain the lucrative city areas while the Government comes along through this authority and assists in the provision of natural gas to the country. The honourable member for Wagga Wagga suggests that the people of Wagga Wagga should have it for less than the retail price paid by the people of Sydney. I hope everybody in this House understands that that is what he proposes.

Mr Schipp: What about the honourable member for Burrinjuck?

Mr HILLS: He does not want his constituents to pay any more than the people of the city, and he cannot expect it for less than the people in the city or that they should subsidize the people in the country. Have we all got that clear? I want members of the Liberal Party and the Country Party to know the score. This Government will not sit idly by and allow the Australian Gas Light Company to have the cream of the market in the Sydney and Wollongong metropolitan areas, and obtain an increase in its business because of industrial bodies buying natural gas as it will be cheaper.

Incidentally, the Leader of the Opposition said that the natural gas will not be any cheaper. Natural gas will be delivered in Sydney at 8 cents a therm. Despite the recent decision on naphtha, consumers are paying at the moment 17 cents a therm, so natural gas will be less than half the present price. But what will happen to the people in Sydney? They will not get the advantage of a 50 per cent reduction. All that the consumers in the metropolitan area can hope for is a reduction of about 7 per cent. What the company will be doing is trading it off to industry. I hope all honourable members understand that that is the situation. Domestic consumers will be paying about 7 per cent less than they are at the moment.

Mr Webster: What does your figure include?

Mr HILLS: It includes the Australian Gas Light Company's profits and everything else. That is what it is all about. I hope you understand. I will give an undertaking here tonight that if the bill goes through people in the country towns where natural gas is supplied will not pay more than the people of the Sydney metropolitan area.

Mr FREUDENSTEIN (Young) [9.14]: It is very easy for a Minister to give an undertaking in this House but that is not recognized in a court of law. The bill when it becomes law is recognized in a court of law, and this is what the Australian Gas Light Company or any other company will be fighting on when it goes to court.

Mr Sheahan: Have you got the brief?

Mr FREUDENSTEIN: I have no brief for the Australian Gas Light Company. I make that perfectly clear. I want to ensure that gas gets to country centres at a price that the consumers can afford. That is why I moved this amendment. A ministerial assurance in this place is of no value in a court of law. What the court is required to interpret is what is written into an Act of Parliament. Although I should like to have the court recognize what the Minister has said tonight, I could not possibly anticipate any judge taking it into consideration. I want some assurance that if natural gas it to be supplied to our rural towns and inland cities, it will be at a price that the people in those towns and cities can afford.

Amendment of amendment negatived.

Amendment agreed to.

Page 9

(k) acquire a gas producing or distributing undertaking by agreement;

(l) formulate proposals for the compulsory acquisition by the Authority of a gas producing or distributing undertaking and proposals in respect of any compensation that may be payable to any person affected by that compulsory acquisition;

(m) undertake, or cause to be undertaken, the construction of works or apparatus to be used for or in connection with the locating or the development, extraction, provision, transportation, distribution. conservation or utilisation of energy or energy resources;

(n) maintain and operate any undertaking constructed or acquired by it under this or any other Act; and

Mr FREUDENSTEIN (Young) [9.16]: I move:

That at page 9, all words on lines 15 to 29 be left out and there be inserted in lieu thereof the words

(k) maintain and operate any energy producing or distributing undertaking which supplies and provides essential services or essential commodities in the event of that undertaking ceasing permanently to carry out such operations; and

This to me is the socialistic part of the bill. It gives power to an authority to take over by acquisition, by stealth and by starving into submission any company, from the Australian Gas Light Company down to the smaller gas undertakings. I have previously said that not one of these paragraphs adds anything to providing power to the country at a price that country consumers can afford to pay. Therefore I propose that the words be left out and in their place we put new paragraph (k). It is possible that somewhere in this State a gas undertaking may cease to operate. I could refer to the one at Cessnock, about which the honourable member for Lake Macquarie must be awfully embarrassed because it has not yet provided one unit of gas to its area, yet the citizens have been paying rates to the county council for years.

Mr Hunter: What did you do about it—reduce their subsidy?

Mr FREUDENSTEIN: I told them they had a responsibility to provide gas or get out of it, and you did not give me much help. The honourable member for Lake Macquarie has been party to robbing his constituents for years to maintain a non-viable organization at Cessnock. That gas undertaking is a disgrace and it will stand as a memorial to failed socialism. We are now being asked to repeat it. Proposed new paragraph (k) will provide machinery for the takeover of these failed socialized projects that are left lying around the bush. I move for the deletion of paragraphs (k), (I), (m) and the substitution of a new positive paragraph in the bill.

Mr HILLS (Phillip), Minister for Industrial Relations, Minister for Mines and Minister for Energy [9.21]: The Government opposes the amendment.

Question—That the words stand—put.

The Committee divided.

Ayes, 49

Mr Akister	Mr Haigh	Mr Paciullo
Mr Bannon	Mr Hatton	Mr Petersen
Mr Barnier	Mr Hills	Mr Quinn
Mr Bedford	Mr Hunter	Mr Ramsay
Mr Booth	Mr Jensen	Mr Renshaw
Mr Brereton	Mr Johnson	Mr Rogan
Mr Cleary	Mr Johnstone	Mr Ryan
Mr R. J. Clough	Mr Jones	Mr Stewart
Mr Cox	Mr Keane	Mr Wade
Mr Crabtree	Mr Kearns	Mr F. J. Walker
Mr Day	Mr L. B. Kelly	Mr Whelan
Mr Durick	Mr McGowan	Mr Wilde
Mr Einfeld	Mr Maher	Mr Wran
Mr Face	Mr Mallam	
Mr Ferguson	Mr Mulock	Tellers,
Mr Flaherty	Mr Neilly	Mr Degen
Mr Gordon	Mr O'Connell	Mr Sheahan

Noes, 47

Mr Arblaster	Mr Freudenstein	Mr Park
Mr Barraclough	Mr Griffith	Mr Punch
Mr Boyd	Mr Healey	Mr Rofe
Mr Brewer	Mr Jackett	Mr Rozzoli
Mr Brown	Mr Leitch	Mr Schipp
Mr Bruxner	Mr Lewis	Mr Singleton
Mr Cameron	Mr McDonald	Mr Taylor
Mr Caterson	Mr McGinty	Mr Viney
Mr Coleman	Mr Mackie	Mr N. D. Walker
Mr Cowan	Mr Maddison	Mr Webster
Mr Darby	Mr Mason	Mr West
Mr Dowd	Mrs Meillon	Sir Eric Willis
Mr Doyle	Mr Moore	Mr Wotton
Mr Duncan	Mr Moms	Tellers,
Mr Fischer	Mr Murray	Mr Osborne
Mr Fisher	Mr Mutton	Mr Pickard

Question so resolved in the affirmative.

Amendment negatived.

Clause as amended agreed to.

Clause 14

,[Acquisition of Land]

Mr FREUDENSTEIN: Mr Chairman——

Mr FLAHERTY (Granville), Government Whip [9.28]: I move:

That the question be now put (S.O. 175B).

The Committee divided.

Ayes, 48

Mr Akister	Mr Haigh	Mr Petersen
Mr Bannon	Mr Hills	Mr Quinn
Mr Barnier	Mr Hunter	Mr Ramsay
Mr Bedford	Mr Jensen	Mr Renshaw
Mr Booth	Mr Johnson	Mr Rogan
Mr Brereton	Mr Johnstone	Mr Ryan
Mr Cleary	Mr Jones	Mr Stewart
Mr R. J. Clough	Mr Keane	Mr Wade
Mr Cox	Mr Kearns.	Mr F. J. Walker
Mr Crabtree	Mr L. B. Kelly	Mr Whelan
Mr Day	Mr McGowan	Mr Wilde
Mr Durick	Mr Maher	Mr Wran
Mr Einfeld	Mr Mallam	
Mr Face	Mr Mulock	
Mr Ferguson	Mr Neilly	*Tellers,*
Mr Flaherty	Mr O'Connell	Mr Degen
Mr Gordon	Mr Paciullo	Mr Sheahan

Noes, 48

Mr Arblaster	Mr Griffith	Mr Punch
Mr Barraclough	Mr Hatton	Mr Rofe
Mr Boyd	Mr Healey	Mr Rozzoli
Mr Brewer	Mr Jackett	Mr Schipp
Mr Brown	Mr Leitch	Mr Singleton
Mr Bruxner	Mr Lewis	Mr Taylor
Mr Cameron	Mr McDonald	Mr Viney
Mr Caterson	Mr McGinty	Mr N. D. Walker
Mr Coleman	Mr Mackie	Mr Webster
Mr Cowan	Mr Maddison	Mr West
Mr Darby	Mr Mason	Sir Eric Willis
Mr Dowd	Mrs Meillon	Mr Wotton
Mr Doyle	Mr Moore	
Mr Duncan	Mr Morris	
Mr Fischer	Mr Murray	*Tellers,*
Mr Fisher	Mr Mutton	Mr Osborne
Mr Freudenstein	Mr Park	Mr Pickard

The CHAIRMAN: The numbers being equal I give my casting vote with the ayes and declare the question to be resolved in the affirmative.

Sir Eric Willis: On a point of order. I respectfully invite your attention to the fact that in the 125 years or thereabouts of the Legislative Assembly on all occasions when the Committee has divided equally the Chairman has given his casting vote on the gag in favour of the debate continuing. I submit that in accordance with long-established practice, it would be only proper that you, Mr Chairman, should continue this practice and give your casting vote accordingly.

The CHAIRMAN: No point of order is involved. I direct the attention of honourable members to Standing Order 210 which states:

> In case of an equality of votes, the Speaker shall give a Casting Vote, and any reasons stated by him may be entered in the Votes and Proceedings.

Standing Order 316 states:

> Every Question in Committee shall be decided in the same manner as in the House itself, the Chairman having only a Casting Vote, and any reasons stated by him when giving such vote may be entered in *the* proceedings of the committee.

The direction in which the Chairman gives his casting vote is a matter for him and him alone. On a number of occasions my predecessors have stated that they were guided in giving their casting vote by their best judgments of the merits of the question.

Question—That the clause stand—put.

The Committee divided.

Ayes, 49

Mr Akister	Mr Haigh	Mr Paciullo
Mr Bannon	Mr Hatton	Mr Petersen
Mr Barnier	Mr Hills	Mr Quinn
Mr Bedford	Mr Hunter	Mr Ramsay
Mr Booth	Mr Jensen	Mr Renshaw
Mr Brereton	Mr Johnson	Mr Rogan
Mr Cleary	Mr Johnstone	Mr Ryan
Mr R. J. Clough	Mr Jones	Mr Stewart
Mr Cox	Mr Keane	Mr Wade
Mr Crabtree	Mr Kearns	Mr F. J. Walker
Mr Day	Mr L. B. Kelly	Mr Whelan
Mr Durick	Mr McGowan	Mr Wilde
Mr Einfeld	Mr Maher	Mr Wran
Mr Face	Mr Mallam	
Mr Ferguson	Mr Mulock	*Tellers,*
Mr Flaherty	Mr Neilly	Mr Degen
Mr Gordon	Mr O'Connell	Mr Sheahan

Noes, 47

Mr Arblaster	Mr Freudenstein	Mr Park
Mr Barraclough	Mr Griffith	Mr Punch
Mr Boyd	Mr Healey	Mr Rofe
Mr Brewer	Mr Jackett	Mr Rozzoli
Mr Brown	Mr Leitch	Mr Schipp
Mr Bruxner	Mr Lewis	Mr Singleton
Mr Cameron	Mr McDonald	Mr Taylor
Mr Caterson	Mr McGinty	Mr Viney
Mr Coleman	Mr Mackie	Mr N. D. Walker
Mr Cowan	Mr Maddison	Mr Webster
Mr Darby	Mr Mason	Mr West
Mr Dowd	Mrs Meillon	Sir Eric Willis
Mr Doyle	Mr Moore	Mr Wotton
Mr Duncan	Mr Morris	*Tellers,*
Mr Fischer	Mr Murray	Mr Osborne
Mr Fisher	Mr Mutton	Mr Pickard

Question so resolved in the affirmative.

Clause agreed to.

Question—That clauses 15 to 49 and schedules 1 to 3 stand---put.

The Committee divided.

Ayes, 49

Mr **Akister**	Mr **Haigh**	Mr Paciullo
Mr **Bannon**	Mr **Hatton**	Mr **Petersen**
Mr **Barnier**	Mr Hills	Mr Quinn
Mr Bedford	Mr Hunter	Mr **Ramsay**
Mr Booth	Mr Jensen	Mr Renshaw
Mr Brereton	Mr **Johnson**	Mr Rogan
Mr **Cleary**	Mr **Johnstone**	Mr **Ryan**
Mr R. J. Clough	Mr **Jones**	Mr **Stewart**
Mr Cox	Mr **Keane**	Mr Wade
Mr **Crabtree**	Mr **Kearns**	Mr F. J. Walker
Mr Day	Mr L. B. **Kelly**	Mr **Whelan**
Mr **Durick**	Mr **McGowan**	Mr **Wilde**
Mr **Einfeld**	Mr Maher	Mr Wran
Mr Face	Mr **Mallam**	
Mr **Ferguson**	Mr **Mulock**	***Tellers,***
Mr **Flaherty**	Mr **Neilly**	Mr Degen
Mr Gordon	Mr **O'Connell**	Mr Sheahan

Noes, 47

Mr **Arblaster**	Mr Freudenstein	Mr Park
Mr Barraclough	Mr **Griffith**	Mr Punch
Mr Boyd	Mr Healey	Mr Rofe
Mr Brewer	Mr Jackett	Mr **Rozzoli**
Mr Brown	Mr Leitch	Mr Schipp
Mr **Bruxner**	Mr Lewis	Mr Singleton
Mr **Cameron**	Mr **McDonald**	Mr Taylor
Mr **Caterson**	Mr **McGinty**	Mr Viney
Mr **Coleman**	Mr Mackie	Mr N. D. Walker
Mr **Cowan**	Mr Maddison	Mr Webster
Mr Darby	Mr Mason	Mr West
Mr Dowd	Mrs **Meillon**	Sir **Eric Willis**
Mr Doyle	Mr **Moore**	Mr Wotton
Mr **Duncan**	Mr Morris	***Tellers,***
Mr Fischer	Mr **Murray**	Mr Osborne
Mr Fisher	Mr Mutton	Mr Pickard

Question so resolved in the affirmative.

Clauses and schedules agreed to.

Adoption of Report

Bill reported from Committee with amendments and report adopted.

BILL RETURNED

The following bill was returned from the Legislative Council without amendment:

Prices Regulation (Bread) Amendment Bill

REAL PROPERTY (AMENDMENT) BILL

Second Reading

Debate resumed (from 30th September, *vide* page 1295) on motion by Mr Crabtree:

That this bill be now read a second time.

Mr DOWD (Lane Cove) [9.45]: Because of the kindness of the Minister adequate time has been allowed for the consideration of this measure. I commend the Minister for this. It would be unfortunate if at this time of the evening rather important legislation such as this, amending some provisions that have been on the statute book for seventy-six years, were rushed through the House with undue haste. I am conscious of the Government's wish to bring in other measures before the end of the session, but there are certain matters in this bill on which I feel bound to speak. At the introductory stage I paid tribute to the officers of the Minister's department. It is important that the procedures adopted in this legislation should receive the commendation of this House. An important .thing has happened to the legal profession, and this in turn affects the public. There has been consultation with the profession at all stages in the preparation of this bill, and since then.

I pay tribute to the honourable member for Wollondilly who, when Minister for Lands, initiated procedures that will eventually remove from the law of this State the extraordinary difference between titles under the Real Property Act—Torrens Title--and those under the common law—the old-system title. Future historians will find it difficult to accept that we should have tolerated this procedure for so long. This bill, which will take it another stage further, is a tribute to the energy of the honourable member for Wollondilly. The Ministers who succeeded him, including the present Minister, have been responsible for continuing this programme. I refer, in particular, to the honourable member for Dubbo who set up consultation with the conveyancing committee of the Law Society. This State should acknowledge its indebtedness to the gentlemen who have given up a great deal of their time to assist both the former Government and the present Government in their understanding of the bill. There have been consultations with members of that committee as late as today. They do not necessarily speak for the Law Society, but they have assisted in large measure.

While paying tribute to that committee I must say that I am grossly disappointed in the members of my own profession for their lack of interest in these measures. It is extraordinary that of the thousands of solicitors in this State, so few have seen fit to make a wntribution to this legislation. This bill and the one to follow it constitute their basic tools of trade. Individual members have assisted the Minister by making suggestions and the Minister has indicated that he will accept some of them. When the Minister has had further time to consider others, I hope that they will be introduced in another place. This Government has made it plain that it intends to follow the previous Government's procedure of making some amendments in another place.

The amendments in this measure are extensive and fairly lengthy, and at best I can merely skim through certain provisions of the bill. I have seen the amendments that the Minister proposes to move in Committee. The Opposition supports those amendments and commends the Minister for his attitude in accepting them. Some of them have emanated from conversations I have had with the conveyancing committee, and from conversations among members of that committee and the Minister and his officers. This is the sort of co-operation that one likes to see in the preparation of important legislation.

I refer to the provisions dealing with the writs registered on the title under the provisions of section 105 and section 105A. In the general debate everyone agreed on the general desirability of curing these defects. The decision in *Coleman* v. De *Lissa* in 1885 and the approval given to that decision in the succeeding year have been criticized because of the damage done in this area of sales by the sheriff under writs of execution. It is not fair to criticize the decision that was arrived at so long ago. In my view it was a correct interpretation of the law.

The implementation of proposed new sections 105 and 105A will cure that problem but will create one more problem. The House and the public should be reminded that many persons in our community are protected by unregistered securities over charges and loans. An obligation will now be created on banks and private mortgagees to register documents that many of them now hold unregistered. That of itself may be important in the writ of execution situation, but it will also affect the public in that so many of them are now relieved of the obligation to pay legal fees and registration fees on documents. Because of this provision there will be a change, and it is unfortunate that some additional expense will be incurred. However, the present situation cannot be allowed to continue, whereby valuable properties are virtually extinguished unless the judgment creditor has the money, or can raise the money, to buy the property himself at the sheriff's sale, to carry it through, and in turn to sell it. This is one of the measures that the honourable member for Wollondilly was concerned about, and it is important that we carry it through tonight.

I mention briefly conveyancers, recognized by section 10. This reminds us that there is an important tradition in conveyancing quite independent of the interpretation of the statute. The practice of conveyancing has gone on, guided by the ethics of the profession, for many years, and many fine men have contributed to that practice, complicated and difficult as it is in some areas. That has led to a good standard of conveyancing, which is a tribute to them. The time has come, however, when we must get rid of the former conveyancing practice of old-system title because the cost to the community is just too great. These measures, particularly the measures on qualified certificate of title, and limited certificates of title, are the next step in the elimination of old-system titles, which will ultimately benefit the whole State. Inevitably there will be anomalies. There will be test cases. There will be court proceedings interpreting what is imaginative new legislation, but as all important measures such as this require testing, we can only hope that it is reduced to a minimum.

Referring to the provisions of caveats, I should like to say that to bring the caveats in real property applications into line with section 72 caveats is an important step and will, I think, speed up that important stage of the registration process. That is an amendment to be applauded.

Dealing with the provisions concerning qualified title and limited title, I think the Minister covered the Government's intentions adequately in his second-reading speech. He said there will be problems, but this is an important part of clearing up all the remaining old-system titles in this State, which are getting, by reduction, more and more complicated because the easy ones are gradually being put out of the way.

Proposed new section 28R is one of the provisions that the Minister has agreed to amend as a result of conversations with the conveyancing committee. As I have indicated, the amendment is acceptable to the Opposition and we support it. Therefore I turn to schedule 7 of the bill and to the amendments to sections 32 and 32 (4A). I have had the benefit of discussions with Professor Roy Woodman, one of the two

illustrious authors of ***Baalman on The Torrens Title System.*** It is awkward to be, as it were, the meat in the sandwich between two such authors who have different views on ***Bursill*** v. ***Berger.*** *I* had a most interesting lunch today listening to their respective points of view. One of them, who is assisting the Minister, is present in the House tonight and the other was on the end of a telephone. The committee today considered this matter. I favour the majority view of the group of men who met today, which included persons such as Peter Tebbutt and Neville Moses, men well respected in this State for their views on conveyancing.

I believe it important that this amendment not proceed. Cases such as ***Bursill*** v. ***Berger*** will never happen again in the history of this State. The amendment is proposed to cure the difficulty caused by that case, but I think it will cause more problems than it will cure. The likelihood of that extraordinary circumstance happening again is so remote that I do not think the Minister ought to have introduced the amendment. The misunderstanding of the interpretation of what is the register, as defined in section 3 of the Act, and what it covers, including grants of certificates of title and dealings, is not helped by the amendment. I do not propose to move that the amendment be deleted, but I ask the Minister in the time before the bill is considered in another place to give consideration to deleting the amendment. For just one case such as that to cause an amendment that may complicate the meaning of what the register is—and one may rest assured that there will be some litigation on the understanding of this section—is not something lightly to be done. I have indicated to the Minister my opposition to this amendment, but the Minister and his advisers will proceed with it.

New section 33 is an important step forward. This was mentioned at the introductory stage. The Opposition will support it. The proposed amendment to part VI of the Real Property Act by the inclusion of a section 43B is an important one also. Frankly, it is so long since I have done conveyancing that I cannot remember how many titles have some notification on them as dealt with in subclause (2) (b). My recollection is that there is a large number of them, and I should have thought that some other amendment could have been worked out so that someone inspecting title could ignore these. Again, it is some time since I have looked at it, but I should have thought that the next time the legislation was being reviewed some better provision could be made to clear up these titles as much as possible.

Although this State has improved the situation of the register, it has introduced provisions that have complicated the position by requiring the conveyancer to check so many departments other than the Registrar General's Department. I do not think people will tolerate the expense, in a labour-intensive profession, of checking all these government departments. I know that the previous Government was considering the introduction of some sort of computer data bank under the former Minister for Lands, the honourable member for Wollondilly. I certainly hope that we shall see a proposal put into effect to reduce some of the procedures involved in checking in New South Wales. It is easy to criticize the costs of conveyancing. It is not so easy to suggest a framework in which the conveyancer can operate economically with his massive overheads. It is fashionable in this place to knock the legal profession, but it ought to be remembered that this place has created many problems for the legal profession.

I turn next to the amendments proposed to sections 57, 58 and 58A, which deal with mortgagees. Although the Opposition will not oppose in this Chamber or at all these amendments I do not think that a case has been made out for further complicating the position of mortgagees. The amendments proposed requiring the giving of notice will not solve the problems that worry most mortgagors about being put out of their homes. These provisions relate to sale. When a mortgagor has been thrown out on the street under what was a writ of *habere facias* and the sheriff has

put all his furniture wherever it has to go, it is little consolation to him to know that the mortgagee cannot sell him up until he has served appropriate notice on him. The mortgagor who gets himself into that situation does not easily get himself out of it.

I think it would have been better in sections 57, 58 and 58A, as in sections 109 and 111 of the Conveyancing Act, to have had another look at all the provisions dealing with the giving of notice. I think we are trying to interfere with a structure and, particularly when we get to the wording of the Conveyancing Act, we have created problems. There are too many opportunities for people to contract out of this area and the problem is not solved. Proposed new section 57 (2) provides:

> (2) A registered mortgagee or encumbrancee may, subject to this Act, exercise the powers conferred by section 58 if—
>
> (a) default has been made in the observance of any covenant expressed or implied in the mortgage or encumbrance or in the payment on the due date of the principal, interest, annuity, rent-charge or other money the payment of which is secured by the mortgage or encumbrance or of any part of that principal, interest, annuity, rent-charge or other money.

The clause omits completely covenants as to leasing, insurance and repair. There is no difference in character between covenants as to insurance, which can be catastrophic from the mortgagee's point of view if the mortgagor fails to insure, and missing out on one measly instalment. The distinction drawn between one category and the other is not justified. The State has an obligation to protect mortgagors against hardship. My experience is that it is difficult if some sort of defence is put up in a statement of claim for ejectment or a writ directed to the sheriff——

Mr Ryan: It is called possession of land now. A writ of *ha* fa is obsolete.

Mr DOWD: I understand the Minister does not like Latin. The giving of possession under the new Supreme Court Act is easy to frustrate and I do not think a case was made out for bringing in these amendments. In relation to the section on mortgagors I know that some hardship is caused. However, the remedy exceeds the need.

I have adverted to the section relating to the writ and I have supported the need for it. I hope that there will be an opportunity for the Minister to reconsider some of the matters I have raised, particularly in relation to *Bursill* v. ***Berger.*** I sincerely hope that the profession will co-operate now in trying to make this imaginative step of the qualified and limited titles work. The profession resisted the qualified title by the introduction of collateral deeds being registered, and the provisions of the new section making collateral deed null and void will, I hope, prevent the profession carrying on that practice at the expense of those dealing wtih conveyancers, realizing, of course, that it is a fairly cautious profession.

Dealing finally with proposed new section 28U, I am of the view that the 2-year period is too short for this provision to have effect. As we have waited ***76*** years to get to this stage, I should have thought that the Government could have allowed a little longer. I am sure the Minister will give wide advertisement to these provisions to ensure that people are not taken unawares. If there is as much interest outside the House as we have had in these amendments that have come before the House, the public will not know what is going on. The interest outside this House has been minimal except among the dedicated and impressive people on the conveyancing committee of the Law Society. I hope the Minister in reply will indicate that there will be very wide advertisement of this important step in clearing up old system title.

Because I am conscious of the hour I have not adverted to all the matters considered but I commend the Minister and his department and his predecessors in that office for an imaginative step forward in the law of title in this State.

Mr CRABTREE (Kogarah), Minister for Lands [10.7], in reply: I wish to thank the honourable member for Lane Cove leading for the Opposition. I think history has been made tonight because there has been a spirit of co-operation between, the Opposition and the Government. I think I can speak also for. the Law Society because as a lay member and one who has been critical of the legal fraternity, I consider it a very great honour to have received a letter of thanks from that society for the facilities extended to them so that they could express their views. I wish to pay particular tribute to officers of the Registrar General's Department and the Law Society. I have met them on two occasions and there have been a number of committee meetings and, as the honourable member for Lane Cove said, as late as today we have considered the views of the legal fraternity through their society and the amendments that we propose are in co-operation with both the Opposition and the Law Society. This is bold, experimental legislation and we thank them all for their co-operation.

Motion agreed to.

Bill read a second time.

In Committee

Clause 4

Page 3

25 sections 105 (1) and (4), and 105A to 105D, both inclusive, of the Real Property Act, 1900, as amended by this Act, apply to and in respect of the writ in the same way as they apply to and in respect of a writ recorded on or after that date under section 105 of that Act, as so amended.

Mr CRABTREE (Kogarah), Minister for Lands [10.8]: I move:

That at page 3, line 25, the figure (4) be left out and there be inserted in lieu thereof the figure (5).

Mr DOWD (Lane Cove) [10.9]: The Opposition supports the amendment.

Amendment agreed to.

Clause as amended agreed to.

Schedule 5

Page 13

10 (10) Subsections (8) and (9) do not operate to defeat the estate or interest of a mortgagor in land in respect of which a Registrar-General's caveat has been entered under section 28F (2).

Amendment (by Mr Crabtree) agreed to:

That at page 13, line 13, the word "entered" be left out and there be inserted in lieu thereof the word "recorded".

Page 14

28R. An estate or interest in land comprised in a qualified certificate of title may not be created or transferred by a registered proprietor except by a dealing in the approved form and any other deed is, to the extent that that registered proprietor thereby purports to create or transfer that estate or interest, of no force or effect.

Mr CRABTREE (Kogarah), Minister for Lands [10.11]: I move:

That at page 14, all words on lines 9 to 15 be left out and there be inserted in lieu thereof the words

28R. Where a dealing creating or transferring an estate or interest in land comprised in a qualified certificate of title has been registered under this Act, any other instrument not registrable under this Act is, to the extent that it purports to give effect to the transaction creating or transferring that estate or interest, of no force or effect.

Mr DOWD (Lane Cove) [10.12]: The Opposition supports the amendment. As P indicated earlier this was one oh the matters raised and referred to the departmental officers. The Minister readily accepted the amendment which is a credit to the assiduity of the committee that prepared it.

Amendment agreed to.

Schedule as amended agreed to.

Schedule 10

Page 30

in a fiduciary capacity, the Registrar-General may refuse to register the writ unless it is proved to his satisfaction that the writ was issued pursuant to a judgment against the registered proprietor in that fiduciary capacity.

(4) A writ may be recorded on a registered mortgage or encumbrance and may be executed by the sale and transfer of a mortgage, encumbrance or lease.

Amendments (by Mr Crabtree) agreed to:

That at page 30, line 5, the word "register" be left out and there be inserted in lieu thereof the word "record".

That at page 30, line 10, the words "or encumbrance" be left out and there be inserted in lieu therwf the words ", encumbrance or lease".

Page 32

(q) an application under section 105D for cancellation of the recording of a writ; or

(r) a notification in the Gazette whereby land becomes Crown land.

Amendment (by Mr Crabtree) agreed to:

That at page 32, line 25, after the word "land" there be inserted the words "within the meaning of the Crown Lands Act".

Schedule as amended agreed to.

Schedule 12

Page 52

(2) On and after the second anniversary of the date of assent to the Real Property (Amendment) Act, 1976, the Registrar-General may, for the purpose of issuing a limited certificate of title, adapt an occupational boundary as the boundary between the land comprised in that certificate of title and any conterminous land that is—

(a) under common law title; or

(b) comprised in a limited certificate of title in respect of which the limitation caveat specifies that boundary as an occupational boundary.

(3) Where an occupational boundary of

Amendment (by Mr Crabtree) agreed to:

That at page 52, line 15, the word "On" be left out and there be inserted in lieu thereof the words "Subject to subsection (3), (4) and (5), on".

Mr CRABTREE (Kogarah), Minister for Lands [10.13]: I move:

That at page 52, after line 26, there be inserted the words—

(3) Where, under subsection (2), the Registrar-General, for the purpose of issuing a limited certificate of title, intends to adopt an occupational boundary as the boundary between the land to be comprised in that certificate of title and conterminous land under common law title, he shall cause notice of that intention to be given——

(a) to the person to whom he intends to issue the limited certificate of title; and

(b) to the person to whom, if no further survey definition were necessary adequately to define the boundaries of the wnterminous land, he could issue a qualified certificate of title for that land under Part IVA.

(4) A notice referred to in subsection (3) shall——

(a) specify a period (being not less than one month after the date of the notice) before the expiration of which the limited certificate of title will not be issued; and

(b) require the person to whom it is given to show cause to the Registrar-General within the period so specified why the certificate of title should not be issued.

(5) Unless within the period specified in a notice given under subsection (3) cause is so shown to his satisfaction, the Registrar-General may proceed with the issue of the limited certificate of title.

Mr DOWD (Lane Cove) [10.18]: The Opposition supports the amendment. This provision is to me and to others with whom I have discussed it a worrying matter. It is easy to take a superficial look and to envisage minor boundary changes, but the fact of the matter is that contentions will arise out of this provision which will unfortunately result in litigation. I cannot conceive a simpler way of solving this particular problem if we are to get rid of old system title. I hope that unnecessary litigation will be avoided. The Opposition supports the amendment.

Amendment agreed to.

Mr CRABTREE (Kogarah), Minister for Lands [10.19]: I move:

That at page 52, line 27, the figure (3) be left out and there be inserted in lieu thereof the figure *(6)*.

The CHAIRMAN: Order! The amendment moved by the Minister is consequential to a previous amendment and there will be automatic correction in the bill.

Schedule as amended agreed to.

Adoption of Report

Bill reported from Committee with amendments, and report adopted on motion by Mr Crabtree.

ADJOURNMENT

Lever's Plateau Road

Mr CRABTREE (Kogarah), Minister for Lands [10.22]: I move:

That this House do now adjourn.

Mr FISHER (Upper Hunter) [10.22]: I rise on the adjournment to mention a matter of considerable importance. On 24th May, when the House met for the first time following the elections—after the former Premier had conceded defeat—the Premier said that I had gone round by the back door and made a decision in relation to the Border Ranges National Park. He went on to say that this was entirely reprehensible and that I had abused the principles of the Westminster system of government. He said also it showed that either I did not know what I was doing or that I had deliberately misused my powers when I was only a caretaker Minister by doing something I knew I had no right to do.

Mr SPEAKER: Order! I am reluctant to interrupt the honourable member for Upper Hunter, but I point out that he cannot read ***Hansard*** of the current session. He may refer to it, but not read it.

Mr Brown: The honourable member for Upper Hunter may quote from ***Hansard.***

Mr SPEAKER: Order! I call the honourable member for Raleigh to order for the first time.

Mr FISHER: I referred to the comment of the Premier to indicate that he misled the House by saying that 1 had misused my powers as Minister for Lands to authorize the construction of a road on Lever's Plateau in the Border Ranges forest area. The position is that quite clearly I authorized the construction of that road on 28th April before the elections took place on 1st May. The Premier, in a subsequent answer to a question by the honourable member for Lismore on 26th August, stated further that I had similarly misused my powers as Minister to authorize the construction of that road. I authorized the construction of the road following two inspections of the area and the presentation to me of a report prepared by a back-bench committee of the Government of that time. That committee was led by the honourable member for Raleigh who had been appointed by a former Minister for Lands.

After thorough consideration of the report and on the advice of the officers of the Forestry Commission of New South Wales, I authorized construction of that road into Lever's Plateau. The point I raise is that the Premier misled the House in saying that I had misused my position as Minister for Lands when, in fact, he knew full well that the authorization I had given preceded the elections. The Premier, enjoying the confidence of the press who fawn over him, was able to get away with a press release in which he claimed that I had misused my position as Minister for Lands in authorizing the building of this road.

Although the Premier knows full well from a subsequent examination of the files that I had authorized the construction of the road prior to the elections, he enjoyed the publicity of the press statement that he issued asserting that I had acted improperly. The Premier misled the House by intimating that after the elections I had authorized construction of the road. My authorization was given prior to the elections, honestly, properly and after due consideration of a report by the honourable member for Raleigh and other members of a committee that embarked upon a thorough investigation of the matter. That committee heard evidence from many concerned bodies. I am confident that the great majority of people recognized that construction of the road should take place if proper development of the forests in the area were to proceed.

I am well aware that the honourable member for Casino would be most concerned. He knows that some 400 families are involved in the timber industry in that area. He knows, also, that the moment logging operations in the Wiangarie Forest and other forest areas in the Border Ranges are reduced or cease those families are without a job. The Premier informed the House that although a departmental subcommittee had teen authorized to investigate the matter, some ten years would elapse before construction of the road would be required. The advice that I received was that the road needed to be constructed and authorization given while I was Minister for Lands and Minister for Forests. Notwithstanding that the Premier knew that proper authorization was given by me as Minister prior to the elections, he informed the House that I gave the authorization after the elections had taken place. He has not the intestinal fortitude to admit his error in this House. He is gutless and yellow; he has not had

the courage to inform the House that he was wrong. I raise the matter on the adjournment to demonstrate the type of man who is Premier of New South Wales.

The Premier intimated to the House that he would table papers that would show I had signed the authorization after the elections. This undertaking is well recorded in *Hansard*. The fact is I signed those papers prior to the elections. The Premier has failed to table the papers, and to honour his obligation and his undertaking to the House. He is unwilling to admit that he has made an error and he is gutless for not admitting it. He knows full well that there was a division of opinion in Cabinet. I refer to the Minister for Decentralisation and Development and Minister for Primary Industries, who naturally wants the road to continue. He knows full well that without the road many people in Kyogle would be out of a job.

The Minister for Conservation and Minister for Water Resources knows full well that the road must be constructed despite the fact that the Premier has said it will not be constructed for ten years. I do not care when it is constructed. The point I make is that the Premier has misled this House. He said that he would table papers indicating when the original authority for the road was given and he failed to do so. He failed to do so because he knows he was wrong and he has not the courage or the guts to come out and admit that he was wrong and that the authorization for the road was given prior to the elections.

Mr GORDON (Murrumbidgee), Minister for Conservation and Minister for Water Resources [10.31]: I shall not agree with that. In a news release by the former New South Wales Minister for Lands and Forests ——

[*Interruption*]

Mr SPEAKER: Order!

Mr GORDON: ——of Thursday, 6th May, 1976, which is too long to read in full ——

[Interruption]

Mr SPEAKER: Order! I call the honourable member for Upper Hunter to order for the first time.

Mr GORDON: This is a news release by the honourable member for Upper Hunter.

Mr Wotton: On a point of order. The Minister is quoting from a news release. Will he authenticate that document?

Mr SPEAKER: Order! The Minister has indicated that it is a press release issued under the hand of the honourable member for Upper Hunter as Minister for Lands and Forests. Therefore he is entitled to make reference to it because of the matter raised by the honourable member.

Mr GORDON: I may say that this is in the official file and I am willing to table it. It reads:

> The Minister for Lands and Forests, Mr Colin Fisher, today announced some new objectives for the Border Ranges Forestry District if the Coalition is returned . . . The Minister also announced that a new logging road into the Roseberry State Forest would be constructed at a cost of $142,000.

It is dated 6th May. The news release continues:

> It will be constructed with minimal environmental disturbance, Mr Fisher said.
>
> The road will be constructed by local Forestry Commission employees and will also involve assistance to Kyogle Shire Council with bridge strengthening and reconstruction, Mr Fisher said.

There could not be anything plainer than that, and it is dated 6th May, 1976.

Mr Fisher: How does the Minister know that that is right?

Mr GORDON: It is an official document. How do you know anything is right?

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

Mr GORDON: I point out to the House that there are two major mills drawing logs from this area. Munro and Lever Pty Limited draw 18 000 cubic metres from state forests and 6 000 cubic metres from private forests—which have a projected life of twenty-five to thirty years—plus 12 000 cubic metres of plantation pine which, by effective harvesting and planned regrowth, can supply this annual yield in perpetuity. With this annual input the mill provides continual employment for 180 people. The second mill is Standard Sawmilling Company Pty Limited. It draws 9 500 cubic metres from state forests——

Mr Brown: Is that every month?

Mr GORDON: A year——and 5 500 cubic metres from privately owned forests with a projected life of eight years, and 5 000 cubic metres of plantation pine annually in perpetuity. This mill provides employment for 160 people. I ask you, Mr Speaker, where is the urgency to build a road into Lever's Plateau?

The Government has appointed an inter-departmental committee of representatives of the Department of Lands, the Forestry Commission and the Department of Environment, which is considering the desirability of building a logging road into Lever's Plateau. I hope there will be no necessity to build a road into Lever's Plateau and that the job security of workers in the mills will be protected I might say that any unemployment is caused not through unavailability of logs but through a downturn in the building industry. The honourable member for Upper Hunter is a phoney. He has inaccurately accused the Premier and has slipped again; he has fallen on his face.

Mr Punch: On a point of order. The Minister for Conservation is deliberately misleading the House in saying that the honourable member for Upper Hunter——

Mr Day: What is the point of order?

Mr SPEAKER: Order! I must remind the Leader of the Country Party that in taking points of order he cannot enter into debate on the question. The Minister has made certain statements in this House in his contribution to the debate. I have to accept his word for it that they are true. The Leader of the Country Party knows that he may use other forms of the House if he is not in agreement with matters raised by the Minister and wants to take action in respect of them. The question is, That this House do now adjourn.

[Interruption]

Mr SPEAKER: Order! The House is close to its rising this evening. I am reluctant to use Standing Order 392 to remove any honourable member from this House. I should probably have to resort to Standing Order 387, but if I did, we should then be without the company of the honourable member not only tonight but also all day tomorrow.

Motion agreed to.

House adjourned at 10.37 p.m.

QUESTIONS UPON NOTICE

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

BUILDERS LICENSING BOARD

Mr BROWN asked the Deputy Premier, Minister for Public Works, Minister for Ports and Minister for Housing—

(1) Did the Builders' Licensing Board lend $500,000 for housing through the New South Wales Permanent Building Society Ltd?

(2) If so, what are the conditions of the loan, including term and interest rate, to the Society?

(3) What are the terms and conditions, including interest rate, to the borrowers?

(4) Do the conditions include an income limit or a restriction on the finance being used for the purchase of homes, or for the construction of homes?

Answer—

(1) On the 20th September the Building and Construction Industry Long Service Payments Fund, which is administered by the Builders Licensing Board, lent $500,000 to the N.S.W. Permanent Building Society Ltd, on the Society's undertaking that such funds would be used for the exclusive purpose of financing new homes for construction, and major renovations.

(2) The interest payable on this loan is established at 1.4% above the Society's "call" rate paid to investors. This "call" rate is determined from time to time by the Minister administering the Permanent Building Societies Act, 1967, and is currently at 9% per annum. Consequently the interest rate paid by the Society on this loan is 10.4% per annum. The term of the loan is set for five years, with either party having the right to determine the arrangement on the provision of 6 months' notice. For the sake of ease of administration the advance is secured by first mortgage charges over two of the Society's properties valued at $1.105m.

(3) Any loans made from these funds by the Society will be on the Society's normal terms and conditions. The interest rate to borrowers is currently 11% per annum, reducible monthly.

(4) No conditions have been imposed by the Board on income limits or restricting the finance being used, apart from that mentioned in (1) above, i.e., that the funds are to be used for the financing of new homes or major renovations.

QUALIFICATIONS HELD WITHIN POLICE FORCE

Mr MOORE asked the Premier—

(1) How many members of each rank in the New South Wales Police Force hold tertiary qualifications?

(2) What are these qualifications by rank?

Answer—

Course	*Constables*	*Sergeants*	*Inspectors*
Diploma in Criminology ..	34	41	4
Barristers Admission Board ..	1	1	1
Bachelor of Arts	1	1	—
Supervision Certificate ..	26	27	2
Management Certificate ..	6	4	—
Personnel Administration Certificate	2	—	—
Miscellaneous Draftsmanship Certificate	17	14	2
Radio Trades Certificate ..	34	11	1
Traffic Planning and Control Certificate	1	7	3
	122	106	13

	Superintendents	*Assistant Commissioners*
Diploma in Criminology	1	1
Miscellaneous Draftsmanship Certificate	—	1
Supervision Certificate	—	2
Traffic Planning and Control Certificate	—	1
	1	5

HEALTH EDUCATION SECMON, HEALTH COMMISSION

Mr HEALEY asked the Minister for Health—

(1) How many staff make up the Health Education section of the Health Commission?

(2) How much is spent on salaries and expenses for this section, by both State and Federal Governments?

(3) What is the budget for education programmes for the coming year?

(4) What State-wide programmes are planned for the coming year?

(5) What was the outcome of the recent interstate conference on health education which I set up to consider rationalization of health campaigns.

Answer—

(1) The Health Education Section of the Health Commission is divided into three sections:

1.1 The Division of Health Education which is concerned with the administrative and policy aspects of Health Education. There are forty-nine staff positions in the Division.

1.2 The Health Education Officers employed by the Health Regions are classified as field staff and carry out the actual health education programmes. Staff of the Regions is distributed as follows:

Western Metropolitan Region	18
Northern Metropolitan Region	3
Inner Metropolitan Region	2
Southern Metropolitan Region	10
Hunter Region	4
Illawarra Region	5
New England Region	1
Murray Region	1
Riverina Region	1
Central Western Region	1
South Eastern Region	2
Total	48

1.3 The Health Education programme of the Central Drug and Alcohol Advisory Services (C.D.A.A.S.) is essentially a field oriented section, with the Health Education staff operating in conjunction with the field staff of the regions. The Drug Education Unit consists of a Psychiatrist Advisor, Senior Health Education Officer, Health Education Officer and Stenographer. The total number of staff is 101.

(2) Money spent on salaries and expenses by the State and Commonwealth is as follows:

	State Funded $	*Commonwealth Funded* $	
Salaries	161,567	165,948	
Other Expenses	431,303	40,484	
	592,870	206,432	
Total			$799,302

(3) Money to be spent next year on education programmes and funded by both State and Commonwealth Governments is as follows:

	State Funded $	*Cornmonwealth Funded* $	
Education programme	480,440	58,000	
Total			$538,440

(4) State-wide programmes planned for the coming year, not yet implemented, and those currently in operation are listed hereunder:

4.1 The programme to be most widely publicised to date has been that associated with the eclipse. Leaflets have been distributed to the following organisations so that they could instruct their pupils about the dangers surrounding the eclipse:

—The Education Department

—Private and pre-school organisations

—The Regional Offices of the Commission for general distribution to citizens throughout the State.

In addition media releases were prepared and issued, radio talk-back and television interviews were arranged for senior officers of the Health Commission. Advertisements were also inserted in morning papers on the day of the eclipse.

4.2 It is anticipated that new publications on drugs and alcohol will be placed in production within two months.

4.3 The journalists on the staff of the Division of Health Education are continually producing and issuing statewide to press, radio and television, releases on a wide range of health problems. It is anticipated that they will number between 100 and 150 during the next twelve months.

4.4 A publicity programme on child safety has been developed and is already achieving wide media coverage. It consists of a kit containing media releases, cartoons and a television commercial.

4.5 A newsletter to medical practitioners and a magazine on general health matters is programmed for quarterly production during the year.

4.6 The Drug Education Unit is to work with medical and paramedical groups in the coming year on drug education programmes. Such groups would be expected to include Hospitals, Colleges such as the Royal Australian College of General Practitioners and Colleges of Advanced Education and Universities. The Unit will relate to key groups and help in the development of new concepts in drug education. Included in this category are Police, Parole Officers, Trainee Teachers and the Clergy.

4.7 Expansion of the existing Smoking Education programme is planned and will include:

—the recruitment of a health education officer who will specifically be concerned with smoking education programmes.

—increase the subsidy to the voluntary organisation A.C.O.S.H. (Australian Council on Smoking and Health)

—expansion of the: role of the Health Education Officer seconded to the Cancer Council.

4.8 Apart from the publication of various material on nutrition education, the Nutrition Section is to be involved with groups at risk in relation to nutrition including Aborigines and pre-school children. The Section will also aid doctors through the therapeutic diet service, giving individual diet prescriptions.

The programmes set up to aid migrant workers in factories will continue as will the liaison of the migrant health education officers with regional staff, particularly in Western Metropolitan Region.

(5) A document representing the agreed final summary of the first meeting of the Directors of Health Education held on 23rd and 24th March 1976 is available from the Health Commission.

The recommendations made at the abovementioned conference are as follows:

5.1 The adoption of a mutually agreed conceptual model of health education.

5.2 An agreement for the sharing of production of materials for the three stated categories of programme needs.

5.3 The rationalisation of facilities in terms of:

5.3.1 Purchase of materials now available.

5.3.2 Mutual participation in preparation of material for programmes at present at the planning stage.

5.3.3 Long term planning of programmes and materials which can be researched and evaluated.

5.3.4 Appropriate cost sharing in relation to 5.3.1–5.3.3 between the States, Territories and Commonwealth.

5.4 A recommendation for the formation of the Australian Health Education Foundation which would meet regularly.

5.5 A recommendation that items 5.3.1–5.3.4 be accepted by the Australian Health Ministers' Conference.

PUBLIC HOSPITAL BEDS RATIO

Mr HEALEY asked the Minister for Health—

(1) What is the ratio of public hospital beds per 1 000 people (omitting nursing homes and similar institutions) in each of the four metropolitan health regions?

(2) What will the ratio be when the first stage of Westmead Hospital (585 beds) and Campbelltown Hospital (120 beds) come into service?

(3) What is the Health Commissions desired ratio of hospital beds in the metropolitan area?

(4) How many beds will be required to achieve this result?

Answer—

(1) The ratio of public hospital beds per 1 000 in each of the four metropolitan regions is as follows:

Inner Metropolitan Region	9.12
Northern Metropolitan Region	3.8
Southern Metropolitan Region	4.1
Western Metropolitan Region	2.03

The average total number of hospital beds in the metropolitan regions is 4.5.

(2) When the first stage of Westmead Hospital and Campbelltown Hospital comes into service the ratio of beds in the Western Metropolitan Region will increase from **2.03** to **2.64** per thousand and the metropolitan ratio will increase from 4.5 to **4.67.**

(3) The Health Commission's desired ratio of hospital beds per thousand is **4.**

(4) According to the figures quoted above the bed ratios in both the Inner Metropolitan and Southern Metropolitan Regions are currently above the desired ratio of **4.**

The Northern Metropolitan Region needs an additional 155 beds to bring the present ratio up to the desired one and Western Metropolitan 2 **167** beds.

DOCTORS IN COUNTRY AREAS

Mr HEALEY asked the Minister for Health—

(1) How many doctors are required to provide a service to country areas of New South Wales?

(2) How many areas are without a doctor within reasonable distance?

(3) Is he following up previous approaches to persuade doctors from the United Kingdom and Denmark to wme to New South Wales?

(4) What plans has the Government to encourage medical practitioners to come to New South Wales in order to practise in country areas?

Answer—

(1) and **(2)** The figures requested in these questions are not available.

(3) Mr David Storey, Commissioner for Environmental and Special Health Services, Health Commission of New South Wales, has recently visited the United Kingdom and Scandinavia. Part of his programme involved interviewing prospective immigrant doctors wishing to come and practice in New South Wales.

(4) The existing incentive schemes for doctors to practise in country areas include the Rural Doctors Scheme and the Visiting Medical Practitioners Scheme. The Health Commission has established a Working Party to examine these schemes and recommend any changes that may be necessary to provide further encouragement to doctors for services in country areas.

FORESTRY OPERATIONS M SOUTH COAST ELECTORATE

Mr **HATTON** asked the Minister for **Conservation** and Minister for Water **Resources**—

(a) What are the names and areas of forests to be clear-felled in the South Coast **electorate** in **1976–1980,** 1980–1985 and **1985–1990?**

(b) What will ultimately be the northern limit of clear-felling areas in the South Coast electorate?

(c) How do the prices between woodchips made from mill-waste and those from billets compare?

(d) How do the qualities of mill-waste and billet woodchips compare?

(e) Is the supervision of logging contractors by forestry officers normally on an eight hour basis?

(f) Do unsupervised contractors remove timber during hours not worked by forestry officers?

(g) Is the price paid for hauling billets to the Eden Chip Mill fundamentally different from that paid for hauling **sawlogs** to sawmills? If so, what is the price differential?

(h) What royalties are paid on (i) billets for chipping; (ii) **sawlogs?**

(i) Has he any plans to improve supervision by forestry officers to prevent timber of saw-log quality being used for chipping billets?

(j) Will he encourage the best use of timber resources by ensuring that the chipping of mill waste is more rewarding financially than the chipping of billets?

(k) Will he request the Soil Conservation Service to assess independently the effectiveness of present methods of prevention and control of erosion in clear-felled areas?

(1) Is log **snigging** in clear-felled areas confined to places which have to be stabilised against soil erosion by the contractor?

(m) Will the results of the Independent Soil Erosion Survey be made public?

Answer—

(a) Forests within the South Coast electorate have been logged under varying degrees of intensity depending on **silvicultural** requirements for very many years. It is not intended that this will change and any clear-falling will be confined to comparatively small areas.

(b) The above situation applies to the hardwood forests throughout all forestry districts of the coast and tablelands.

(c) Prices are a matter of arrangement between the Company buying the **woodchips** and the individual producers of this material. The Government does not become involved in these transactions and therefore has no authoritative basis for making any price **comparisons.**

(d) There should be no **significant** difference in chip quality.

(e) Yes, normally.

(f) Contractors throughout the State are permitted to remove timber during hours not worked by forestry officers. However, far from being unsupervised, the Forestry Commission has a very good knowledge of these operations, a state of affairs that has existed for some decades.

(g) Prices paid for hauling billets like the prices paid for woodchips ((c) above) are a matter of private negotiation between the parties concerned and this does not involve the Government.

(h) For the South East Forestry District for July-September, 1976:

(i) $3.10 per tonne.

(ii) $7.56 per cubic metre.

(i) No. The Forestry Commission is quite capable of providing the necessary supervision to ensure that the interests of the State are met and that material is allocated to its best end use. This does not mean that occasionally logs will not be serviced in such a way that chipmill or sawmill will receive material that theoretioally should have been channelled to the industry.

(j) Such encouragement has been given by the Forestry Commission. Royalties have not been charged so far for the sawmill residue converted into woodchips and this situation will remain until 1st July, 1977, after which sawmillers who have the opportunity to sell mill residue as woodchips or slabbage will pay an increased royalty.

(k) A committee, operating under the authority of the Catchment Areas Protection Boad, which includes representatives of the Soil Conservation Service, is currently developing a code of conditions for logging, road construction and clearing which it is hoped will apply throughout the State on both Crown lands and private property. In the course of its work, this committee has investigated existing control methods and their effectiveness.

(1) All logging operations on Crown forests are subject to snig track erosion control conditions whatever the silvicultural system employed.

(m) The code of conditions referred to in (k) will be widely known when finalized as its successful implementation demands this.

ASHFIELD BOYS HIGH SCHOOL AND ASHFIELD INFANTS SCHOOL

Mr WHELAN asked the Minister for Education—

(1) What is the land area of (a) Ashfield Boys High School and (b) Ashfield Infants School?

(2) How many pupils attend these schools?

(3) Are they disadvantaged schools?

Answer—

(1) The land area of (a) Ashfield Boys High School is 1.5 acres, and (b) Ashfield Public School (both Primary and Infants) is 2.6 acres.

(2) The number of pupils attending (a) Ashfield Boys High School is 1 029, and (b) Ashfield Public School is 787.

(3) These schools are not disadvantaged schools.

GYMNASIUM, DRUMMOYNE BOYS HIGH SCHOOL

Mr MAHER asked the Minister for Education—

Will a gymnasium be constructed at Drummoyne Boys High School this financial year?

Answer—

A gymnasium will not be constructed at Drummoyne Boys High School in this financial year.

Other than the gymnasium which was built at Fort Street High School to replace the Fanny Cohen Memorial Gymnasium which was left behind when the girls vacated Observatory Hill, no gymnasia have been built in New South Wales schools for more than a decade.

However, in a number of schools, where no assembly hall exists, a multi-purpose centre has been provided. This centre can serve for assembly as well as for recreational and cultural activities.

As Drummoyne Boys High School already has an assembly hall, it will not be provided with a multi-purpose centre.

DENTAL CLINIC, HIGH SCHOOL EAST CONCORD

Mr MAHER asked the Minister for Education—

Is a dental clinic to be incorporated in the high school to be constructed in East Concord?

Answer—

It is the policy of the Health Commission, in conjunction with the Department of Education, to provide dental clinics at selected primary schools.

Because there is a limit to the funds that can be allocated for this purpose, the Health Commission has no plans to extend the provision to high schools. Thus, there is no intention to include a dental clinic in the plans currently being prepared for Concord High School.

KILLARNEY HEIGHTS HIGH SCHOOL

Mr HEALEY asked the Minister for Education—

(1) Does the following table correctly reflect the facilities at the designated schools?

SCHOOL	Assembly Hall	Multipurpose Hall	Drama Room	Gym	Playing Fields	Library Block	TOTAL
Forest	√	X	X	√	√	√	4
Davidson	X	X	√	√	X	√	3
Chatswood	√	X	X	X	√	√	3
Pittwater	X	√	X	X	√	√	3
St Ives	√	X	X	X	√	√	3
Beacon Hill	X	X	X	X	√	√	2
Kuringai	X	√	X	X	√	X	2
Killarney Hts	X	X	X	X	X	X	0

Does this indicate that Killarney Heights is disadvantaged?

(2) Is the school renowned for its cultural and educational ability and has it been called upon to demonstrate this ability during Education Week?

(3) Will he provide funds to remove the disadvantage?

Answer—

(1) No. The table does not correctly reflect the facilities at the designated schools.

The amendments are:

Davidson High School—delete gynasium and insert multi-purpose centre.
Further, it is not true to say that Davidson has no playing fields. Certainly it does not have fields developed to the same extent as at most of the others but the school site does provide some facilities and there is ready access to extensive nearby playing fields.

Killarney Heights High School—while this school has neither an assembly hall nor a multi-purpose centre, it does have a semi-open high shelter which, to the school's credit, is put to good use for recreational and cultural activities. It is conceded, however, that this facility can not compare with the conventional assembly hall or the various kinds of multi-purpose centres.

Library Block—five of the schools mentioned have either a library/laboratory block or a free-standing library. Both Kuringai and Killarney Heights High Schools have the augmented library which was included in the last stage constructed.

Overall, it is conceded that, in a physical sense, Killarney Heights High School is at a disadvantage compared to the schools selected. However, it is well-advantaged by comparison with many other schools in various parts of the State.

(2) The school presents a good quality cultural display and has demonstrated this during Education Week but not significantly more often than other schools with similar ability. The school holds its major musical at Willoughby Town Hall and conducts 3 or 4 other musical and dance drama/physical education functions during the year.

(3) I can give no promise to provide funds for an assembly hall or multi-purpose centre for Killarney Heights High School.

As the honourable member would be aware, the previous Government promised to provide an assembly hall or multi-purpose centre in every high school, wherever practicable, by the end of 1976. Rising costs and decreasing funds available for school building purposes meant that the target could not be achieved.

The present situation is that available funds must be utilized, in the main, to provide for new pupil places and for upgrading programmes in schools far more disadvantaged than Killarney Heights High School. Thus while some provision will continue to be made for halls and multi-purpose centres, there has to be a general slowing down in the rate of provision.

In the circumstances, it would be quite wrong for me to hold out hopes for early resolution of the problem at Killarney Heights High School.