

Legislative Assembly

Thursday, 31 August, 1978

Petitions—Questions without Notice—Governor's Speech: Address in **Reply**—Government Business (**Urgency**)—**Constitution** (Police Regulations) Amendment Bill (Int., second and third reading)—**Constitution** (Public Service) Amendment Bill (Int., second and third reading)—Governor's Speech—Presentation of Address in Reply—Parliamentary Papers (Supplementary Provisions) Amendment Bill (Int., second and third reading)—**Superannuation** (Constitution) Amendment Bill (Int., second and third reading)—**Cognate University Bills** (Int., second and third reading)—Petroleum Products Subsidy (Amendment) Bill (Int., second and third reading)—Printing Committee (Third Report)—Adjournment (City of Sydney)—Questions upon Notice.

Mr Speaker (The Hon. Lawrence Borthwick Kelly) took the chair at 10.30 a.m.

Mr Speaker offered the Prayer.

PETITIONS

The Acting-Clerk announced that the following petitions had been lodged for presentation:

Homosexual Acts

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

That we support your efforts to strengthen our family and community life. We therefore wish to register our firm opposition to any changes in our State laws which would legalize and/or encourage the following activities:

- (1) Adoption of children by homosexual or lesbian partners. Such adoptions would be a denial of the basic human right of the child to have the love of a male father and female mother.
- (2) Acts of sodomy in private or public. (Note: "sodomy" is the unnatural and anti-christian act of anal (anus) copulation between male persons often described in the media as "homosexual acts" and in the law as "buggery"). Legalization or decriminalization of these so-called "victimless crimes" would imply community approval and acceptance of these unnatural acts, and may encourage public solicitation of adults and particularly children in leisure and recreational areas as well as schools and other educational institutions.

We therefore request that the following steps be taken:

- (1) The deletion of section 59 of the Anti-Discrimination Bill now before State Parliament, which deals with homosexuality. Section 59 is in direct conflict with existing State laws which clearly define homosexual acts as unlawful conduct, and could enforce the acceptance of homosexuality in the Army, Navy, Air Force, the education system, police force, etc.
- (2) The deletion of the first clause of the Dowd Notice of Motion, 20th October, 1976, Number 22, which would in effect lead to the legalization of sodomy.
- (3) Establish a special department within the N.S.W. Health Commission to: (a) develop humane methods of helping persons to overcome or deal with homosexual tendencies through counselling, psychological and medical assistance, and (b) conduct a vigorous campaign to combat the serious V.D. epidemic particularly amongst practising male homosexuals. (i.e., 70 per cent of all current V.D. cases.)

Your Petitioners therefore humbly pray that your honourable House will take no measures that would undermine marriage, child-care or the family which is the basic unit of our society.

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

Petition, lodged by Mr Cameron, received.

Drug Usage

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

That we support your efforts to strengthen our family and community life particularly by increased penalties for "drug pushers" and distributors. We, however, wish to register our firm opposition to any legal changes which would increase or encourage the distribution or availability of so-called "soft" drugs, such as marihuana. We believe such drugs to be harmful to the physical and psychological health of the individual and therefore to the interest of the community of which such individual is part. Although there is current controversy concerning the question of such harm it appears to us quite foolish to legalize and encourage the use of such drugs unless or until it be shown that such drugs are in fact harmless.

Any efforts to legalize the distribution or usage of such drugs will have the following results:

- (1) Encourage and inculcate a social acceptability towards such drugs.
- (2) Increase the volume of usage of such drugs in schools and the community by present users and by "drug pushers" through the proposed one oz legal possession.
- (3) Extend the usage of such drugs to persons who would previously have abstained because of the legal sanctions.
- (4) Put pressure upon Parliament to establish and license import, manufacture and/or distribution of such drugs, that is, to regulate another industry contrary to the best interest of the individual and society.
- (5) There would be the probable temptation to use such drugs as another source of State revenue.

We urge the Government to increase the medical and counselling facilities for the assistance of drug users and to expand existing Drug Referral Centres and Clinics. We have general confidence in the existing law and its sympathetic implementation by the Police and Courts.

Your Petitioners therefore humbly pray that your honourable House will firstly take no measures that could extend the major social problem of drug usage and secondly will oblige those who are promoting **marihuana and/or** similar drugs to prove without doubt that such drugs are harmless before any legalization or use is introduced.

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

Petition, lodged by Mr **Cameron**, received.

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) Alcohol is a contributing factor in a large proportion of road accidents causing many fatalities and maimings and more facilities for weekend drinking will inevitably add to the problem.
- (3) The high incidence of alcoholism among our young people is causing much concern.

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 any other place where sale of liquor is permitted.
- (2) If however it is intended to submit legislation to the House, this should not be done until the people of New South Wales be given the democratic right of vote by referendum on this important issue.

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

Petitions, lodged by Mr **Mulock** and Mr **Petersen**, received.

Quality of Education

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

That because there is much concern in the community over the failure of modern education at primary and secondary levels to meet the expectations of many parents, teachers, lecturers, professors, employers and students;

That because there is considerable doubt as to the content and standards, philosophy and moral values of new courses or projects, such as M.A.C.O.S. ("Man—a Course of Study"—ex U.S.A.); "People of the Western Desert" (Australia); and S.E.M.P. ("Social Education Materials Project"—Australia) and in view of the fact that M.A.C.O.S. and S.E.M.P. have been withdrawn from Queensland schools;

Your Petitioners therefore humbly pray that the Parliament of New South Wales will:

- (1) Immediately suspend courses and projects such as "M.A.C.O.S.", "People of the Western Desert" and "S.E.M.P." from all New South Wales primary and secondary schools and teachers' colleges, and conduct an independent public inquiry into their suitability and conformity with the provisions of the New South Wales Education Act.
- (2) Enforce the following guidelines in relation to all textbooks, courses, projects, etc., used in State schools and institutions:
 - (a) They should encourage loyalty and respect for God, Queen and country, our Federal and State Constitutions and observance of the laws of the land.
 - (b) They should recognize the importance of marriage, family life, motherhood and fatherhood, as well as the privacy of the family and the individual student.
 - (c) They should avoid profanity, indecency or any encouragement of racial hatred, anti-semitism, sedition or violent revolution against our Australian democratic parliamentary institutions.
 - (d) They should provide for studies in history and geography (rather than sociology) and show the importance of the Judeo-Christian ethic as our natural Australian heritage.
 - (e) They should teach the 3 R's, that is, the skills of reading, writing and arithmetic, so that all children receive an effective basic education for their future responsibilities.
- (3) Implement a system of public preview and approval of all textbooks, novels, courses and projects with reasonable access for all parents and citizens before they are approved for use in schools in accordance with an approved core curriculum.
- (4) Introduce a more meaningful system of the testing and assessing of educational results so as to provide a more equal opportunity for all students in New South Wales.

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

Petitions, lodged by Mr Cameron and Mr Rofo, received.

Education Commission

The Petition of concerned citizens including parents of children attending schools in New South Wales respectfully sheweth:

That there is criticism, confusion, and great concern in the community and especially amongst parents about all levels of the present systems, methods and aims of education.

That the majority of the community and especially parents are not aware of the formation of an education commission.

That the methods of informing the community and parents have not been satisfactory and the majority is therefore unaware that such a commission is to be formed.

That there has been insufficient time allowed for the majority to become informed fully of the pros and cons of an education commission.

That there should be more information made available to the community and parents on all issues to do with education or the formation of an education commission.

Your Petitioners therefore humbly pray that your honourable House:

- (1) Not allow under any circumstances the formation of an education commission at this time.
- (2) Take steps to fully inform the public of what an education commission is all about and the effects it will or will not have on our children.
- (3) Hold a full open inquiry into education in New South Wales schools, taking steps to fully inform the community and inviting them to make written submissions to the inquiry, as a matter of urgency.
- (4) By holding a full open inquiry eliminate the existing criticism, confusion and concern, and produce a standard of education acceptable to the majority of the community.

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

Petition, lodged by Mr Caterson, received.

Inquiry on Education

The Petition of parents of children attending New South Wales schools and other concerned citizens of New South Wales respectfully sheweth:

That because of today's modern education we find criticism, confusion and illiteracy, and we feel very concerned as parents, employers and citizens about education in both primary and secondary schools.

That because of this kind of education with emphasis on children being asked to question and evaluate for themselves social and moral issues we find many problems arising in the home, the workforce, and society and we feel perhaps the schools have infringed too far on the parents' role in educating their children on these matters and forming their children's attitudes, ethics and morals.

Your Petitioners therefore humbly pray that your honourable House:

- (1) Take steps to hold a full independent open inquiry into education in New South Wales.
- (2) Invite the public to make oral and written submissions to such inquiry.
- (3) Satisfactorily and fully inform the public on such inquiry.

or

- (1) Bring in a definite syllabus with emphasis on the three R's for primary schools.
- (2) Remove innovative programmes and courses and Social Studies until they are evaluated.
- (3) Replace Social Studies with History and Geography.
- (4) Have any school operating as a Progressive School brought into line with other schools or allow parents freedom of choice on such a school.

- (5) Ensure that primary and secondary schools have a good syllabus, uniform in all schools, so that parents **will** be satisfied and teachers will not find their jobs so **difficult** or demanding and will not have too much responsibility placed on them individually.
- (6) Have school reports from primary and secondary schools made more easily understood by parents, with marks out of 100 in **all subjects** and position in class.
- (7) Put more emphasis on the core of a definite syllabus in all subjects for secondary schools with spelling, grammar, reading and literate speech included in English.
- (8) Abolish gradings in secondary schools as they are neither understood nor accepted by the majority of people.
- (9) Reintroduce a full external examination in all subjects in secondary schools for School Certificate and Higher School Certificate, with marks in percentages or A, B, C, etc., position in year and position in State shown on Certificate.
- (10) Place less emphasis on social and moral issues and encourage teachers to reinforce, not seek to destroy, standards and values already taught to most children by their parents in regard to respect for others, democracy, law, traditional values and morals.
- (11) Satisfy the taxpayer that his money is being spent on an acceptable education.
- (12) Bring the education of the children of New South Wales back to what is understood and accepted by the majority of today's society, not prepare them for some possible future society at present unknown.
- (13) Endeavour to maintain any future system with the above outline for a reasonable period so that it can be fully evaluated before it is modified or changed in any way.

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

Petition, lodged by Mr Caterson, received.

Prison for **Parklea**

The Petition of certain residents in the electorates of Blacktown, The Hills, Hawkesbury and adjacent electorates respectfully sheweth:

That they are in opposition to the erection of a maximum security prison or other penal institution at **Parklea** or thereabouts, as such will adversely affect the interests of the community in the aforesaid and adjacent areas.

Your Petitioners therefore humbly pray that your honourable House will rescind the proposal.

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

Petition, lodged by Mr **Rozzoli**, received.

Pensioners' Electricity Accounts

The Petition of the undersigned citizens respectfully sheweth:

That economic hardship is being suffered by those citizens of this State whose incomes consist solely or mainly of age or invalid pensions and who are—

- (a) subject to increasing charges for electricity;
- (b) required to pay maximum rates applicable to smaller consumers; and
- (c) are not able to obtain any rebates under the existing provisions of the Electricity Act.

Your Petitioners accordingly call upon the Government of New South Wales to take early steps to so amend the Electricity Act as to empower each electricity distributing authority in this State to allow rebates on the electricity accounts of the abovementioned pensioners.

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

Petitions, lodged by Mr **Mulock** and Mr Petersen, received.

Income Tax Rebate

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

That the taxpayers of New South Wales pay the highest State taxes and charges in Australia, and that these have risen further, some by as much as 900 per cent, in the past two years under the present State Government.

Your Petitioners therefore humbly pray that your honourable House will during the current Session of Parliament pass legislation which will provide for a rebate of the income tax levied on the residents of New South Wales.

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

Petitions, lodged by Mr **Cameron** and Mr Caterson, received.

Dental Clinics for Wollongong

The Petition of the Wollongong Unemployed Peoples Movement respectfully sheweth:

That people in receipt of unemployment benefit and other pension in the City of Greater Wollongong and the Illawarra region have no local access to means tested dental treatment and are subjected to many months wait for treatment at the Dental Hospital in Sydney.

Your Petitioners therefore humbly pray that your honourable House will provide hospital dental clinics in this city in recognition of its place as a major industrial centre and commensurate with the services provided in the City of Newcastle.

And your Petitioners, in duty bound, will ever pray.

Petition, lodged by Mr **Ramsay**, received.

Pensioners' Motor Vehicle Fees

The Petition of all pensioners of all classes and other interested citizens respectfully sheweth:

Current car registration and compulsory third party insurance fees required by the present New South Wales regulations are a great burden on pensioner car owners.

Your Petitioners therefore humbly pray that your honourable House will give earnest consideration to a substantial decrease in these fees.

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

Petition, lodged by Mr Rofo, received.

QUESTIONS WITHOUT NOTICE

CHIEF STIPENDIARY MAGISTRATE

Mr DOWD: My question without notice is addressed to the Minister of Justice and Minister for Housing. In view of the notorious association between the Sydney criminal George Freeman and the Chief Stipendiary Magistrate, Mr Murray Farquhar, will the Minister tell the House his reasons for recommending to Cabinet the extension of the term of Mr Murray Farquhar as Chief Stipendiary Magistrate? For the assistance of the Minister I place on the table of the House—

Mr SPEAKER: Order! The honourable member is not entitled to place any matter on the table of the House. He may make the document available to the Minister.

Mr DOWD: I make it available to the Minister.

Mr MULOCK: As I understand it, the chairman of the bench of stipendiary magistrates, Mr Farquhar, S.M., has several court actions running at the moment as a result of articles in the press earlier this year. Normally the subject-matter of the question asked by the honourable member for Lane Cove would be ruled to be *sub judice* and the question ruled out of order on that ground by you, Mr Speaker. I do not wish to interfere with the rights of litigants but I feel that the subject-matter is one of public interest and I do not intend to invoke the *sub judice* rule. The *National Times*, in its issue for the period 6th–11th March, 1978, on page 8 carried an article titled, "The Chief Magistrate and the Racing Ticket."

Mr Haines, acting under secretary of my department at the time and I had discussions concerning the article on Tuesday, 7th March. At that stage Mr Farquhar was in an intensive care unit at St Luke's Hospital. Mr Haines informed me that Mr Farquhar was permitted to see immediate members of his family only and it was agreed that as soon as he was well enough Mr Haines should speak with him concerning the article. Both Mr Haines and I were concerned at possible inferences that could be drawn from the press article—inferences which could reflect adversely on the entire bench of stipendiary magistrates and indeed on the whole administration of justice. The operative word is inference—there was no evidence of impropriety or misconduct. I wished that the full story be ascertained to see if any action was called for.

It is, perhaps, relevant to place on record the situation confronting a Minister where there are suggestions of misconduct on the part of a public servant—for that is what a magistrate is—a public servant. Though stipendiary magistrates derive their authority and independence in relation to the exercise of their judicial and related

functions from the commissions they hold, they are still embraced by the provisions of the Public Service Act, both that statute and the Justices Act containing provisions relating to magisterial appointments. The disciplinary provisions of the Public Service Act and regulations apply to stipendiary magistrates in just the same manner as they apply to other persons employed under the Act.

In seeking to clarify the situation that had arisen as a result of the *National Times* article, therefore, I was conscious of the foregoing and at all times sought to have the acting under secretary and permanent head of the department undertake the necessary inquiries. Quite obviously, so far as he was concerned, he was in close contact with the Public Service Board and the Crown Solicitor. Mr Haines interviewed Mr Farquhar while he was in St Luke's Hospital and on 15th March, 1978, I received a submission from Mr Haines in which he said, "There is nothing before me at this time to justify my taking any action as permanent head." I should mention that in putting the submission to me Mr Haines had consulted the Crown Solicitor and senior departmental officers in the first instance. On 17th March, 1978, I issued a press statement to that effect.

Following Mr Farquhar's discharge from hospital on 26th March he remained on sick leave and recreation leave until 29th May, 1978. Prior to his return to bench duties Mr Farquhar provided Mr Haines with an explanation about the events giving rise to the article in the *National Times* of 6th–11th March and subsequent articles. Upon receipt of Mr Farquhar's explanation Mr Haines discussed its terms with the Chairman of the Public Service Board, Sir Harold Dickinson, and the member of the Public Service Board responsible for the Department of the Attorney-General and of Justice, Mr W. Gent. Following these discussions Mr Haines indicated to me that on the basis of the explanation it was agreed that the matter could be taken no further and Mr Farquhar might resume bench duties on Monday, 12th June, 1978.

As there are actions still running in respect of certain matters canvassed in this statement, although I do not agree with the view that Mr Farquhar might be prejudiced by the release of his reply, I would not wish to be a party to any act that may inadvertently so prejudice an action. Accordingly, I shall not release the terms of the reply or comment on it. That really completes the sequence of events following upon the March article in the *National Times*, but it is perhaps not complete unless I take it a step further.

Page 1 of the *Sunday* newspaper on 2nd July, contained an article entitled, "Magistrate Linked with Criminals". The article suggested that there were moves to prevent Mr Farquhar continuing on duty after he turned 60 years of age. The article was full of phrases such as, "planning to ask", "the lawyers are concerned . . .", and "an influential group of Sydney lawyers plan an urgent meeting".

The Public Service Act and regulations provide that where an officer attains 60 years he is entitled to retire. Should he wish to continue in employment beyond his sixtieth birthday he must so indicate and, by delegation from the board, the permanent head of a department may approve of the retention of that officer's services. In Mr Farquhar's case, he indicated his wish to continue in employment beyond his sixtieth birthday. On 4th July, Mr Haines, as permanent head, approved of the retention of the services of Mr Farquhar beyond his sixtieth birthday on 7th July, 1978, for a period of twelve months.

That completes a chronological summary of matters concerning this State's chairman of the bench of stipendiary magistrates following upon the publication of the article in the *National Times* in March. I want to make it quite clear that should any person have any specific allegations or information relating to the matters that

have been canvassed in the question and my reply, it is that person's duty to make such information available to the Under Secretary, Department of the Attorney-General and of Justice——

[Interruption]

Mr SPEAKER: Order! The honourable member for Lane Cove has just cast a photograph across the table of the House towards the Minister while he is answering this question. I call the honourable member to order and I warn him that if he performs a similar act again I shall have no hesitation in naming him.

[Interruption]

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

Mr MULOCK: If that information is made available, the Under Secretary will immediately investigate the substance of these allegations, in conjunction with the Public Service Board, as required by the Public Service Act and regulations in respect of any allegations of impropriety or misconduct by a public servant.

PUBLIC TRANSPORT COMMISSION DEFICIT

Mr DURICK: My question without notice is directed to the Minister for Transport and Minister for Highways. Is the Minister aware of statements made recently by the Leader of the Opposition concerning the extent of the Public Transport Commission deficit for the last financial year? Is he also aware of claims by the Leader of the Opposition that the estimated rail operating loss had been overrun by more than \$17 million, resulting in a corresponding overrun in the total Public Transport Commission deficit for 1977-78? Can the Minister inform the House if these claims are correct? If not, can he give an indication of the actual results for the last financial year?

Mr COX: It is true that recently the Leader of the Opposition made a statement in which he said that in the last financial year the Public Transport Commission estimates were overrun by at least \$17 million. The Leader of the Opposition based his claim on an inaccurate estimate of operating loss figures contained in a report issued by the Bureau of Statistics. That report covered the period between 1st July, 1977, and 29th April this year, and it included only ten of the Public Transport Commission's annual accounting periods. It is not uncommon for the Leader of the Opposition to make wild statements. For instance, in March the *Sun* newspaper published a statement by him that he expected the Public Transport Commission deficit to exceed \$500 million. The Leader of the Opposition was \$100 million out in March, and only a few weeks ago he was out to the extent of \$17 million. So his estimates have varied by as much as \$83 million.

I am pleased to say that the commission's estimated deficit of \$398 million for 1977-78 will be met. I can understand that the Leader of the Opposition does have difficulty in these matters. He does not get much assistance from his shadow minister for transport, the honourable member for Lane Cove. Recently the Leader of the Opposition said that a coalition government, if returned to office, would abolish toll charges on the Sydney Harbour Bridge. When questioned about this proposal by the press he said: "It is nothing much. I do not know how much exactly—I have not had a chance to check it". He need only have looked at the annual report of the Department of Main Roads to ascertain that \$12 million is collected in harbour bridge toll fees each year. The Leader of the Opposition plucks things out of the air and says that the loss in revenue will not be much—only \$12 million.

Both the Liberal Party and the Country Party have announced that they will abolish road maintenance charges. At the recent conference of the Country Party it was decided that road maintenance charges would be abolished and that a tyre tax would be imposed. The Country Party would burden every motorist in New South Wales with a tyre tax. Vehicles used in the timber industry scrub out tyres every three months or so. Under the Opposition's proposal that industry would be called upon to pay excessive taxes. The Opposition's decision to get rid of road maintenance charges and apply a tyre tax would cost every motorist in New South Wales at least \$40 a year.

The Leader of the Opposition often refers to the Public Transport Commission deficit. I remind him and the House that during the eleven years of coalition administration in this State it failed to meet the Public Transport Commission deficit on no fewer than nine occasions. In fact, the deficit increased by **1 359** per cent during those eleven years. The Opposition blindly forgets just how much the transport deficit grew under its administration. The Leader of the Opposition has a shadow minister who is of no help to him. Recently he attempted to do a deal with the honourable member for Northcott to become his running mate after the election. This happened in the **corridors** of this Parliament. He is on record as saying that he was not going to lead the retreat.

[Interruption]

Mr SPEAKER: Order!

Mr Brewer: On a point of order. The Minister, like other Ministers, is eroding question time by giving an extremely long answer. The Minister for Transport and Minister for Highways is referring to other matters instead of answering the question put to him. The Minister should be fair and give some consideration to other members, by making his answers brief.

Mr SPEAKER: No point of order is involved.

Mr COX: The honourable member for Lane Cove tried to make a deal with the honourable member for Northcott but that fell apart. They were to call themselves the Two Js. Now he has made a deal with the honourable member for Ku-ring-gai. They are running mates and the arrangement is to call them the Dear Johns. That will be their syndicate after the elections. It is no wonder that the Leader of the Opposition makes inept statements about public transport. He gets no assistance from his shadow minister.

BARECO PTY LIMITED

Mr McDONALD: I direct a question without notice to the Minister for Consumer Affairs and Minister for Co-operative Societies and in doing so refer to a question put to the Minister on Thursday last by the honourable member for Charlestown about the building company Bareco Pty Limited. Was the honourable member for Waratah active in arranging for Bareco Pty Limited to be awarded a **\$1.4** million contract for a medium density, low-cost housing complex at Charlestown under the control of the Minister's department? Did the honourable member for Charlestown and the honourable member for Newcastle both advise the Minister not to let the contract to Bareco Pty Limited?

Mr SPEAKER: Order! The honourable member's question casts a reflection upon the **honourable** member for Waratah. However, I shall allow the question and ask the Minister to reply.

Mr EINFELD: There would be no greater expert in shady land and property deals than the honourable member for Kirribilli. I believe he is acknowledged as the leading expert in this Parliament, if not in New South Wales, on such matters. I made a statement about Bareco Pty Limited the other day. I have, over a long period, invited members of Parliament to make representations to me and to encourage builders to make submissions to the Registry of Co-operative Societies in regard to project building. In fact, at least half the members of the Opposition have introduced builders to the registry by way of letter, or personally, or by encouragement. It is proper for them to have done so. Not many of those introduced have had proposals approved, because honourable members can imagine the sort of people who would be introduced by members of the Opposition. It is true that most members of the Opposition have taken advantage of my offer. I do not mind. It is good that they have, and I hope that more builders will be introduced in that way from time to time.

Supporters of the Government also have introduced builders to the registry. Understandably, most of them have been reputable. Bareco Pty Limited is the one exception by the look of it. Mr Botoulis, who is the most active of the directors of that company, has made certain admissions to me with regard to the statements I made in Parliament the other day, and both before and since then. There was no doubt whatever in my mind that the practices I referred to were improper, and I rejected any further participation in the project building scheme by Mr Botoulis or his colleagues.

The honourable member for Waratah, like any other member of Parliament, has introduced a number of builders to me. I do not find that a cause for criticism or rejection by me. I have received and will continue to receive representations about the project building scheme from some of the less reputable members of the Opposition, and that covers most of them. I will not reject any submission because of the person who makes it. Each builder will be treated on his merits in accordance with the normal standards applied by the registry.

LIQUID WASTE DISPOSAL AT LONDONDERRY

Mr CLEARY: I direct my question without notice to the Minister for Local Government. Will the Minister advise the House whether he, as the Minister responsible for the Metropolitan Waste Disposal Authority, has ever promised the people in the Londonderry area that he would close down the waste disposal depot there as they have petitioned him to do? In relation to the allegations made in this regard, will the Minister inform the House of the true situation regarding liquid waste disposal at Londonderry?

Mr JENSEN: I thank the honourable member for Coogee for bringing this matter to the attention of the House and for continuing to show a keen interest in the provision of a service which in some important respects was seriously neglected by the previous Government. Let me state unequivocally that at no stage have I ever committed myself to undertake the premature closing down of the Londonderry liquid waste disposal facility, as alleged by the honourable member for Hawkesbury. Any members who claim that I have given undertakings that I have failed to honour are not dealing in facts, and in so doing are bringing dishonour and discredit on themselves by misleading the House.

Members of the Opposition are so short of issues arising from real events that they now invent them. The Government would be very happy to be able to close down the Londonderry depot. Indeed, the Minister of Justice and Minister for Housing, in whose constituency the present depot is situated, has kept the matter before me

continually and has pressed for replacement of the depot, but the fact is that the Liberal–Country party Government failed in its long term of office to provide an alternative facility to permit the early phasing out of the Londonderry depot.

The Metropolitan Waste Disposal Authority made recommendations to the previous Government regarding provision for future liquid waste disposal facilities, but those recommendations were not acted upon. The Wran Government, on taking office, inherited a problem the solution of which had been beyond the abilities of its predecessor. The Government is keenly aware of the need for a more efficient scheme to provide for the safe disposal of liquid waste in the city area. It is anxious to see the establishment of plant that will handle the incineration of combustible and toxic wastes, the separation of liquid wastes to allow chemical treatment, as well as sewer disposal of acceptable effluent, and land disposal of treated wastes. This may be undertaken as a private enterprise project or, if there is no private interest, by the Government.

The Metropolitan Waste Disposal Authority has undertaken considerable investigation into the matter and its findings will ensure that an alternative will be found for the Londonderry depot and there will be no return to the unsavoury conditions of indiscriminate and illicit dumping of liquid wastes which polluted Sydney's waterways several years ago. The director of the Metropolitan Waste Disposal Authority, Mr Connolly, has recently returned from an overseas study tour during which he examined liquid industrial waste disposal in a number of selected centres, and the knowledge he gained will help the Government to provide the most up-to-date and efficient methods of disposal when the Londonderry depot is closed.

The Government is looking at methods that may be used to encourage the major generators of liquid industrial waste to handle adequately their disposal problems. At the same time a central disposal plant may be required, to be operated either by private enterprise or as a government service, to cater for smaller organizations generating liquid waste. I assure concerned citizens who live in proximity to the existing depot that the Government will take all steps necessary to replace the present method of liquid waste disposal with a more environmentally acceptable means of disposal. This objective will be realized as quickly as possible.

MANUFACTURING INVESTMENT

Mr COLEMAN: My question without notice is directed to the Premier. Has the Premier yet examined the official figures on manufacturing investment in Australia prepared this month, August 1978, by the Commonwealth Department of Industry and Commerce? Do these figures show that manufacturing investment in New South Wales under this Government has slumped from the usual 40 per cent of total Australian manufacturing investment to an all time low of 13 per cent of the Australian total?

Mr WRAN: I have examined the figures and they do not disclose that. This is another misinterpretation of clear statistics. The Minister for Local Government made the very pertinent statement that the Opposition appears to be so barren of real issues that it wants to invent them.

Mr Coleman: Where did the Premier get his statistics?

Mr WRAN: From the same source as you got a copy of the federal Budget papers—your friend Mr Fraser. The fact is that Australia's manufacturing industries are confronted with grave difficulties. Their burdens are made heavier by the onerous policies of the Fraser Government. The greatest battle to survive is being waged

in New South Wales, the heartland of Australia's manufacturing industry. The fact is that each month over the past two and a half years representatives of the Government have conferred with leaders of the manufacturing industries represented by the Chamber of Manufactures and the Metal Trades Industries Association. The relationship has been one of co-operation and support. I wish the Leader of the Opposition and members of the Opposition would stop knocking New South Wales.

HOUSING FOR SHELLHARBOUR

Mr PETERSEN: My question without notice is directed to the Minister of Justice and Minister for Housing. It concerns the development of the area known as Shellharbour Site 7200 in my electorate. Has the Minister received representations from the honourable member for Corrimal, the honourable member for Heathcote, the honourable member for Wollongong, and from me, for development of this area in order to meet the urgent needs for welfare housing in the Wollongong-Illawarra region? Will the current policies of the federal Government result in a considerable reduction in the housing construction programme on Shellharbour Site 7200? What effect will those policies have on the provision of such essential services as water and sewerage for that area?

Mr MULOCK: The honourable member has shown a great deal of interest in the provision of housing in the Wollongong area, at Shellharbour and, more particularly, the development of this site. Unfortunately, as a result of the cut, in real terms, of 25 per cent in the moneys allocated for housing by the Commonwealth to the State, the Housing Commission will not be able to include in its programme this development work, which would be a condition precedent to undertaking a housing programme on this site.

I regret very much that this action should have to be taken. As a result of the level of funding the Housing Commission has to concentrate in the Wollongong area on developed sites that will not require the expenditure of moneys to bring subdivisions into existence. I regret to have to inform the honourable member and the House that, as a result of the savage cut in the Commonwealth-State funding for housing, the commission has had to take this action in relation to Shellharbour. Dealing with the provision of sewerage and water, I believe that inquiry would be best directed to my colleague the Deputy Premier, Minister for Public Works and Minister for Ports. I am sure that the information would be readily available from him. It is the Housing Commission's present intention, subject to the level of funding next financial year, to proceed with the development aspects of the site at Shellharbour during the 1979-80 programme.

TRADING HOURS

Mr DUNCAN: I direct my question to the Minister for Industrial Relations, Minister for Mines and Minister for Energy. Did he announce on behalf of the Government plans to amend legislation to allow Saturday afternoon trading by shops in New South Wales? Will this action add to the prices to be paid by consumers? Will it deprive shop employees of the opportunity of participating in Saturday afternoon sport and other leisure activities? Will it deal a savage blow to the small shopkeepers who depend upon Saturday afternoon trading without competition from the larger chain stores? If these are facts, will the Minister tell the House on what grounds he has made this decision?

Mr HILLS: As the honourable member for Lismore is well aware, there are areas of this State in which shops trade on Saturday afternoon, one of which is not far from his electorate. I refer to Tweed Heads where the shops remain open on Saturday afternoon to the great convenience of the people of that part of the State.

I am aware that during the inquiry that was held by the Government under the chairmanship of Mr Riordan, there was an intimation by the employees and also by the shopkeepers in that area that they did not want any change. This matter has been the subject of considerable discussion over a long period when our predecessors were in office and following the inquiry that was conducted by the State Government.

As a result of the inquiry clear-cut recommendations were made about the extension of trading hours, particularly as they affect small shopkeepers. Small shops were defined as those that are being conducted by two persons, such as a man and wife, though the owners of such premises do not have to be related. They may also have two employees. Such shops were to be allowed to remain open seven days a week, twenty-four hours a day if they wished. That was the recommendation that came to the Government from the inquiry that was established. Since the inquiry has been completed the Government has had those recommendations under consideration. In addition, as all honourable members know, great controversy arose in the Sydney metropolitan area when certain shopkeepers remained open contrary to the law.

The Government gave consideration to the demands of the general public that there be an extension of hours on Saturday afternoon generally, to the larger shopkeepers as well as the small shopkeepers. That has been the subject of discussion between the wide range of unions representing employees affected—not only the shop assistants but also people servicing the various stores. They intimated quite forcibly to the Government that they were not anxious that the major stores should remain open on Saturday afternoon. Approaches have been made to me by the Retail Traders Association and at 3.30 this afternoon I shall be interviewing the chairman of that association and its secretary, Mr Lawrence, here at Parliament House. When the discussions have been completed I shall report to the Government on the question of Saturday afternoon trading by the major stores. However, the recommendations that have been adopted by the Government in relation to small shopkeepers still stand.

NATIONAL PARKS AND WILDLIFE SERVICE TRAINING CENTRE

Mr R. J. CLOUGH: I direct a question without notice to the Minister for Lands. Has there been a long-standing proposal for the establishment of a National Parks and Wildlife Service staff training and development centre in New South Wales? Will the Minister inform the House of any recent developments in bringing this project to fruition?

Mr CRABTREE: I congratulate the honourable member for Blue Mountains on his practical interest over a long period of years in the work of the National Parks and Wildlife Service of New South Wales. It is a fact that a proposal for the establishment of a staff training and development centre for the service has been discussed at senior administrative level for a number of years. I am happy to say that I gave the project approval in principle about twelve months ago and since then a great deal of progress has been made. A site for the new centre at Blackheath has been suggested by the National Parks and Wildlife Service and agreed to by the Blue Mountains city council. I again congratulate the honourable member for Blue Mountains on his assistance in negotiations between the service and the local city council. The current situation is that the design phase of the project is being completed and I have instructed the service——

Mr Coleman: Call it the Tom Lewis Centre.

Mr CRABTREE: The Leader of the Opposition should keep quiet. I have some news about what he is doing at Lane Cove. His own local trust has called on him to resign because he will not make a contribution even locally. It will not be

calling anything after Peter Coleman. The new centre will replace an inadequate training establishment that is currently sited at Ku-ring-gai Chase National Park. That might be a down-trodden one that could have been named after Tom Lewis. When completed, the new centre will be by far the best in Australia and it is hoped that other States and our South Pacific neighbours will take advantage of it. Basically the plans provide for lecture and teaching facilities, laboratory and demonstration rooms, residential accommodation, library and workshop facilities.

The Blackheath site is ideal because of the variety of natural systems and habitats in the nearby Greater Blue Mountains National Park. Interest has already been expressed in the project by the Commonwealth and other States and I am confident that the centre will become the headquarters for training field officers in the whole Pacific region. As honourable members are aware, there has been a greater emphasis on management in our national parks in the past two years than ever before. Our increase of the National Parks and Wildlife Service budget by 50 per cent over a two-year period has been basically aimed at improved management facilities. For this management programme to be completely successful it is obvious that adequate staff training facilities are essential.

MURRAY RIVER SALINITY

Mrs MEILLON: Is the Minister for Health aware of a health study in Western Australia that examined the adverse effects on health of excessive salt in drinking water? Is it a fact that high blood pressure—hypertension—is a major contributor to death from heart disease and that over 56 per cent of Australians die from heart disease? Is the Minister aware that the World Health Organization bases its acceptable sodium level on taste rather than health considerations and has adopted as an absolute maximum 500 parts per million as a guideline for water quality control? As the level in the Murray River recently has been as high as 839.4 parts per million and at Adelaide is frequently 612 parts per million, is this not dangerously high for people living on the Murray River, including the children, who depend on the river for their drinking and cooking water? Will the Minister direct the Health Commission to investigate the incidence of hypertension and cardiovascular disease in relation to salinity in the Murray River?

Mr STEWART: I am not aware at this stage of any study referred to by the honourable member for Murray that was made in Western Australia. Although hypertension is one of the causes of heart disease in Australia, it is not the only cause. Those people who suffer from hypertension are usually put on a salt-free diet so that fluid will not be retained in the body. I am aware that there is a salinity problem in the Murray River and I am aware also of the concern that the Government has for that problem. I shall ask the Health Commission to investigate the matters raised by the honourable member for Murray. I shall inquire whether statistics are available from the Murray region which may go to the substance of the honourable member's question. As soon as I have some information I shall be pleased to give it to the honourable member and to the House.

KOSCIUSKO NATIONAL PARK

Mr AKISTER: Has the attention of the Minister for Lands been drawn to the remarks made recently in another place by the Hon. W. G. Keighley dealing with the Kosciusko National Park? Has the Government given special attention to the development programme of the park? Will the Minister advise the House what action has been taken, and what is planned, to remedy ten years of neglect by the former Government?

Mr CRABTREE: It is a fact that the Wran Government has approved an accelerated development programme and major increases in expenditure for the Kosciusko National Park. The honourable member for Monaro has placed a high priority on working to improve standards within the park and I congratulate and thank him for his assistance, advice and his active membership of the advisory committee. The facts are that the problems of management and the need for improved physical facilities within the park are the direct result of low-level funding under the previous Willis-Lewis Government. During his speech last week the Hon. W. G. Keighley presented a long list of observations and made a rather cowardly attack on the personnel of the National Parks and Wildlife Service. He studiously avoided any reference to the greater funding levels, the new emphasis on management and the improved facilities that have been provided in two years under the Wran Government.

Last year the Government spent the record sum of \$2.5 million on the administration and development of Kosciusko National Park. This money was spent on improved traffic facilities, other public amenities and an expanded programme of management. A good example of the greater attention being given to Kosciusko is shown in the relative expenditures now and three years ago for the control of noxious weeds and feral animals. In 1974, when the dilapidated Liberal-Country party Government was in office, \$24,000 was spent to control noxious weeds and feral animals in the Kosciusko National Park. Last year, when a progressive Wran Labor Government was in office, \$91,000 was spent, or 350 per cent more than under the former Government. It is a pity that the Opposition continues to take such a negative approach to the administration of our national parks, for it is an area of administration that affects every citizen in the State. I am particularly proud that it is estimated that last year six million New South Welshmen visited our national parks and two million visited our State recreation areas.

Mr Mason: How many Victorians?

Mr CRABTREE: I can understand the honourable member being interested in Victoria. He will be going there as nobody in New South Wales will have him after the next elections. He will not be able even to go back to his church. Opposition members would be far better employed joining with those members of the community who are co-operating and working with the Government to improve our parks. This is particularly the case with the Kosciusko National Park, which has won greater national and international acclaim under the Wran administration than ever before. The public support for the Government's programme is evidenced by the fact that visitations to Kosciusko have increased by 50 per cent. The fact that this increase has occurred throughout the whole year is not related only to snow sports in the area.

Perhaps the greatest compliment we have received in regard to Kosciusko has come from the United Nations Educational, Scientific and Cultural Organization, which has selected Kosciusko for inclusion in its special category of world biosphere reserves. I am sorry that the Leader of the Country Party is not present in the Chamber to hear of this honour. He careers around New South Wales knocking everything, including national parks. This particular award was made to New South Wales by Professor Slatyer, the ambassador to UNESCO. That he travelled all the way to Darwin is an indication of the importance that this learned gentleman gave to the awarding of this international award to the National Parks and Wildlife Service and to the Government.

The award, which I show to the House, is a tremendous compliment to the staff of the service, the local residents who have advised and assisted in management proposals and the Government which has provided the increased level of funding

necessary. In view of that award it ill behoves the Hon. W. G. Keighley or other Opposition members to make ill-informed and unbalanced attacks on the National Parks and Wildlife Service or on the Government. Of course, that is not the end of the matter. The Government has a continuing programme for improvement and development of our wonderful park system. Within the next two weeks I shall receive an interim report of a working party of experts whom I appointed to advise on new facilities at the park.

Mr Lewis: I ask the Minister whether I may keep this award that has been shown to the House?

Mr CRABTREE: As I have a high regard for the honourable member for Wollondilly I shall have a replica made for him. Honourable members of this House should be proud of this achievement—except the Leader of the Country Party and the Leader of the Opposition, who are not even proud of being Australians. It is a matter of great moment that New South Wales has one of the world's greatest national parks.

SPECIAL YOUTH EMPLOYMENT TRAINING SCHEME

Mr SINGLETON: Will the Premier give to the House details of the percentage of employment opportunities the Government plans to provide in non-metropolitan areas as a result of the latest widely advertised special youth employment training programme? Is he aware that the June unemployment statistics show that 47 per cent of all those registered as unemployed in New South Wales live away from the Sydney metropolis in areas which have only 27 per cent of the State's total population? In the light of this imbalance, will efforts be made to ensure that a majority of the new employment opportunities go to young people in non-metropolitan areas?

Mr WRAN: The honourable member for Clarence has asked a most relevant question—as I am in a generous mood I shall not add, for a change. The fact is that an adequate proportion of those job opportunities for young people will be allocated to country areas. Next week I shall provide the honourable member and the House with precise details. I am certain that when the House is provided with details, not only of the current scheme but also of the proportion of jobs that were allocated under the previous scheme, the honourable member for Clarence and indeed country people throughout New South Wales will be well pleased.

GOSFORD–NEWCASTLE RAILWAY

Mr O'CONNELL: I direct a question without notice to the Minister for Transport and Minister for Highways. Will the Minister advise the House of the extent of work already carried out on the electrification of the railway between Gosford and Newcastle? Will he also advise what expenditure is proposed on the line next year?

Mr COX: The electrification programme on the railway line to Newcastle has recently recommenced, if I might put it that way. In the past financial year work took place on the electrification and the widening of cuttings between Gosford and Newcastle. An amount of \$1 million has been allocated towards this work this financial year, to complete all the planning of the electrification from Gosford to Newcastle

and to continue the work of widening cuttings on the line and other associated work. In the following financial year major work will commence on the electrification programme. Because some concern has been expressed in the area that work on the electrification programme will be cut back, I give the honourable member for Peats the assurance that the programme will continue. I look forward to the time when the whole of the programme is completed.

ROBERT CHARLES BAKER

Mr WRAN: Yesterday the Leader of the Opposition asked me a question in relation to the death at Newcastle of one Robert Charles Baker. I replied to the Leader of the Opposition and to the House that I would seek information from the Commissioner of Police and that as soon as the information was available I would give a response to the House. I now have a report from the Commissioner of Police which indicates that at 2.50 a.m. or, 25th July, 1978, Robert Charles Baker, 29 years old and a known drug user, was brought to the Newcastle Hospital by a friend. He was treated at the hospital but died at 3.20 a.m. on that date. It was suspected that he died from an overdose of heroin. However, the post mortem analysis has not yet been received at Newcastle from the Lidcombe laboratory.

On 24th July, 1978, the deceased, Robert Charles Baker, saw a doctor at Newcastle and stated that he was having difficulty in sleeping. The doctor prescribed seconal tablets. On the night before his death, Robert Charles Baker, Bernie Botoulis, Douglas Hayman and his wife Susan Hayman injected themselves with heroin. Botoulis and Mr and Mrs Hayman said that Baker produced a heroin capsule, injected himself with half of the capsule and gave the other three persons the second half of the capsule between them to inject. When Baker became ill the other three persons took a bottle of seconal tablets that were in Baker's possession and buried it in the backyard. However, when later they were interviewed by the police they retrieved the tablets from the backyard in the company of the police. Eight tablets were missing from the bottle. Though this is not in the report, I have had a verbal communication with the commissioner and one of his officers and learnt that the seconal tablets which were purchased earlier in the day by the deceased, Robert Charles Baker, were twenty in number, which means that twelve of them were in the bottle when it was recovered by the police.

It is the opinion of the Government Medical Officer at Newcastle that the use of seconal in conjunction with heroin is an extremely dangerous practice. The police have no evidence on which to indict Botoulis or Mr and Mrs Hayman for the death of Baker. An inquest into the death of Robert Charles Baker has not yet been held because the authorities are awaiting the post mortem analysis from the Lidcombe laboratory. In order to round off my answer to the Leader of the Opposition I should perhaps intimate that the three other persons referred to—Botoulis, Douglas Hayman and his wife Susan Hayman—were charged with various offences in relation to drugs. Botoulis was charged with using a prohibited drug, heroin, possession of LSD and possession of Indian hemp. He pleaded guilty to those charges. Two long records of interview were taken from Botoulis by the police. Those records were produced to, and read by, the presiding magistrate, Mr Leo, S.M., and the facts were given by the police from the witness-box.

Botoulis was given a sentence, which was deferred upon his entering into a recognizance himself in \$1,000 to be of good behaviour for three years in respect of the prohibited drug charge and in relation to the possession of LSD. He was also directed to continue treatment with Dr Furey, reside with his mother at 58 Curry

Street, Merewether, and seek the assistance of the Adult Probation Service of New South Wales. Regrettably, in the telephone message I received the period of the sentence has been omitted but I can advise the House of that if it is desired.

Mr Coleman: Three years.

Mr WRAN: The Leader of the Opposition says it was for three years. I have no basis for saying yea or nay to that. A sentence was imposed on the terms I have intimated. In relation to the third charge, the possession of Indian hemp, Botoulis was fined \$400 or, in default, gaol for the appropriate number of days. So far as Mr and Mrs Hayman are concerned, they were charged with using a prohibited drug. They have pleaded not guilty and have been remanded until 18th October, 1978. A preliminary post mortem examination was held by Dr Banathy as a result of which the organs of the deceased were sent to the analysts at the Lidcombe laboratory. When that analysis is completed in the ordinary way an inquest will be held at which the whole facts and circumstances surrounding the death of Robert Charles Baker will be the subject of a coronial inquiry.

GOVERNOR'S SPEECH: ADDRESS IN REPLY

Sixth Day's Debate

Debate resumed (from 29th August, *vide* page 754) on motion by Mr Gabb:

That the following Address in Reply to the Speech which His Excellency the Governor has addressed to both Houses of Parliament on opening this Session of the Parliament of New South Wales be now adopted by this House:

To His Excellency Sir ARTHUR RODEN CUTLER, upon whom has been conferred the decoration of the Victoria Cross, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Royal Victorian Order, Commander of the Most Excellent Order of the British Empire, Knight of the Most Venerable Order of St John of Jerusalem, Governor of the State of New South Wales and its Dependencies, in the Commonwealth of Australia.

May it Please Your Excellency—

We, Her Majesty's loyal and dutiful subjects, the Members of the Legislative Assembly of New South Wales, in Parliament assembled, desire to express our thanks for Your Excellency's Speech, and to affirm our sincere allegiance to Her Most Gracious Majesty.

2. We beg to assure Your Excellency that our earnest consideration will be given to the measures to be submitted to us, and that we will faithfully carry out the important duties entrusted to us by the people of New South Wales, and that the necessary provision for the Public Services will be made in due course.

Mr CATERSON: Mr Speaker —

Mr FLAHERTY (Granville), Government Whip [11.281: I move:

That the question be now put.

The House divided.

Ayes, 48

Mr Akister
Mr **Bannon**
Mr **Barnier**
Mr Bedford
Mr Booth
Mr Brereton
Mr Cahill
Mr Cleary
Mr R. J. Clough
Mr Cox
Mr Crabtree
Mr Day
Mr Degen
Mr Durick
Mr Einfeld
Mr Face
Mr Ferguson

Mr Flaherty
Mr Gordon
Mr Haigh
Mr Hills
Mr Hunter
Mr Jackson
Mr Jensen
Mr Johnson
Mr Johnstone
Mr Keane
Mr Kearns
Mr McGowan
Mr Maher
Mr Mallam
Mr Mulock
Mr O'Connell
Mr Paciullo

Mr Petersen
Mr Quinn
Mr Ramsay
Mr Renshaw
Mr **Rogan**
Mr Ryan
Mr Sheahan
Mr Stewart
Mr Wade
Mr F. J. Walker
Mr **Whelan**
Mr Wran

Tellers,
Mr Gabb
Mr Wilde

Noes, 44

Mr Arblaster
Mr Barracrough
Mr Boyd
Mr Brewer
Mr Brown
Mr **Bruxner**
Mr **Cameron**
Mr Catenon
Mr Coleman
Mr Cowan
Mr Darby
Mr Dowd
Mr Doyle
Mr **Duncan**
Mr Fischer

Mr Fisher
Mr Freudenstein
Mr Griffith
Mr Hatton
Mr Healey
Mr Jackett
Mr Leitch
Mr Lewis
Mr McDonald
Mr McGinty
Mr Mackie
Mr Maddison
Mr Mason
Mrs Meillon
Mr Murray

Mr Mutton
Mr Park
Mr **Pickard**
Mr Rofe
Mr **Rozzoli**
Mr Schipp
Mr Singleton
Mr Taylor
Mr Viney
Mr N. D. Walker
Mr West
Mr Wotton
Tellers,
Mr **Moore**
Mr Osborne

Resolved in the affirmative.

Motion agreed to.

Mr SPEAKER: I have to inform the House that I have ascertained it to be **the** pleasure of His Excellency the Governor to receive at half-past two o'clock p.m. this day, at Government House, the Address in Reply to His Excellency's Opening Speech.

GOVERNMENT BUSINESS

Urgency

Mr F. J. WALKER (Georges River), Attorney-General [11.35]: I move:

That it is a matter of urgent necessity that the following bills be brought in and passed through all their stages in one day:

Constitution (Police Regulation) Amendment Bill
Constitution (Public Service) Amendment Bill

Parliamentary Papers (Supplementary Provisions) Amendment Bill
 Superannuation (Constitution) Amendment Bill
 University and University Colleges (Constitution) Amendment Bill
 University of New England (Constitution) Amendment Bill
 Macquarie University (Constitution) Amendment Bill
 University of Newcastle (Constitution) Amendment Bill
 University of New South Wales (Constitution) Amendment Bill
 University of Wollongong (Constitution) Amendment Bill
 Petroleum Products Subsidy (Amendment) Bill

Mr **COLEMAN** (Fuller), Leader of the Opposition [11.361: The Opposition opposes urgency. The Attorney-General has made an extraordinary request. We are getting used to the way this Government conducts the business of the House. Yesterday the Government sought urgency in respect of the General Loan Account Appropriation Bill. That course was almost unprecedented and was totally unjustified. Then we had the parody of question time yesterday, when Ministers rambled on incoherently just to take up the time of the House. Now we have a number of bills that are of some significance. Though these bills have not yet been introduced, the Attorney-General has moved an urgency motion that they be proceeded with and put through all stages today. The Opposition has not yet had an opportunity of examining these important measures. It would, at least, be a better course to have them introduced today and have the remaining stages dealt with, at whatever speed is considered necessary, after the weekend. In the interim they could be thoroughly examined. The situation is ridiculous, and unparliamentary. Therefore, the Opposition totally opposes the motion.

Question of urgency put.

The House divided.

Ayes, 48

Mr **Bannon**
 Mr Barnier
 Mr Bedford
 Mr Booth
 Mr Brereton
 Mr **Cahill**
 Mr **Cleary**
 Mr R. J. Clough
 Mr Cox
 Mr **Crabtree**
 Mr Day
 Mr Degen
 Mr **Durick**
 Mr Einfeld
 Mr Face
 Mr **Ferguson**
 Mr **Flaherty**

Mr Gabb
 Mr Gordon
 Mr Haigh
 Mr Hills
 Mr Hunter
 Mr **Jackson**
 Mr Jensen
 Mr Johnson
 Mr Johnstone
 Mr Keane
 Mr Kearns
 Mr **McGowan**
 Mr Maher
 Mr **Mallam**
 Mr **Mulock**
 Mr Paciullo
 Mr Petersen

Mr Quinn
 Mr **Ramsay**
 Mr Renshaw
 Mr **Rogan**
 Mr Ryan
 Mr Sheahan
 Mr **Stewart**
 Mr Wade
 Mr F. J. Walker
 Mr Whelan
 Mr **Wilde**
 Mr Wran

Tellers,
 Mr **Akister**
 Mr **O'Connell**

Noes, 44

Mr Arblaster
 Mr Barraclough
 Mr Boyd
 Mr Brown
 Mr **Bruxner**
 Mr **Cameron**
 Mr **Caterson**

Mr **Coleman**
 Mr **Cowan**
 Mr Darby
 Mr Dowd
 Mr Doyle
 Mr **Duncan**
 Mr Fischer

Mr Fisher
 Mr Freudenstein
 Mr Griffith
 Mr **Hatton**
 Mr Healey
 Mr Jackett
 Mr Leitch

Mr Lewis	Mr Mutton	Mr Taylor
Mr McDonald	Mr Osborne	Mr Viney
Mr McGinty	Mr Park	Mr N. D. Walker
Mr Mackie	Mr Pickard	Mr West
Mr Maddison	Mr Rofe	Mr Wotton
Mr Mason	Mr Rozzoli	<i>Tellers,</i>
Mrs Meillon	Mr Schipp	Mr Brewer
Mr Murray	Mr Singleton	Mr Moore

Question so resolved in the affirmative.

Motion of urgency agreed to.

Suspension of Standing Orders

Mr F. J. WALKER (Georges River), Attorney-General [11.421: I move:

That so much of the standing orders be suspended as would preclude the following bills being brought in and passed through all their stages in one day:

Constitution (Police Regulation) Amendment Bill
 Constitution (Public Service) Amendment Bill
 Parliamentary Papers (Supplementary Provisions) Amendment Bill
 Superannuation (Constitution) Amendment Bill
 University and University Colleges (Constitution) Amendment Bill
 University of New England (Constitution) Amendment Bill
 Macquarie University (Constitution) Amendment Bill
 University of Newcastle (Constitution) Amendment Bill
 University of New South Wales (Constitution) Amendment Bill
 University of Wollongong (Constitution) Amendment Bill
 Petroleum Products Subsidy (Amendment) Bill

Mr COLEMAN (Fuller), Leader of the Opposition [11.431: The Opposition opposes the motion.

Question—That standing orders be suspended—put.

The House divided.

Ayes, 48

Mr Bannon	Mr Gabb	Mr Quinn
Mr Barnier	Mr Gordon	Mr Ramsay
Mr Bedford	Mr Haigh	Mr Renshaw
Mr Booth	Mr Hills	Mr Rogan
Mr Brereton	Mr Hunter	Mr Ryan
Mr Cahill	Mr Jackson	Mr Sheahan
Mr Cleary	Mr Jensen	Mr Stewart
Mr R. J. Clough	Mr Johnson	Mr Wade
Mr Cox	Mr Johnstone	Mr F. J. Walker
Mr Crabtree	Mr Keane	Mr Whelan
Mr Day	Mr Kearns	Mr Wilde
Mr Degen	Mr McGowan	Mr Wran
Mr Durick	Mr Maher	
Mr Einfeld	Mr Mallam	<i>Tellers,</i>
Mr Face	Mr Mulock	Mr Askister
Mr Ferguson	Mr Paciullo	Mr O'Connell
Mr Flaherty	Mr Petersen	

Noes, 44

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

Question so resolved in the affirmative.

Motion agreed to.

Mr F. J. Walker: I seek leave of the House to move a motion to suspend standing orders to permit certain bills to be taken cognate.

Mr Mason: Leave is not granted.

CONSTITUTION (POLICE REGULATION) AMENDMENT BILL

Introduction

Mr F. J. WALKER (Georges River), Attorney-General, on behalf of Mr Wran [11.47]: I move:

That leave be given to bring in a bill for an Act to amend the Constitution and Police Regulation (Amendment) Act, 1964, with respect to the candidature of a member of the police force at an election of members of the Legislative Council.

This short bill is consequential upon the enactment of the Constitution and Parliamentary Electorates and Elections (Amendment) Act, 1978. The bill will enable members of the police force to contest elections for either House without having to resign beforehand. I commend the motion to the House.

Mr MASON (Dubbo), Deputy Leader of the Opposition [11.48]: The Parliament is faced with the most peculiar set of circumstances. Honourable members are to be asked to agree to a measure that they have not even seen. The Parliament is to be forced into the position of passing through all stages no fewer than eleven bills without the opportunity to study them. I should have thought that when introducing the first of the series of measures, the Government would have given some indication of what it has in mind. It was almost impossible for honourable members to hear what was said by the Attorney-General, so the Opposition will wait until it has examined the bill before it gives any indication of its attitude. In the interests of democracy, fair play and proper parliamentary procedure, I ask the Government to give members of the Opposition at least some moments to look at the proposed legislation. The Opposition has been placed in an intolerable situation. Mr Speaker, you have just informed the House that honourable members will be required to attend Government House this afternoon. Further, there has been a resolution that these bills must pass

through all stages. The Opposition has been placed in an impossible position. I appeal, particularly on this initial bill, which I take it will be an indicator of what is in the Government's mind, that members be given some little time in which to study it. At this stage members have no idea what the Government proposes.

The notices of motion are completely misleading. To take one as an instance, I cannot see what on earth would be involved in the proposed bills to amend the universities legislation. It is quite improper that honourable members should not be made aware of the Government's intention. The Legislative Council **now** elects its own representatives to the various university bodies. The Government's intentions are beyond comprehension. I hope the Attorney-General will make some gesture in acknowledgment of **democracy** and proper parliamentary procedure by at least allowing honourable members time to read the legislation. For the Attorney-General to do otherwise deprives honourable members of an opportunity to understand the Government's intention. At this stage we know nothing of the legislation.

I lodge the strongest possible protest against the proposed procedure, especially as it comes from the Attorney-General—a Leader of the House from whom much was expected in this regard, a man who makes great play on the importance of parliamentary democracy, but in whom performance does not match promise. I admit frankly that I was taken in by what the Attorney-General has had to say on the question of procedure. He said to me in conversation: "I want democracy **to** be uppermost in the procedures of this House. I want honourable members to work together and to find ways in which proper debate can take place. I want us to stop being the only Parliament in Australia in which proper procedures are not followed".

Mr SPEAKER: Order! I am reluctant to interrupt the Deputy Leader of the Opposition, but the question before the Chair is whether leave should be given to bring in a bill. That question does not involve a consideration of the manner in which the Attorney-General conducts the business of the House.

Mr MASON: I make the strongest possible protest against the suggested procedures, particularly as they are in violent contrast to the words mouthed by the Attorney-General in this Chamber previously. Members of the Opposition reserve their rights on the proposed bills.

Mr MADDISON (Ku-ring-gai) [11.521: I give no intimation of approval of the procedure now being entertained because we on this side of the House—as you, Mr Speaker, and the Attorney-General know—have not seen any of the bills for which leave is sought and, in particular, the one now being dealt with, which is an amendment of the Police Regulation Act. Will the Attorney-General say whether it is proposed to take each of these bills through the first-reading stage before proceeding to the second-reading stage of any of them in order to give honourable members an opportunity of reading the measures?

Mr F. J. Walker: The House has already spoken about that.

Mr MADDISON: I do not know what the Attorney-General means when he says the House has already spoken about that. I am asking him to say in his reply whether he will take all of these bills to the first-reading stage: before proceeding to the second-reading stage of any of them.

Mr F. J. Walker: I wanted to do it that way, but other people would not let me.

Mr MADDISON: I do not know precisely what that means. Honourable members are faced with a deplorable state of affairs. They are being asked to deliberate on a bill that they have not even seen. That has not happened in the sixteen years I have been a member of Parliament. The Attorney-General knows it has never been

done that way before. The former Government put bills through all stages in one day, but it allowed time for consideration of them after the **first-reading** stage and before proceeding to the second reading. The autocracy of the Government is emerging in the death throes of this Parliament.

Mr PICKARD (Hornsby) [11.54]: I support the decision of the Opposition, for the reasons given, not to grant leave to **bring in** a bill at this stage. Basically, we have been asked to put the imprimatur of this Parliament—not just that of a political party—upon a bill or a series of bills that we have not yet seen. Time is not to be allowed for consideration or discussion. That has become the familiar pattern in this last fortnight of the term of office of this off-on, undemocratic and facist Government, which will not allow the House an opportunity to comment democratically on its measures. It will not allow this Parliament to be the voice of the people, and it will not give members of the Opposition the bills it is introducing in order that we may read them, understand them, and speak on them for the people we represent. It is a dastardly, damnable thing the Government is doing, and is not to the good of the people of New South Wales.

Mr CAMERON (Northcott) [11.55]: There is good cause for the Opposition to take a stand on the issue now before the House. What we are seeing constantly—again and again—is the derogation of the traditional forms of parliamentary procedure in order to suit the passing convenience, the passing whim, the passing expediency of this Government, which pays not the slightest real regard to parliamentary tradition and everything this House stands for.

Nothing is more ridiculous than that the members of the Opposition should be confronted with this whole long string of bills, having no idea of their contents, and being called upon, in effect, to address their minds to a battery of issues, one after another, the whole of which the Government is steamrolling through without paying the slightest regard to the need for proper consideration. For the Government to be surprised that the Opposition should expect some seemly, thoughtful, and more dignified approach to the parliamentary process is, to me, quite astonishing. These things are precious, and if Parliament is to be turned into some sort of institutional sausage machine, through which bills flow without any of the normal procedures being applied, how can the public be expected to respect and have regard for it?

There are reasons for each of the stages of a bill. There are reasons for the introductory stage, for the second-reading stage, and for a third-reading stage. The **different** stages are designed so that each piece of legislation that comes before the House can be weighed thoughtfully and considered. Because the Government wants to abrogate its responsibility to govern, because it wants to rush into an early, premature and costly election regardless of its obligations, we as a Parliament are being called upon to be like passive chickens in batteries and accept whatever is given to us.

Mr F. J. Walker: That is a good description of members of the Opposition.

Mr CAMERON: It is a good description of the thinking of the **smirking**, insignificant Attorney-General, who has not the slightest regard for what Parliament means or stands for. There are reasons for having a first-reading stage in which the Government simply presents the bill to Parliament. There are reasons for that being followed by a pause, and then by a long, thoughtful second-reading debate in which the proposal is investigated after honourable members have had an opportunity to study the terms of the bill.

We are now at a stage where leave to introduce is being sought. The bills are not even before the House. Although we do not have the vaguest idea of what is in them, we are being put into a situation of having to deal with all stages of not

just one bill but of a whole series of them—one, two, three, four, five, six, seven, eight—in telescoped, compressed fashion, and all to suit the Government's electoral programme, all to enable it to avoid its obligation to get on with the business of government.

We have had the absurd charade in which this Premier of ours lampooned the federal Government for calling an early election even though that had the effect of reducing the number of elections by bringing together the timetables for the election of the upper and lower Houses. What we are faced with now is a process whereby the State **Labor** Government is reducing its parliamentary term from three years to two years and a bit. Already there are too many elections simply because we are blessed with a three-tier system of government—government at the local, State and federal levels—all imposing elections on the people. Here we have a government deliberately reducing its term of office at a time when, in my view, it should be expanding that term for four years—although I should not like to think of this Government being in office for four years.

Here we have the Government deliberately reducing the term of its office when, in my view, it should be extending it to four years, although I dread the thought of this Government being in power for four years. This is being done to suit the expediency of this quite shallow and worthless timetable whereby the parliamentary process is being corrupted. It is right and proper that the members of this Parliament, and the Opposition as a responsible part of it, should make some protest against the kind of steamroller tactics that the highly irresponsible and immature Attorney-General, as leader of the House, seeks to impose upon it.

Mr TAYLOR (Temora) [12.1]: On behalf of the Country Party I wish to register my displeasure about the introduction of this measure. It seems that we are to have a number of bills placed before us and the Attorney-General very vaguely says that each of them contains a clause consisting of only one line. That may be so, but that one line could do tremendous damage to the people concerned. We protest at the procedure which is sought to be adopted. It is intended that in one day there should be the first and seconds readings of between two and twelve bills. If the Premier desires to hold an election let him name the date and let the community know what this Parliament is doing. There must be some reason for the sort of procedure that is suggested. If the Government wants to have its legislation passed it has every opportunity of doing it by the normally accepted parliamentary procedures. I join with other honourable members of the Opposition in saying that this Parliament is being treated as a joke.

Mr CATERSON (The Hills) [12.2]: I add my objection to those of other honourable members to the processes that the Attorney-General is trying to force upon this Parliament. He is making a farce of the democratic process as he did earlier today when he prevented me bringing before this Parliament matters of great importance to the people of my electorate. For some weeks I have endeavoured to raise the matter of a decision by the Government—

Mr F. J. Walker: On a point of order. I submit that it is not competent for the honourable member to make an Address-in-Reply speech at the introductory stage of this bill.

[Interruption]

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

Mr F. J. Walker: I submit that the honourable member should be directed to keep to the motion.

Mr Pickard: On the point of order. I submit that the honourable member for The Hills was merely illustrating what happened when he tried to raise a matter relating to the Parklea prison and was prevented from doing so. He was using that as an illustration to show that what was happening today was typical of what happened before.

Mr SPEAKER: Order! I uphold the point of order taken by the Attorney-General. Each speaker from the Opposition has registered a protest. The time for the registering of protests was when the motion for the suspension of standing orders was before the House. The question before the Chair is, That leave be given to bring in a bill.

Mr CATERSON: I only want to say, Mr Speaker, that the process that the Attorney-General and the Government are using——

Mr F. J. Walker: You are canvassing Mr Speaker's ruling.

Mr CATERSON: I am not canvassing Mr Speaker's ruling. It is a farce that we are asked to consider a bill that we have not seen and that this be dealt with not only at its introductory stage but also through all its stages. The Attorney-General is making a joke of the parliamentary process, as he did earlier today when he prevented me from raising matters of vital importance to the people of my electorate.

Mr SPEAKER: Order! I cannot allow the honourable member to continue. I have given a clear indication that the motion before the Chair is, That leave be given to bring in a bill. That is the only question on which honourable members on both sides of the House may speak.

Mr FISHER (Upper Hunter) [12.3]: I am sure that all members must deplore the action of the Attorney-General in attempting to force through the House in one day a number of bills that at this stage have not even been read a first time. Honourable members, representing the electorate of New South Wales, are being denied the opportunity of properly studying the legislation that the Attorney-General is now proposing to bulldoze through this House. Democracy is the poorer for the conduct of the Government in ramming through this legislation. This Government has attempted to depict itself as an open government, yet it denies this opportunity to the elected representatives.

Mr F. J. Walker: I take the same point as I took before, that the honourable member is not speaking to my comments on the introductory motion.

Mr SPEAKER: Order! I must indicate to all honourable members that if this pattern persists I will have to ask them to resume their seats. The motion before the Chair is, That leave be given to bring in a bill, and honourable members may speak only to the remarks made by the Attorney-General when introducing the bill.

Mr FISHER: Mr Speaker, I object to the fact that we have not been informed what the bill is.

Mr SPEAKER: Order! This is the introductory stage and, in accordance with practice, the bill will be laid upon the table after the motion is agreed to. It would not be possible for the honourable member for Upper Hunter, or any other honourable member, to know what is contained in the bill until the House disposes of the motion.

Mr JACKETT (Burwood) [12.5]: This morning the Attorney-General has asked us to deal in one day with a series of bills.

Mr F. J. Walker: On a point of order. I submit that the honourable member for Burwood is defying your ruling, Mr Speaker.

Mr Jackett: I deny that I am defying the ruling. In my opinion the Attorney-General is being completely irresponsible.

Mr SPEAKER: Order! Does the honourable member wish to speak to the point of order?

Mr Jackett: Yes. I had just begun to speak on this motion. As a member of this Parliament I am entitled to do so, and if you say I am not, then democracy is dead in this country.

Mr SPEAKER: Order! The honourable member, as is any other honourable member, is entitled to address himself to the motion before the Chair. I will do all I can to ensure that he has freedom to do so. I draw attention to the practice in this House that an honourable member must speak to the motion before the Chair, which is, That leave be given to bring in a bill. The honourable member may refer only to the remarks of the Attorney-General in speaking to the introductory motion. He may make passing reference to the pressure involved in pushing the bill through in one day. I intimated earlier that the time for protest had passed when the motion was carried for the suspension of standing orders.

Mr Mason: On a point of order. It is important that I raise this point of order. I did draw attention to the fact that it was impossible for honourable members on this side of the House to hear what the Attorney-General said in his introductory remarks. I appealed to you, Mr Speaker, whilst he was speaking and I brought to your attention the fact that there was movement in and out of the Chamber at the time and that we could not hear what was being said. I appealed to you on the ground that it was practically impossible for honourable members on this side to restrict themselves —

Mr SPEAKER: Order! The honourable member for Dubbo is repeating what he said previously. I agree there was some disturbance in the Chamber when the Attorney-General was speaking to the motion. However, the attention of the Chair was not drawn to the fact that there was any difficulty in hearing what the Attorney-General was then saying. A remark was passed by the honourable member for Dubbo in the form of an interjection. If he were as concerned as he says he is and had drawn my attention to the fact that he could not hear what was being said, I would have requested the Attorney-General to pause until the disturbance subsided. I regard what the honourable member is now doing as trifling with the House.

[Interruption]

Mr SPEAKER: Order! I call the honourable member for Burwood to order and warn him that if I have to call him to order again it will be for the purpose of naming him. The motion before the Chair is, That leave be given to bring in a bill. I have already intimated that at this stage I will entertain only remarks directed at what the Attorney-General said when he spoke to the motion. If Opposition members admit that they did not hear what he said, there is no way in which they can direct themselves to his remarks.

Mr Jackett: Mr Speaker, when the Attorney-General took the point of order I was proceeding to speak to the motion. I believe that I am entitled to query the reasons for the presentation of this legislation today. It deals with the candidature of a member of the police force at an election of members of the Legislative Council. Even though the Attorney-General did not talk about any specific election I believe I am perfectly entitled to draw conclusions and to make statements in this House on the matter, as is my democratic right.

Mr SPEAKER: Order! I have ruled on the point of order. The honourable member for Burwood is entitled to address himself to the motion, which is that leave be given to bring in a bill.

Mr JACKETT: That is what I am doing, Mr Speaker. The Attorney-General said he had forty-eight good reasons why he was bringing in the bill. Why did he not tell us those forty-eight good reasons? This is another indication of the cavalier way in which the Attorney-General, and the whole of the Government that he represents at this moment, treats democracy in this State and the rights of the Opposition to oppose. I believe this legislation is being presented because they **are**——

Mr SPEAKER: Order! I draw the honourable member's attention to Standing Order 157, which relates to tedious repetition, and I ask him to resume his seat. Also, I draw the attention of all members to that standing order.

Mr MOORE (Gordon) [12.12]: The Attorney-General is obviously seeking to obtain a place in the history of this State as the New South Wales equivalent of the **Whitlam** manipulator of the Commonwealth Constitution. The Attorney-General wants to be the **person**——

Mr Petersen: What about Kerr?

Mr MOORE: Quieten down, George. The Attorney-General obviously wants to be the person in this State who has had the pleasure, in his eyes, of ramming through as many changes of consequence to the Constitution as he can and of manipulating it for his own ends. The order of leave for this bill deals with the electoral candidature of policemen. They would be better employed in investigating the activities of Bareco Pty Limited and the connection of the honourable member for Waratah with an illegal gambling casino.

Mr SPEAKER: Order! In accordance with the standing orders, an honourable member who wishes to reflect upon another honourable member must move a substantive motion. I shall not allow the honourable member for Gordon to proceed any further if he does not **confine** himself to the motion before the House.

Mr MOORE: The leave that is sought is to bring in a bill dealing with the candidature of a member of the police force in an election of members of the Legislative Council. It would appear to me that the purpose is to permit members **of** the police force of this **State**——

Mr F. J. Walker: Is the honourable member for Gordon opposing the right **of** policemen to stand for Parliament?

Mr SPEAKER: Order! The Attorney-General will be able to exercise his right of reply to the debate.

Mr MOORE: If every public servant in this State went gallivanting round the place at the taxpayers' expense supporting the left-wing, socialistic ideas of the Attorney-General ——

Mr SPEAKER: Order! I warn the honourable member for Gordon for the last time. He has not yet directed himself to the remarks made by the **Attorney-General** when he spoke to the motion.

Mr MOORE: The Attorney-General mentioned that this attempt to alter the Constitution would be in the form of a brief bill. I believe he owes it to the House to **explain**——

Mr O'Connell: What is your brief?

Mr MOORE: At least I do not get paid for mine.

Mr SPEAKER: Order! The honourable member for Gordon will ignore the interjections and address himself to the Chair.

Mr MOORE: The Attorney-General should give some explanation why he should be permitted to have leave to bring in the bill and to be able to ram it through the procedures of this House.

Mr F. J. WALKER (Georges River), Attorney-General [12.15], in reply: I have seen some tongue-in-cheek, nonsensical operations from the Opposition in my time here, but today's effort takes the cake. I deprecate the loutish behaviour that has gone on. I can understand why members of the Opposition are upset and why they are behaving not as honourable members of this House but as schoolchildren. The fact of the matter is that 83 per cent of the people of New South Wales supported a referendum to reform the Legislative Council by having its members democratically elected. As a consequence of that referendum the Government sought the assent of Her Majesty the Queen to an enabling bill. The Queen was gracious enough to assent to the reform of the Legislative Council. Once the Queen assented to that bill —

Mr Mason: On a point of order. I draw your attention, Mr Speaker, to the fact that the Attorney-General is now replying to the debate. The standing orders are most specific regarding the restraints that at this stage are upon the Attorney-General. The introduction of new material certainly is prohibited. In his introductory remarks the Attorney-General lamentably failed to give this House any indication of the purport of the bill. Now, in reply, he is obviously seeking to make up for those deficiencies. I submit that under the standing orders he is completely out of order.

Mr SPEAKER: Order! The Attorney-General is exercising his right to reply to the debate. It is the right of any member who moves a motion to reply to matters raised during the debate on it. I know that the Attorney-General will not dwell on those matters. A number of members who spoke in the debate asked questions of the Attorney-General and raised other matters. As they did not confine their remarks to the motion before the House, in effect they have given the Attorney-General a fairly wide scope in reply.

Mr F. J. WALKER: As I was saying, when Her Majesty the Queen graciously assented to that bill it became law. When it became law it meant that no policeman in this State could stand for election to the Legislative Council unless he resigned from the police force. I believe that is an unfortunate state of affairs and the Government seeks to remedy it with this very simple one-clause bill. We are all proud of our police force, except the honourable member for Gordon who would deny to police in this State the right to stand for Parliament. The bill will give them that right so that they do not have to resign from the police force before they stand for election to the Legislative Council. What is proposed is simple; it is not a sinister or complicated move at all. I shall be very happy to tell the police force of this State precisely what members of the Opposition think about them and how they tried to oppose and frustrate this measure.

I wish to comment on the contribution of the honourable member for Ku-ring-gai which was his most hypocritical ever. He said that in his sixteen years in this Parliament, not on one occasion have we ever put bills through all stages —

Mr Mason: Without a break.

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

Mr F. J. WALKER: I shall give one example. I could give several. The honourable member for Ku-ring-gai was a member of a government that rammed through at 3 a.m. all stages of a bill to effect some amendments to the Parliamentary Electorates and Elections Act. It was a boundaries redistribution bill. It was a matter affecting the democratic process in this State; it was not one to enable a policeman to refrain from resigning if he wants to stand for Parliament. That measure, affecting the boundaries of electorates in this State, was rammed through this House at 3 a.m. one morning. I can give literally dozens of examples of similar actions taken by members of the Opposition when they were in government.

Mr Maddison: You are a liar.

Mr F. J. WALKER: I shall give you one.

Mr SPEAKER: Order! I ask the honourable member for Ku-ring-gai to withdraw the remark "You are a liar." It is a most unparliamentary expression and I ask him to withdraw it.

Mr Maddison: I withdraw the remark. I shall deal with it later in another way.

Mr Moore: The Attorney-General did not take exception to it.

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

Mr F. J. WALKER: On 26th November, 1974, the Housing Agreement Bill was rammed through this House at 4.32 p.m.—first its introduction, straight on to the second-reading stage and then the third reading of the bill. Who was handling that piece of legislation? We all know. I found that example in a mere three-minute search. I happened to remember it. Honourable members will remember the Summary Offences Bill. I was handed a copy of the bill halfway through the second-reading speech of the Minister. That bill affected civil rights, freedom of speech and freedom of assembly. On 24th September, 1974, the present honourable member for Ku-ring-gai rammed through this House the Glebe and Other Properties (Special Provisions) Bill dealing with the sale of land on just terms. He knows that is true. Let us have no more of this cant and nonsense. We understand that the Opposition is nervous, but let us give policemen the right to stand for election to the upper House without having to resign from the police force.

Motion agreed to.

Bill presented and read a first time.

Second Reading

Mr F. J. WALKER (Georges River), Attorney-General [12.21]: I move:

That this bill be now read a second time.

As I intimated when introducing the bill, its purpose is simply to enable members of the police force of New South Wales to contest elections for the Legislative Council and the Legislative Assembly without resigning beforehand. The bill contains nothing sinister or secret. It involves no amendment to the Constitution. It simply gives the policemen of this State the right to stand for election to Parliament—I remind honourable members that in this House we have some fine ex-police officers, the honourable member for Charlestown being an outstanding example—without having to resign or cause financial loss to himself or his family.

Mr MADDISON (Ku-ring-gai) [12.22]: Now that members of the Opposition have had an opportunity to look, for one second, at the bill, and having heard the Attorney-General speak in reply on the motion for the introduction of the measure

and speak about the principles involved, it appears that the bill equates election of a police officer to the Legislative Council with the provisions already applying in regard to a police officer seeking election to the Legislative Assembly. The Opposition takes no exception to the measure.

Motion agreed to.

Bill read a second time.

Mr F. J. Walker: I seek **permission** for the third reading to be taken forthwith.

Mr SPEAKER: Is leave granted?

Mr Mason: Leave is not granted.

Mr **Mallam**: Why not?

Mr Mason: It is a blow to democracy. Do not be ridiculous.

Mr SPEAKER: Order!

Committee and Adoption of Report

Bill reported from Committee without amendment, and report adopted on motion by Mr F. J. Walker.

Third Reading

Bill read a third time, on motion by Mr F. J. Walker.

CONSTITUTION (PUBLIC SERVICE) AMENDMENT BILL

Introduction

Mr F. J. WALKER (Georges River), Attorney-General, on behalf of Mr Wran [12.25]: I move:

That leave be given to bring in a bill for an Act to amend the Constitution (Public Service) Amendment Act, 1916, with respect to the candidature of an officer in the public service of New South Wales at an election of members of the Legislative Council.

This bill is consequential upon the enactment of the Constitution and Parliamentary Electorates and Elections (Amendment) Act, 1978. This is another simple measure. Its purpose is to enable officers of the public service of New South Wales to contest elections for either House without having to resign beforehand. I commend the motion to the House.

Mr MASON (Dubbo), Deputy Leader of the Opposition [12.26]: One matter that has now become clear, the House having dealt with a bill of this nature previously, is the purpose and intention of this bill and the one that the House has just dealt with. Unless the Opposition finds something in them in the few seconds that we have to look at each of them, obviously we shall not oppose the principle that is involved. However, I make no apology for saying that we must use the democratic process and the rights that are ours on each of these pieces of legislation. The tragedy is that if a little courtesy, thought and consideration for the democratic process had been shown, all of these matters could have gone through simply next Tuesday as cognate bills in a very short time. I ask the House to give some consideration to what has been achieved by this assault upon the democratic process. What has been achieved? This Parliament is in agreement on the principles involved and yet the Government

has used its numbers as a hammer and has denied the Opposition the right to **peruse** the legislation. Because of this absolute disregard for the parliamentary process, this complete disregard for the **Opposition**——

Mr SPEAKER: Order! The honourable member for Dubbo has not yet addressed himself to the matter before the Chair or the remarks made by the **Attorney-General** in introducing the bill. I ask the honourable member to come to the question before the House.

Mr MASON: I hope that you, Mr Speaker, and honourable members on the Government side will see how strongly members of the Opposition feel about this matter. I hope that you, as the guardian of Parliament's rights and privileges, will appreciate the strength of our feeling and take note of it. I repeat, we feel most strongly about it. The Opposition recognizes the rights of public servants, as it recognizes the rights of other employees in this State, to have political opinions and attachments and to stand for election to Parliament. We will not oppose leave to introduce the bill. However, I take the opportunity to say that the Opposition is concerned when it looks through the list of nominations for the Australian Labor Party at the forthcoming elections to see how many names of public servants are on it. Recently in a debate in this House I began to draw attention to the number of public servants who were standing and I raised the question of how they would get on to the hustings. I am pleased that we are going to cover legislatively the problem of public servants, but we have been deeply concerned at the way in which many of them have been involved in the political affairs of an election heretofore. It was absolutely incredible to see the Attorney-General, when I raised that question in relation to someone in the Crown law office, jumping to his defence and saying that he thought he had applied for long service leave or annual leave a few days before. What an incredible situation. The Opposition protests as strongly as it can about the way in which some Ministers—and an infinitesimal number of public servants—have allowed their time and position to be used by the Australian Labor Party for electioneering. I wish to lodge the strongest possible protest at this whole procedure.

Mr TAYLOR (Temora) [12.30]: The Country Party does not oppose public servants having an opportunity to stand for Parliament. It does not oppose the amendment to the Act brought about by the change in the constitution of the membership of the Legislative Council. However, the Country Party does object to the measure being pushed through the House as it is. I make no apology for that. As with other citizens, public servants represent all kinds of thought.

Mr F. J. Walker: The honourable member should apologize for the way he behaved to public servants.

Mr TAYLOR: I do not have to apologize to the Attorney-General for anything. Public servants, who have a big responsibility, do a magnificent job in New South Wales. They have a responsibility to ensure that they do not allow themselves to be used by any government for any purpose that is contrary to the high office that they hold. The Country Party does not wish to restrict in any way public servants standing for election to Parliament. As was mentioned in debate on previous legislation that was finally brought before the House, that is what the matter is all about. I wish to make clear that the Country Party does not oppose a public servant being granted leave from his job to stand for Parliament. However, public servants should not indulge in politics while still employed in that capacity.

Motion agreed to.

Bill presented and read a first **time**.

Second Reading

Mr F. J. WALKER (Georges River), Attorney-General [12.32]: I move:

That this bill be now read a second time.

As I intimated at the introductory stage, the purpose of the measure is to enable public servants to contest elections for the Legislative Council and Legislative Assembly without resigning beforehand. I commend the bill to the House.

Mr CAMERON (Northcott) [12.33]: Of course the Opposition agrees that public servants should have the right to stand for election without having to resign their position. The interesting aspect is the manner in which the bill reflects the total disproportionality of the make-up of the Labor Party's team of candidates. All honourable members would agree that a great political party, purporting to be a national party and to represent, as does the Liberal Party, the broad total spread of the community, should field for an election candidates who reflect this broad spread. This principle would be accepted whether one is speaking about candidates for the Legislative Council or for this House. A party purporting to be a national party that presents its field of candidates to the electorate would naturally look for representatives of private industry, housewives, farmers, those engaged in manufacturing industry and elsewhere and particularly those who have been employees of free enterprise undertakings which have had to depend upon their efficiency to enable pay packets to be available week by week for all employees.

The matter that is completely startling and why it achieves importance now, is that the reason the Labor Government has to bring in legislation to enable its candidates to take their places in Parliament surely shines from the make-up of the team that it is presenting to the electorate. Although I am convinced that most of these people will not be elected, should they be they would constitute the most one-eyed parliamentary party that has ever sat on the Government benches in any parliament. Virtually the total new input would be made up of people with a public service attitude only. They would look at every piece of legislation that is brought before this Parliament through public service eyes. Make no mistake, I recognize the virtues, the talents and the strengths that public servants can bring to bear as a result of their particular training. But we must have a diversity, a range and a variety. When one goes through the field of candidates one finds in the electorate of Nepean that the Labor Party is putting up for election a public servant, Mr Peter Anderson.

Mr O'Connell: On a point of order. The bill seeks to omit the words "Legislative Assembly" and to insert the words "Legislative Council or Legislative Assembly". This means that the only change is the addition of the words "Legislative Council". I submit for that reason the House cannot debate candidates for the Legislative Assembly.

Mr Cameron: On the point of order. I have made it clear that the bill seeks to bring the Legislative Council into parity with the situation that applies in the Legislative Assembly. That means that the same principles apply. Accordingly, what is said in relation to a field of candidates for the Legislative Assembly will apply in the future to a field of candidates for the Legislative Council. All the matters I am seeking to put before the House are thoroughly pertinent to the second reading of the bill.

Mr SPEAKER: Order! I uphold the point of order raised by the honourable member for Peats. Clearly, at the second-reading stage of the bill the honourable member for Northcott must address himself to its principal objects, which have been outlined by the honourable member for Peats. The bill is simply omitting the words "Legislative Assembly" and inserting instead the words "Legislative Council or Legislative Assembly". It is a simple bill and the honourable member must confine his

remarks to it. Honourable members may direct themselves to the matters mentioned by the Attorney-General at the introductory stage and in his second-reading speech. Those remarks were brief. I draw the attention of the honourable member for Northcott to the fact that he is limited in his remarks on the bill.

Mr CAMERON: At the second-reading stage of the bill the debate should be as wide and as expansive as possible. If I cannot develop my argument there is no point in my continuing.

Mr EINFELD (Waverley), Minister for Consumer Affairs and Minister for Co-operative Societies [12.36]: I listened carefully to the direct attack made upon members of the public service by the honourable member for Northcott. One should note carefully the prejudice that the honourable member exhibited. I hope that *Red Tape*, the official publication of the Public Service Association, will publish the honourable member's attack. Indeed, veiled attacks upon public servants were made also by the Deputy Leader of the Opposition and the honourable member for Temora, who is the Country Party Whip. The amending legislation seeks to acknowledge the free right of every citizen in New South Wales to stand as a candidate for the Legislative Council. Public servants give great service to the community generally. They have a good knowledge of what took place when Opposition members sat on the Government benches. If those candidates are elected to this House, as they all will be, Opposition members must be terribly worried that they might reveal some of the malpractices of those who were members of a party which when in government maltreated, extorted and did all sorts of punishable things to the citizens of New South Wales.

Mr Fisher: On a point of order. The Minister for Consumer Affairs and Minister for Co-operative Societies intimated that members of the Country Party had made an attack upon the public service. That was certainly not the case and I ask that he be directed to withdraw his remarks.

Mr SPEAKER: Order! The honourable member for Upper Hunter has a right to seek to contribute to the debate and to reply to any remarks that may have been made. Remarks passed by an honourable member about any group of members cannot be considered offensive.

Mr EINFELD: The honourable member for Northcott was on the staff of a Minister of a former government prior to his election to this House.

Mr Cameron: That is not true.

Mr Mason: On a point of order. We have reached an incredible situation. You, Mr Speaker, have ruled that the honourable member for Northcott was unable to continue.

Mr O'Connell: No, he did not.

Mr Mason: Are you reflecting upon Mr Speaker's ruling?

Mr SPEAKER: Order! The honourable member for Dubbo will address his remarks to the Chair.

Mr Mason: I was endeavouring to. You, Mr Speaker, have ruled that the honourable member for Northcott must confine his remarks to the Legislative Council. You took the course of interrupting him as he was seeking to draw attention to that aspect and you pointed out how restricted the debate is. Now we have the incredible position where the Minister for Consumer Affairs and Minister for Co-operative Societies is launching a full-scale attack against the honourable member for Northcott

and the Country Party—and I suppose I will be next. It seems to me that that is a complete flouting of your ruling, which the Opposition was seeking to observe and which restricts the **debate** to the narrowest of confines, that is, the Legislative Council. I **submit** that the Minister is flouting your ruling.

Mr SPEAKER: Order! I said that the honourable member for Northcott must speak within the order of leave of the bill. I clearly stated what that order of leave is. I said also that the honourable member could address himself to the remarks of the Minister in introducing the bill. As the honourable member for Northcott was the second speaker in the debate that was difficult for **him**. The honourable member for Northcott made passing **remarks** about public servants and the Minister has addressed himself to that aspect. I am sure that the Minister is a wise enough member to know that he should not canvass that too far. He should not **limit** his speech to that aspect alone. The Minister must soon come back to the bill.

Mr EINFELD: Thank you, Mr Speaker. As ever, your reasoning is sound. I adhere to your rulings with diligence. The honourable member for Northcott has reminded me that he was not working with a Minister; he worked for the Leader of the Opposition, who afterwards became a Minister. He saw nothing wrong with that. **If** this bill had been passed then, he could have stood for the Legislative **Council**—if anyone had been stupid enough to nominate him. One wonders how men of that type and with that sort of experience could come into the Parliament and direct an attack on **members** of the public service, who have served the community well. The Deputy Leader of the Opposition did exactly the same. He said that the Opposition did not object to the bill but he went on to make a veiled attack on public servants. Members of the Opposition are clearly anti-public service. The honourable member for Northcott said: "Imagine how one-eyed public servants will be. They should not be treated as ordinary citizens of Australia who have a dedicated and conscientious approach to the affairs of the nation and the State; they are too one-eyed."

Mr Pickard: On a point of order. You have ruled, Mr Speaker, that you felt that the Minister was pursuing a line that would lead to difficulty and you intimated that you hoped he would make only limited reference to the matters he has canvassed over the past five minutes. The Minister is canvassing your ruling and should be made to sit down.

Mr SPEAKER: I am sure that the Minister is coming to the conclusion of his remarks in this regard and will return to the bill.

Mr EINFELD: I am talking about the Legislative Council because the former reverend gentleman from Lane Cove, with his clerical attitude to these things, is so narrow, as is the honourable member for Northcott —

Mr Pickard: Mr Speaker, I draw your attention to the fact that what the Minister has said has not been directed to the order of leave of the bill, despite his rather petty, cheap and ugly remarks against people of religious persuasions different from his own. I suggest to the Minister that when he takes this sort of approach in a debate he leaves himself and many other people open to attack. He is now entering into a bantering, cheap, ugly attack rather than dealing with the bill.

Mr SPEAKER: Order! As the Minister for Consumer Affairs and Minister for Co-operative Societies did not address himself to the point of order raised by the honourable member for Hornsby it would be out of order for him now to address himself to those remarks. I ask the Minister to return to the bill.

Mr EINFELD: I overrated the honourable member for Hornsby in alluding to him as the honourable member for Lane Cove. I bring him back to taws. The honourable member for Northcott was saying that members of the public service

would not be satisfactory members of the Legislative Council. He said that they would be one-eyed and would have one point of view. That is a direct attack on the public servants of the State. That great body of men and women serves the State with conscientiousness. The Government is contented with the public service. It regards the public service as a great body of men and women and hopes that they will continue to serve with the same dignified and dedicated approach as they have had for many years.

Mr DARBY (Manly) [12.45]: I rise primarily because the Minister for Consumer Affairs and Minister for Co-operative Societies said that members of the Opposition are clearly anti-public service.

Mr Crabtree: Of course they are.

Mr DARBY: Apparently the Minister is supported by other influential members on the Government benches. As a member of the Opposition, I say that it is untrue for the Minister or any honourable member from either side of the House to say that I am anti-public service. There is not one **title** of evidence anywhere in my long history as a member of Parliament to indicate that I have ever expressed myself in derogatory terms referring to the public service of New South Wales.

Mr Sheahan: What about the teachers?

Mr DARBY: That includes teachers. I served as a schoolteacher in New South Wales for seventeen years. I was a responsible and respected member of the New South Wales Teachers' Federation. I was secretary and also president of a branch. I was an advocate for the professional status of teachers well before other people even thought that teachers could become professional in the eyes of the law and of the Parliament. I might criticize an organization, a person, a concept or a proposition, but never have I criticized public servants as public servants. For the Minister for Lands to take up the **comment** of the Minister for Consumer Affairs and Minister for Co-operative Societies that I am anti-public service is not particularly complimentary, parliamentary, responsible or good.

Mr Crabtree: We will leave you out then.

Mr DARBY: Thank you very much. One of my pledges when I became a member of Parliament was to support the public service of New South Wales. Public servants in New South Wales are trained, guided and instructed by members of Parliament and Ministers of the Crown to uphold the laws of the land. It is incongruous for any person to suggest that a member of Parliament could ever be anti-public service, because members rely upon the public service to enforce the laws of the land.

Mr SPEAKER: Order! I am reluctant to interrupt the honourable member for Manly who has a long and fine record as a member of Parliament. I point out that the bill before the House is to amend the Act to permit the words Legislative Council or Legislative Assembly to replace the words Legislative Assembly. I know that the honourable member has addressed himself to the remarks made by the Minister for Consumer Affairs and Minister for Co-operative Societies but I feel that he has adequately expounded his point of view.

Mr DARBY: You are quite right, Mr Speaker. I apologize for the fact that I found it necessary to take up the time of the House with those preliminary remarks before getting down to consider the implications of this necessary measure. The bill suggests that this Parliament was remiss in not foreseeing legislation that would necessarily follow the referendum to alter the method of election of members to the Legislative Council which has obtained since 1932. If the Attorney-General had been

as wide awake as he should be, he would have seen the necessity for this bill earlier. The Opposition appreciates the significance and importance of public servants. If a public servant wants to accept greater responsibilities, he should not be prevented from becoming a candidate for **Parliament**.

All of a sudden the Attorney-General wakes up to the fact that, in justice to public servants, he should bring down a bill of this kind. If the Minister for Consumer Affairs and Minister for Co-operative Society had conferred with the Attorney-General and the Minister for Industrial Relations, Minister for Mines and Minister for Energy, it may have been possible to deal with the problem by amendment to the Industrial Arbitration Act. Such an amendment could have made it obligatory for any employer to give his employees leave of absence from their employment so that they could stand for election to the Legislative Assembly or the Legislative Council without endangering their employment.

Unfortunately, the Government does not seem to consider that employees whose employment is governed by an industrial award should have the same privileges and opportunities as are now to be given to public servants. That also indicates that the Attorney-General and some of his advisers would do well to do a bit of self-analysis and self-prodding with a few pins of inspiration so that they can have a better understanding of the situation. They did not have a clue that if they brought forward a revolutionary measure, it must necessarily have consequential implications. It seems that they have now just woken up to that fact.

It is a pity that the bill cannot lie on the table for at least twenty-four hours so that honourable members can consult with members of the Public Service Board, with their electoral secretaries, the waiters and cleaners in this House and other public servants. Honourable members should be able to discuss the matter with their constituents. I would have been willing to place an advertisement in the *Manly Daily* advising any public servants who wanted to talk to me about the possibility of becoming a member of the Legislative Council to contact me immediately. Unfortunately, I shall not have the opportunity to do that, because the Attorney-General wants to get this bill through in one day. I have had no opportunity of discussing this matter with my constituents. I have had no chance of giving public servants in my constituency the opportunity to come to my home and discuss the matter with me. I would be delighted if public servants came to my home, had afternoon tea or supper with me and discussed the matter. Nothing would give me greater pleasure than to know that in my retiring years, weeks, days or hours, as the case may be, I would be able to say to a public servant constituent, "As a result of our meeting in my home, I can now tell you that I can support you as a candidate in the elections for members of the Legislative Council."

Mr Einfeld: If you did that it would be a kiss of death for the Liberal Party.

Mr DARBY: I can say with supreme confidence that if a public servant came to my home for such an interview, the chances are that I would have known him since he was a child. I might have even taught him at Manly Boys High School or played bowls with his father. I may have had a surf with him some morning. Nothing would please me more than to be able to say to a young public servant living in my area, "I will support you at the next election for members of the Legislative Council"—and it would not be a kiss of death.

Mr Einfeld: It would be a **kiss** of death for the Liberal Party.

Mr DARBY: The chances are that such a person would be a local cricketer or surf lifesaver. While I have been the member for Manly I have nominated a great number of persons for the position of justice of the peace. Many justices of the

peace were nominated by me because they were responsible public servants. Any public servant in this State is a responsible citizen. I would be willing to spend some time making a survey of the number of public servants whom I have nominated for the position of justice of the peace. I am confident that the majority of those people would be public servants.

Mr F. J. Walker: How illuminating.

Mr DARBY: Schoolteachers are regarded highly by their pupils and the parents of those pupils.

Mr F. J. Walker: Tell us **about**——

Mr DARBY: The Attorney-General has interrupted me. What were you **saying?**

Mr SPEAKER: Order! The honourable member for Manly will address his remarks to the Chair.

Mr DARBY: I am trying to do so, Mr Speaker. If the Attorney-General listened to what I had to say, he would be a better Attorney-General than he has been in the past. I was saying that I am confident that a large number of public servants in my electorate would be **inspired**——

Mr F. J. Walker: Have you seen the survey published on **the** front page of the *Manly Daily*?

Mr SPEAKER: Order! I ask the Attorney-General to desist from interjecting. The honourable member for Manly has the call.

Mr DARBY: I am impressed by the fact that the Minister for Consumer Affairs and Minister for Co-operative Societies said that it was essential that we should occupy a considerable amount of time talking about the passage of this bill. He even went to the extent of criticizing the honourable member for Northcott, a responsible member of this House. I came into the picture because I did not like the implication that I was anti-public service. However, any such implication has now been withdrawn because the honourable member for Kogarah has assured me and the rest of the House—and it is recorded in Hansard—that he did not associate me with anything said about other Opposition members in regard to the public service—and for that I am grateful. This bill will enable public servants to preserve their identity and their employment if they decide to stand for election to the Legislative Council.

[Mr Speaker left the chair at 1 p.m. The House resumed at 2.10 p.m.]

GOVERNOR'S SPEECH: PRESENTATION OF ADDRESS IN REPLY

Mr SPEAKER: The House will now proceed to Government House, there to present to His Excellency the Governor the Address in Reply to the Speech His Excellency was pleased to make to both Houses of Parliament on opening the session.

[Mr Speaker left the chair at 2.11 p.m. The House resumed at 3.46 p.m.]

Mr SPEAKER: I have to report that the Address in Reply to His Excellency the Governor's Opening Speech has been presented, and that His Excellency has been pleased to give thereto the following answer:

Government House,
Sydney, 31 August, 1978.

Mr Speaker and Honourable Members,

Thank you for your Address. It gives me much pleasure to receive your expressions of sincere allegiance to Her Most Gracious Majesty.

I am also glad to have your assurance that earnest consideration will be given to the measures to be submitted to you and that the necessary provision for the Public Services will be made in due course.

I have every confidence that you will faithfully carry out the important duties entrusted to you by the people of this State.

A. R. CUTLER,
Governor.

The Honourable the Speaker
and Members of the Legislative Assembly
of New South Wales.

CONSTITUTION (PUBLIC SERVICE) AMENDMENT BILL

Second Reading

Debate resumed from an earlier hour.

Mr DARBY: Before we had the privilege of paying our respects to one of the most gracious gentlemen ever to occupy Government House—

Mr Einfeld: You would make a worthy successor.

Mr DARBY: I would. That would be consistent with the pioneering dedication for which Manly has been famous since its inception in 1788. It is scarcely necessary for me to remind honourable members that our esteemed Governor was born and bred in Manly. I should like to make two significant points with regard to this measure. The original Act was passed in 1916. It offered public servants an opportunity to become members of this august Legislative Assembly. Since that time some most distinguished public servants in this State have given great service as members of this Parliament. We owe a debt to those who originated this statute. Had they not done so the Parliament would not have enjoyed the services of the honourable member for Kogarah and many other distinguished members.

The second significant matter that has concerned me is the precipitous haste with which this bill has been brought forward. I have not had an opportunity to discuss its implications with my constituents, all of whom I believe admire public servants. I should like to discuss the bill with public servants, particularly those whom I have nominated as a justice of the peace. I feel that I should circularize details of the Government's intention to all public servants in my electorate. I should like to obtain their comments on the proposals. Accordingly, I move:

That the Question be amended by leaving out the word "now" with a view to adding the words "this day one week".

Question—That the word stand—put.

The House divided,

Ayes, 47

Mr Akister
 Mr **Bannon**
 Mr **Barnier**
 Mr Bedford
 Mr Booth
 Mr Brereton
 Mr **Cahill**
 Mr Cleary
 Mr R. J. Clough
 Mr Cox
 Mr **Crabtree**
 Mr Day
 Mr Degen
 Mr **Durick**
 Mr **Einfeld**
 Mr Face

Mr Ferguson
 Mr Flaherty
 Mr Gordon
 Mr Haigh
 Mr Hills
 Mr Hunter
 Mr Jensen
 Mr Johnson
 Mr Johnstone
 Mr Keane
 Mr Kearns
 Mr **McGowan**
 Mr Maher
 Mr Mallam
 Mr Mulock
 Mr O'Connell

Mr Paciullo
 Mr Petersen
 Mr Quinn
 Mr Ramsay
 Mr Renshaw
 Mr Rogan
 Mr Ryan
 Mr Sheahan
 Mr **Stewart**
 Mr Wade
 Mr F. J. Walker
 Mr Wilde
 Mr Wran
Tellers,
 Mr Gabb
 Mr **Whelan**

Noes, 31

Mr Arblaster
 Mr Barraclough
 Mr Boyd
 Mr Brown
 Mr **Cameron**
 Mr **Caterson**
 Mr **Cowan**
 Mr **Darby**
 Mr Fisher
 Mr **Freudenstein**
 Mr Jackett

Mr **McDonald**
 Mr Mackie
 Mr Maddison
 Mr Mason
 Mrs **Meillon**
 Mr **Moore**
 Mr Murray
 Mr Mutton
 Mr Osborne
 Mr Park
 Mr Pickard

Mr Rofe
 Mr Rozzoli
 Mr Schipp
 Mr Taylor
 Mr Viney
 Mr West
 Mr Wotton

Tellers,
 Mr Fischer
 Mr N. D. Walker

Question so resolved in the affirmative.

Amendment negatived.

Question—That this bill be now read a second time—**proposed.**

Mr PICKARD (Hornsby) [3.57]: I am **amazed**—

Mr DURICK (Lakemba) [3.57]: I move:

That the question be now put.

The House divided.

Ayes, 47

Mr Akister
 Mr **Bannon**
 Mr Barnier
 Mr Bedford
 Mr Booth
 Mr Brereton
 Mr Cahill
 Mr Cleary
 Mr R. J. Clough
 Mr Cox
 Mr **Crabtree**

Mr Day
 Mr Degen
 Mr Durick
 Mr Einfeld
 Mr Face
 Mr Ferguson
 Mr Flaherty
 Mr Gordon
 Mr Haigh
 Mr Hills
 Mr Hunter

Mr Jensen
 Mr Johnson
 Mr Johnstone
 Mr Keane
 Mr Kearns
 Mr McGowan
 Mr Maher
 Mr **Mallam**
 Mr **Mulock**
 Mr O'Connell
 Mr Paciullo

Mr Petersen	Mr Ryan	Mr Wilde
Mr Quinn	Mr Sheahan	Mr Wran
Mr Ramsay	Mr Stewart	<i>Tellers,</i>
Mr Renshaw	Mr Wade	Mr Gabb
Mr Rogan	Mr F. J. Walker	Mr Whelan

Noes, 31

Mr Arblaster	Mr McDonald	Mr Rofe
Mr Barraclough	Mr Mackie	Mr Rozzoli
Mr Boyd	Mr Maddison	Mr Schipp
Mr Brown	Mr Mason	Mr Taylor
Mr Cameron	Mrs Meillon	Mr Viney
Mr Caterson	Mr Moore	Mr West
Mr Cowan	Mr Murray	Mr Wotton
Mr Darby	Mr Mutton	
Mr Fisher	Mr Osborne	<i>Tellers,</i>
Mr Freudenstein	Mr Park	Mr Fischer
Mr Jackett	Mr Pickard	Mr N. D. Walker

Resolved in the affirmative.

Question—That this bill be now read a second time—put.

Motion agreed to.

Bill read a second time.

Mr F. J. Walker: I seek the leave of the House to move the third reading of this bill forthwith.

Mr Mason: The Opposition objects to leave being granted.

In Committee

Clause 2

[Long title]

Mr CAMERON (Northcott) [4.4]: Clause 3 does not simply propose the addition of the words "Legislative Council" to the long title. It proposes the deletion of the words "Legislative Assembly" and the insertion in their place of five words, "Legislative Council or Legislative Assembly". It might have proposed that only "Legislative Council" or "Legislative Assembly" be put back, but the proposal in fact made in the clause is what the whole argument is about.

The Legislative Council is being equated to the Legislative Assembly **and** the propositions that previously applied to the Legislative Assembly are now being applied to both. The propositions that are to be debated today concern the teams of candidates that are sent forward, not just for one House but for both Houses. Why? The Opposition puts clearly and categorically that it has great admiration for the superlative expertise of public servants. As a former Speaker of this House I have had the privilege of presiding over staffs of remarkable public servants, those associated with the Legislature of this great State of New South Wales. Theirs is a distinctive, remarkable, precious expertise. But it is only one expertise out of a vast range. Any parliamentary party that purports to be a national party, that purports to represent the broad spread of the community, will strive to have in its team of candidates the widest diversity and the greatest variety. It will have farmers, housewives, students,

and people from private industry, from manufacturing, from the tertiary level—all of these segments of industry. The great condemnation of the proposition now before the Committee is that the Labor Party is presenting to the electorate the most unrepresentative team of candidates of all time, for virtually every person is a public servant reflecting this one expertise.

Mr Crabtree: On a point of order. I point out that debate at this juncture——

Mr Cameron: And I am right on it.

Mr Crabtree: You have not been right in your bloody life.

The CHAIRMAN: Order!

Mr Cameron: Are you going to withdraw that language?

Mr Crabtree: That is good Australian language and I am not withdrawing it.

Mr Cameron: You are not withdrawing it from *Hansard*? You will leave it there?

Mr Crabtree: Yes, that is right. The debate is limited to the clause being discussed. The honourable member for Northcott is giving a diatribe about national parties and housewives and other people being represented which has nothing to do with this clause. I ask, Mr Speaker, that he speak particularly to this clause.

Mr Cameron: On the point of order. I am categorically square on the proposition that the Committee is debating. The whole question is whether the long title of the bill needs to be amended. If it does, it needs to be amended only for the reasons I am putting to the Committee. The Labor Party has this completely unrepresentative spread of candidates presenting one isolated viewpoint. Honourable members are entitled to ask whether the bill needs to be amended in this way.

The CHAIRMAN: The question before the Chair is, 'That clause 2 as read stand part of the bill. Under the new method of drafting, this clause is, in fact, the whole of the bill. At this stage the honourable member for Northcott is in order in discussing the effects of the amendment to the Act, but I doubt whether he is completely in order in criticizing individual persons.

Mr Cameron: I have not mentioned a person yet, Mr Chairman.

The CHAIRMAN: I doubt whether the honourable member for Northcott is in order in mentioning individual persons during this debate.

Mr Durick: On another point of order. On the last occasion when this bill was before the House, the honourable member for Northcott was one of those who agreed to the second reading of this bill. As you have pointed out, Mr Chairman, clause 2 is virtually the whole bill. I question the right of the honourable member to speak against what he has already voted for.

Mr Cameron: He is wrong, Mr Chairman.

The CHAIRMAN: Order! I warn the honourable member for Northcott that if he interjects while I am on my feet in future he will immediately be named. When the Committee is considering any question it is not, as a committee, aware of what took place in the House. As chairman of the Committee I am conducting the proceedings at this stage.

Mr CAMERON: The plain fact is that in the electorates of Nepean, Fullw, Cronulla, Miranda, Yaralla, Wakehurst and Albury we have the same pattern of public servants——

Mr O'Connell: I take the same point of order that was taken previously. The fact that the honourable member for Northcott says something is the case does not make it so; in fact, generally the opposite applies. He contends that the bill does not simply insert the words "Legislative Council", but I submit that it does, and that is all it does. That being so, I cannot see why he should be allowed to enter into debate on the candidates for the Legislative Assembly at the next elections. The matter before the Committee is the insertion of the words "Legislative Council".

The CHAIRMAN: The point raised by the honourable member for Peats is one that could be the subject of debate at the Committee stage, but it is not one of order at this stage.

Mr CAMERON: In addition to those who are strictly public servants, there is a vast area of others who are not strictly so-called but who are schoolteachers, lecturers in universities or in colleges of advanced education and so on. There are no people who work for private enterprise, who have to make a profit, who have to be profitable in order to provide the money that goes into the pay packets of those other people. In that respect it is the most unrepresentative team that would ever be presented to the electorate. What a tragedy it is, for if it were not so unrepresentative the House would not have to engage in this present exercise.

Clause agreed to.

Adoption of Report

Bill reported from Committee without amendment, and report adopted on motion by Mr F. J. Walker.

Third Reading

Bill read a third time, on motion by Mr F. J. Walker.

PARLIAMENTARY PAPERS (SUPPLEMENTARY PROVISIONS) AMENDMENT BILL

Introduction

Mr F. J. WALKER (Georges River), Attorney-General, on behalf of Mr Wran [4.14]: I move:

That leave be given to bring in a bill for an Act to amend the definition of "joint sitting" in section 3 of the Parliamentary Papers (Supplementary Provisions) Act, 1975.

The purpose of the bill is to extend the application of the Parliamentary Papers (Supplementary Provisions) Act, 1975, to a joint sitting of the members of the Legislative Assembly and the Legislative Council held for the purposes of the election of a person to fill a vacant seat in the Legislative Council, as constituted by the Constitution and Parliamentary Electorates and Elections (Amendment) Act, 1978. I commend the motion to the House.

Mr MASON (Dubbo), Deputy Leader of the Opposition [4.15]: We are now moving to the third of these bills, which are all aimed at the one object. The Opposition voiced its protest when we were asked that these measures be treated as cognate bills, but I now wish to help the House by indicating that we are now prepared to agree to the cognate procedure. However, we voiced our protest because the motion to

suspend standing orders to permit all these bills being passed through all stages today was moved without any reference to us, and because we had not seen the bills. I believe we acted **as** a responsible Opposition by voicing our protest at that procedure.

Mr SPEAKER: Order! I draw the attention of the honourable member for Dubbo to the fact that this bill was not **one** of the measures that the Attorney-General wanted to treat as cognate. Therefore, the remarks he is now making are **not** appropriate to this debate.

Mr MASON: That shows what a grave disadvantage we are operating under, when we are expected to debate legislation we have not seen. May I ask for clarification of one point? I take it that the suspension of standing orders does not apply to this measure.

Mr SPEAKER: Order! There is no motion for suspension of the standing orders before the House. The House is dealing with notice of motion No. 4, which relates to leave being given to bring in a bill.

Mr MASON: Earlier today the House resolved that certain bills would have to go through all stages today. Can I have clarification concerning this measure?

Mr F. J. Walker: It is item No. 4 on the business paper.

Mr MASON: We have not seen the bill. From the Minister's explanation it seems to be a simple measure. But, having made our protest, we now wish to co-operate. We are not wishing to be obstructionist or stand in the Government's way.

[Interruption]

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

Mr MASON: It will take some time for the House to get through the business, and many members will probably miss their transport. However, that will have to be. I merely indicate that we shall seek to expedite all matters as far as we can. I take it this is not a cognate bill, but it was my intention to indicate that we would be willing to adopt the cognate procedure with the relevant bills. The jeers from some members on the other side would indicate that they do not appreciate this offer.

Mr F. J. Walker: I am appreciative.

Mr MASON: I am pleased about that. The jeers and lack of appreciation of some honourable members opposite may indicate that we should review that attitude.

Motion agreed to.

Bill presented and read a first time.

Second Reading

Mr F. J. WALKER (Georges River), Attorney-General [4.18]: I move:

That this bill be now read a second time.

The purposes of the bill were explained to the House at the introductory stage. I do not propose to add to that explanation. I commend the bill to the House.

Motion agreed to.

Bill read a second time.

Third Reading

Bill read a third time, on motion by Mr F. J. Walker.

SUPERANNUATION (CONSTITUTION) AMENDMENT BILL

Introduction

Mr F. J. WALKER (Georges River), Attorney-General, on behalf of Mr Wran [4.19]: I move:

That leave be given to bring in a bill for an Act to amend section 11 of the Superannuation Act, 1916, to enable a person who re-enters the public service of New South Wales after he ceases to be a member of the Legislative Council to resume contributing to the fund.

At the present time a person who re-enters the public service after he ceases to be a member of the Legislative Assembly may, if he is not entitled to a pension under the Parliamentary Contributory Superannuation Act, 1971, elect to resume contributing to the State Superannuation Fund. The bill will extend this entitlement to public servants who resign to become members of the Legislative Council. I commend the motion to the House.

Motion agreed to.

Bill presented and read a first time.

Second Reading

Mr F. J. WALKER (Georges River), Attorney-General [4.20]: I move:

That this bill be now read a second time.

This short bill was sufficiently explained in my introductory remarks to obviate the need for any further explanation of its provisions. I commend it to the House.

Motion agreed to.

Bill read a second time.

Third Reading

Bill read a third time, on motion by Mr F. J. Walker.

UNIVERSITY AND UNIVERSITY COLLEGES (CONSTITUTION)
AMENDMENT BILL

UNIVERSITY OF NEW ENGLAND (CONSTITUTION) AMENDMENT BILL

MACQUARIE UNIVERSITY (CONSTITUTION) AMENDMENT BILL

UNIVERSITY OF NEWCASTLE (CONSTITUTION) AMENDMENT BILL

UNIVERSITY OF NEW SOUTH WALES (CONSTITUTION) AMENDMENT
BILL

UNIVERSITY OF WOLLONGONG (CONSTITUTION) AMENDMENT BILL

Suspension of Standing Orders

Suspension of so much of the standing orders as would preclude these bills being treated as cognate bills agreed to on motion (by leave) by Mr F. J. Walker.

Introduction

Mr F. J. WALKER (Georges River), Attorney-General, on behalf of Mr **Wran** [4.22]: I move:

That leave be given to bring in a bill for an Act to amend the University and University Colleges Act, 1900, with respect to the election of a member of the Legislative Council as a member of the Senate of the University of Sydney.

That leave be given to bring in a bill for an Act to amend the University of New England Act, 1953, with respect to the election of a member of the Legislative Council as a member of the Council of the **University** of New England.

That leave be given to bring in a bill for an Act to amend the Macquarie University Act, 1964, with respect to the election of a member of the Legislative Council as a member of the Council of Macquarie University.

That leave be given to bring in a bill for an Act to amend the University of Newcastle Act, 1964, with respect to the election of a member of the Legislative Council as a member of the Council of the University of Newcastle.

That leave be given to bring in a bill for an Act to amend the University of New South Wales Act, 1968, with respect to the election of a member of the Legislative Council to the Council of the University of New South Wales.

That leave be given to bring in a bill for an Act to amend the University of Wollongong Act, 1972, with respect to the election of a member of the Legislative Council as a member of the Council of the University of Wollongong.

The purpose of the first bill is to make provision consequential upon the enactment of the Constitution and Parliamentary Electorates and Elections (Amendment) Act, 1978, for the election of a member of the reconstituted Legislative Council to the governing body of the universities. I shall explain the provision of the bills in detail at the second-reading stage. The purpose of all the bills is the same. I do not believe there is any particular need at the introductory stage to give details. I simply commend the motions for leave to introduce.

Mr MASON (Dubbo), Deputy Leader of the Opposition [4.24]: Even with the great goodwill that we of the Opposition want to exhibit, it is very difficult to make an assessment of what is involved in the bills. They are obviously a little more complicated. I repeat, that it is a shame that we have not had an opportunity of handling these matters in a more constructive and helpful way. If we had been given the opportunity we would have been confident that what we are doing is the right thing. From what the Attorney-General has said, I assume that the purpose of the bills is to give persons employed by the universities or involved in university life the same rights and privileges that will apply to the public servants under the legislation just dealt with, and to people in other forms of employment. If that is the case, and I assume that it **is**—

Mr F. J. Walker: It is.

Mr MASON: Then we do not oppose the leave sought.

Motions agreed to.

Bills presented and read a first time together.

Second Reading

Mr F. J. WALKER (Georges River), Attorney-General [4.25]: I move:

That these bills be now read a second time.

As I indicated at the introductory stage, these bills are consequential upon the reconstitution of the Legislative Council. They provide, quite simply, for the election of a member of the Legislative Council to ~~the~~ governing body of each university ~~to~~ be held as soon as practicable after each periodic election for members of the Legislative Council, instead of after the commencement of the term of service of members elected at a triennial council election as was the case prior to the repeal of section 17F (5) of the Constitution Act by the Constitution and Parliamentary Electorates and Elections (Amendment) Act, 1978.

Clause 1 of each bill is the short title. Clause 2 is the commencement provision. In each case, clauses 1 and 2 will commence on the date of assent to each bill. Clauses 3 and 4 of each bill will commence on the date on which the writ for the first periodic council election is returnable. Clause 3 of each bill amends, in turn, the University and University Colleges Act, 1900, the University of New England Act, 1953, the Macquarie University Act, 1964, the University of Newcastle Act, 1964, the University of New South Wales Act, 1968, and the University of Wollongong Act, 1972, by providing, in each case, for the election of a member of the Legislative Council to the governing body of each university to be held as soon as possible after each concurrent periodic Council election and Assembly general election instead of after the commencement of the term of service of members elected at a triennial council election held in accordance with the now repealed section 17F (5) of the Constitution Act, 1902. The clause also brings the grounds upon which a Council-elected member of a governing body will be deemed to have vacated his office into line with those applicable to a member elected by the Legislative Assembly. It preserves the membership of the governing body of each university of the member elected by the Legislative Council until either the Legislative Council elects one of its members to replace him or he ceases to hold office pursuant to the relevant university's statute as in force before clause 3 of each bill commences, whichever **first** occurs. I commend the bills.

Mr PICKARD (Hornsby) [4.27]: There are still some problems in what the Attorney-General declared to the House because of the technical terms used. I ask the Attorney-General to clarify this point. I assume that what he is saying is that when there is a Legislative Council election, there will be new appointments made by the Government to the senate or council of the universities or colleges, and that the appointees holding office at that time will be replaced by persons to be appointed. That is to say, appointments will change with changes of government. Is that what the Attorney-General is saying?

Mr F. J. Walker: Yes, following a general election.

Mr PICKARD: I can see some value in that, but I see some problems as well. Since the death of the Hon. F. M. Hewitt, who served on the senate of the University of Sydney, the vacancy remained **unfilled**. The Legislative Council could have made an appointment, but the Government did not choose to propose an appropriate motion. Another cause for worry is that in these days of great changes in society and in a volatile electoral situation, there may be frequent changes of government and, therefore, changes of appointees to governing bodies. I am a little concerned that if we keep changing appointees to senates and councils the continuity of the past might be endangered.

I raise these matters merely for the purpose of posing the problem. I do **not** oppose what the Government is doing but I see some problems and difficulties that might arise. Therefore, I hope that if there should be a quick change of government and a change to a pattern that is adverse to these instrumentalities, the government of the day will give consideration to changing the procedures again. I have worked in the university sphere and have been closely in touch with councils of colleges of advanced education and senates of universities. I know of the problems that can occur, particularly following a quick changeover of personalities on governing bodies. It can change their whole **attitude** towards the planning and development of a university or college. I raise this matter as a problem that might have to be faced. I hope that this will not be used as a political instrument but that we shall do honourably by the universities and colleges, remembering that they are institutions that have a responsibility to keep some distance away from political control. They must retain freedom of expression. I hope that no government now or in the future will take this as a *carte blanche* to change appointments willy-nilly, **regardless** of the consequences to a university. I hope that we shall meet the problem in a responsible fashion and realize that we should have a balanced representation without political-party jobbery.

I hope that when these measures are implemented, attention will be given to these matters. Also, at this time the people who have served should be commended, and this House should appreciate that some places have remained **unfilled**. That has been a disappointment. Also, honourable members should realize that these bills give an opportunity to governments to clear out certain appointees from these institutions every time an election occurs. That might have political and social ramifications if it is done unwisely. Further, I highlight that the universities and colleges should be aware of the possible consequences of these bills. I trust that before the Government prepared the bills it took the opportunity to speak with members of senates and councils, to acquaint them with the important effect these small measures could have on education institutions, particularly **tertiary** institutions. They could be used in the future as political dynamite.

Mr F. J. WALKER (Georges River), Attorney-General [4.34], in reply: I thank the honourable member for Hornsby for his thoughtful contribution. The problem is that, under the previously constituted Legislative Council, elections were held regularly every three years. Now there will be an election for fifteen members at every general Legislative Assembly election. As honourable members appreciate, those elections do not always occur at three-year intervals. These bills are necessary to take that potentiality into account. However, I appreciate the contribution of the honourable member for Hornsby. The principles that he enunciated were sound indeed.

Motion agreed to.

Bills read a second time together.

Third Reading

Bills read a third time together, on motion of Mr Walker.

GOVERNMENT BUSINESS

Personal Explanation

Mr Maddison: I wish to make a personal explanation.

Mr SPEAKER: **Has** the honourable member for Ku-ring-gai the consent of the House?

Mr F. J. Walker: Certainly.

Mr Maddison: Earlier today the Attorney-General accused me of using when I was Minister the same device as he used today of running the first, second and third readings together instead of allowing further time to consider the matters. In the interim I have had the opportunity to look at the record of proceedings in *Hansard* on the Glebe and Other Properties (Special Provisions) Bill, which was debated in this House on 24th September, 1974. That was the bill to which the Attorney-General referred. Clearly from the *Hansard* record the situation is completely different from what transpired in this House today. At 7.36 p.m. on 24th September, 1974, I sought leave and the bill was introduced by me. I moved the second reading of the bill at 10.12 p.m. on that same day. The former Opposition had at least two and a half hours to look at the legislation. I simply wish to have the record correct. It is no good the Attorney-General maligning me the way he did this morning when what he said is contrary to the facts.

PETROLEUM PRODUCTS SUBSIDY (AMENDMENT) BILL

Introduction

Mr F. J. WALKER (Georges River), Attorney-General, on behalf of Mr Renshaw [4.37]: I move:

That leave be given to bring in a bill for an Act to amend retrospectively the Petroleum Products Subsidy Act, 1965, for the purpose of clarifying its application; and to amend the Act for the purpose of statute law revision.

Enactment of this bill will enable the State to participate in a scheme under which the federal Government subsidises the costs involved in transporting eligible petroleum products from refining ports and seaboard terminals to points of sale in the country. A similar scheme operated between 1965 and 1974 in terms of the States Grants (Petroleum Products) Act, 1965, of the Commonwealth after complementary legislation was passed in the New South Wales Parliament in the Petroleum Products Subsidy Act, 1965.

A new scheme has operated in New South Wales since 15th June 1978. It has been financed temporarily from State funds. The proposed legislation will provide the legal basis for the State to recover the subsidies involved from the Commonwealth and for the continuance of the scheme in New South Wales. Further details relating to the scheme will be given at the second-reading stage.

Mr FREUDENSTEIN (Young) [4.39]: The Opposition looks forward to the bill with certain anticipation. The Government had to be virtually forced to come to the party. Other States introduced legislation to permit this particular subsidy from the Commonwealth to apply from 15th June. The Government may possibly have the same Whitlam thinking that would deny country people the right to enjoy the subsidy that operated between 1965 and 1973. I shall not delay the House any longer but await the second reading of the bill.

Motion agreed to.

Bill presented and read a first time.

Second Reading

Mr F. J. WALKER (Georges River), Attorney-General [4.40]: I move:

That this bill be now read a second time.

As mentioned as the introductory stage, this measure is to enable participation by New South Wales in a Commonwealth price subsidy scheme for petroleum products sold in country areas. Under the States Grants (Petroleum Products) Amendment Act, 1978, the Commonwealth reintroduced a petroleum products subsidy scheme to operate on an Australia-wide basis once complementary State legislation had been enacted. Honourable members may recall that a similar scheme operated between 1965 and 1974 in terms of the States Grants (Petroleum Products) Act, 1965, after complementary legislation was passed in the New South Wales Parliament as embodied in the Petroleum Products Subsidy Act, 1965.

The bill will enable the State to participate in the new scheme. Under it, the federal Government subsidizes the costs involved in transporting eligible petroleum products to sale points in the country from refining ports and seaboard terminals so that country consumers of motor spirit, power kerosene, aviation fuels and automotive distillate pay a price which includes no more than 4 cents per gallon or 0.88 cents per litre of the transport cost. Because the New South Wales Parliament was not sitting when the Commonwealth legislation was passed, it was arranged, on the initiative of the New South Wales Premier, for the scheme to be introduced in this State from State funds until such time as complementary legislation could be passed. Accordingly, the scheme was introduced in New South Wales on 15th June 1978, on the basis that the New South Wales Government would seek to pass retrospective State legislation as early as possible in the budget session and that the payments would be financed in the meantime out of State funds. The amount involved, estimated at \$2 million in round figures, would be recouped by the Commonwealth when the State legislation was passed.

The amendments to the New South Wales Act mainly involve the alteration of definitions and some references to conform with the new Commonwealth legislation. They will apply retrospectively to 15th June 1978, except for the provision in relation to offences under the new scheme, which will apply from the date of assent. Some amendments for the purpose of statute law revision are also included. These will also apply from the date of assent. More particularly, clause 5 provides for the amendment by schedule 1 of the definitions and other provisions in section 3 to exclude references to approval, registration or direction by the Commonwealth Minister. It provides instead for distributors to be registered under the scheme, for the scheme to be that formulated under the Commonwealth Act—or any amendment thereof—and for the determination of eligible products to be by or in accordance with the scheme. This will effect the amendments necessary to conform with the amended Commonwealth Act and will also provide for any future changes in the Commonwealth scheme without necessitating further amendment of the State Act.

Finally, I should mention that clause 7 of the bill makes it very clear that persons shall not be guilty of an offence against the principal Act in respect of actions or omissions prior to date of assent; and provides that the relevant Commonwealth officer for the purpose of the regulations will be the collector of customs in Sydney. The need for State legislation arises from the fact that for constitutional reasons the Commonwealth is unable to finance the scheme directly. The mechanics of the scheme provide for its administration at federal level and for subsidy payments being made to distributors by the State on the basis of certificates given by an authorised officer

of the Commonwealth. Passage of the bill will provide the legal basis for the administration of the scheme and enable the Commonwealth to finance its operation and recoup the costs incurred by the State during the interim period. I commend the bill to the House.

Mr FREUDENSTEIN (Young) [4.44]: The Opposition will strongly support this measure, which is complementary legislation to federal legislation by which the Commonwealth Government pays a subsidy to users of fuel in country areas, thereby giving greater equality in fuel prices. Although the Attorney-General may not have meant to do so, he obviously misled the House when he said that it was not sitting when the federal legislation was brought before the Commonwealth Parliament. This is true, but the Government had plenty of opportunity up to when this House rose and after the decision was made by the federal Government to have the legislation brought before the House.

The Premier was most reluctant to go ahead with the scheme. He took a considerable time to consider the matter. Several approaches were made by the Commonwealth Government before the Premier would even reply to that Government to the effect that he would put through complementary legislation. Considerable delay occurred. At one stage it looked as if country people in the other States would enjoy the subsidy but not the country people of New South Wales. I do not need to point out that it was the Whitlam Government which took the subsidy from purchasers of fuel in the rural areas. It is obvious that the Wran Government supported the withdrawal of the subsidy for it would not come readily to the party when the Commonwealth requested the introduction of complementary legislation.

The grant of this subsidy is a recognition by the Commonwealth Government that the best way to decentralize is by reducing the cost of transport in the country areas. I compliment the federal Government for its attitude. Had it not acted forcefully, the country people of New South Wales may not have gained the subsidy. Usually I do not favour the back-dating of legislation but I suppose that on this occasion we should make an effort to get the State Treasury out of trouble. The Attorney-General said that the State Treasury has outlaid \$2 million in subsidies that have to be recouped from the federal Government. In order that the Treasury can be put in order before the Liberal-Country Party coalition returns to office after the election in early October, the Opposition will allow the legislation to pass through here speedily. At least there will then be some funds in the coffers of the Treasury when the coalition takes up the reins of government.

Motion agreed to.

Bill read a second time.

Third Reading

Bill read a third time, on motion by Mr F. J. Walker.

PRINTING COMMITTEE

Third Report

Mr McGowan, as Chairman, brought up the Third Report from the Printing Committee.

ADJOURNMENT

City of Sydney

Mr F. J. WALKER (Georges River), Attorney-General [4.48]: I move:
That this House do now adjourn.

Mr CAMERON (Northcott) [4.48]: I rise on the adjournment motion to speak hopefully, sensitively and caringly about a subject of great concern to me, namely the City of Sydney. I speak as one who has looked at a number of the fine cities of the world and is firmly convinced that inevitably Sydney ranks as one of the truly beautiful and great cities of the world. In my preliminary remarks I pay tribute to a great man who has passed from among us, the former Lord Mayor of Sydney, Leo Port, whose visionary ideas concerning the way in which the beauty of the city could be further uplifted warmed my heart greatly.

When I look at what is happening to Martin Plaza my heart is warmed. When I see what has happened in the vicinity of the Town Hall and St Andrews Cathedral my heart is also warmed. When I view the areas around the Supreme Court and District Court buildings my heart is further warmed. I rebut the views expressed by those who said the other day that the bulbous light fittings in the vicinity of the old Governor Macquarie barracks, which constitute a significant part of the District Court buildings, are environmentally unattractive. I find them to be extremely attractive. I see all of this as part of the great vision that Leo Port had for this city. I regard it as a tragedy that this great man was in many respects hounded to a premature grave, and I think that the Australian Labor Party has to accept some responsibility for that.

I pass from that aspect to another matter. I am worried about the future of this great city which I love. I have just seen a most comprehensive report by the Australian Institute of Urban Studies. The report was prepared by a remarkable journalist, Mr Christopher Jay of the *Australian Financial Review* in his capacity as a councillor of the institute. It is plain from a reading of that report that there is going to be a vast movement away from the great centres of Australia, Sydney and Melbourne, to Perth and Brisbane. Like the Attorney-General, I have just returned from the Australian Constitution Convention in Perth. I regard Perth as an absolutely beautiful city; in my view it is close to being the ideal city. I hold strongly to the view that the only significant drawback of Sydney is that it is too big, that it drains off too much of the resources of this State and it tends to impoverish the rural areas.

Although I should like to see Sydney somewhat smaller and taking less of the total resources of New South Wales, nonetheless I am dedicated to keeping it beautiful. I am aware that all influential thought in Australia is tending to recognize that the future is moving away from Sydney and Melbourne and going to Brisbane and Perth. This is made quite clear in the report to which I have already referred. After pointing out some of the drastic needs of Sydney, the report contains this statement:

Sydney urgently needed a south-bound road to clear traffic from Darling Harbour so that semi-trailers did not have to cross under the Harbour Bridge and travel down Pitt Street.

A double-line rail link was also urgently needed to the proposed Botany Bay port to avoid the prospect of large numbers of trucks travelling through nearby suburbs.

The report makes it clear that to fulfil its total potential Sydney needs much more investment. However, investment is flowing away from Sydney. Two great Australians accept that the future lies not with Sydney and Melbourne but with

Perth and Brisbane. The two great Australians to whom I refer are Sir Charles Court, Premier of Western Australia, and Mr Joh Bjelke-Petersen, Premier of Queensland. Both these men recognize that Queensland and Western Australia have much of the mineral wealth of Australia. They recognize also that these cities have the internal dynamism of a wonderfully healthy approach to private enterprise and that they will be at the heart of the future development of this great continent. If the southern States continue with their overurbanized make-up, their over-sophistication and their over-neurotic reflexes, by the turn of the century Queensland and Western Australia will be able virtually to drop off the sick southern half of the continent. All the development and all the dynamism will then be in the mineral-rich north, where the principles of private enterprise are still healthy and booming.

These things are important to me just as they are important to all my constituents. My electorate is beautiful; it is one of the most tree-dominated parts of Sydney. From a high point such as Thompson's Corner, at West Pennant Hills, one can see virtually only the tops of trees. But under the trees nestle attractive, well-designed homes in which, in the main, families live rich, full and complete lives. I am dedicated—and so are, I believe, most of my constituents—to ensuring that Sydney maximizes its potential for being truly beautiful. This means taking the best advantage of our harbour, with its dominant views, the Sydney Opera House and the Sydney Harbour Bridge. I believe that Martin Plaza must be taken right through into the Domain. That would not mean neutralizing Sydney Hospital with its great traditions and high standards. Only part of that building need be done away with. If the City of Sydney is to achieve fullness in its beauty it is imperative that we must be able to see from the bottom of Martin Plaza right through to the rich green expanse of the Domain.

All of these things depend on investment staying in New South Wales and on industry being attracted to this State. We must have stable industry. We cannot have a beautiful city unless we have stable flourishing industry to support it. It is a tragedy that this Government has abandoned the proposal to build a coal loader at Botany Bay. I believe that it should be built there. We should concentrate our energies to the utmost on elevating the aesthetic elements in terms of beautiful plazas and so forth in accordance with the vision of the late Leo Port.

From a simple reading of the report of the Australian Institute of Urban Studies it is plain that far from Sydney having a great future ahead of it, as Perth and Brisbane have, things are starting to look rather bleak. The report says that Perth is well placed to receive expanding exports from South-east Asia, the Middle East and Europe. It says Brisbane will soon be able to handle much larger ships, including modern container vessels. In both cases healthy, booming private enterprise will be involved. Those cities do not suffer from the sick and neurotic attitudes that tend to afflict us in New South Wales. Let us please make real the claim that New South Wales is the premier State. It certainly is the foundation State. That is the slogan that should be on the numberplates of New South Wales vehicles. New South Wales is the foundation State; let us truly strive to make it the premier State aesthetically and industrially. That is a challenge which at the moment tragically is slipping from us.

Mr F. J. WALKER (Georges River), Attorney-General [4.52], in reply: I congratulate the honourable member for Northcott on the first part of his speech. His discussion on the aesthetics of Sydney was pleasant, sensible and warm. I agree that the late Leo Port made a fine contribution towards making the inner part of Sydney a far more congenial area. I agree also with the newspaper editorials which said that Sydney will be his monument. However, my views part company with those of the honourable member for Northcott when he urges that Sydney should continue to grow in size.

Mr Cameron: No, that is the last thing that I would suggest.

Mr F. J. WALKER: I am glad that the honourable member did not mean that. There would be gross objection to Sydney growing to a population of, say, six million and stretching from Bulahdelah in the north to **Batemans** Bay in the south. It would be impossible to control. Pollution would be unbearable. If the honourable member for Northcott means that we should be making Sydney a stronger city commercially and a more beautiful city aesthetically, all members of this House would agree that his words were wise and objective and that this Government should seek to attain those goals.

With regard to investment the honourable member, instead of merely **quoting** figures about what is occurring in Queensland and Western Australia, should have been more realistic. Huge sums of money are being invested in the exploitation of tremendous iron ore deposits in Western Australia and **alumina** deposits in Queensland and in manufacturing industries in both those States. Naturally in the short term that expenditure will be large and will generate a lot of employment. New South Wales does not have the huge mineral deposits that some of the other States have, but it does have significant coal deposits. This Government is most intelligently exploiting coal export markets. However, it is wrong to look only at that form of investment. We should look to the sort of strength which the honourable member for Northcott **himself** would strive for. New South Wales is the industrial heartland of Australia and has the strength of the nation's manufacturing industry. We should fight hard to ensure that that situation remains unaltered.

We should be giving every possible encouragement to industrialists, and endeavouring to attract new industry to New South Wales. I am sure the Government is succeeding to a very great extent in doing that. At question time the other day the Premier held up a full page of new industries that the Government had managed to attract to New South Wales. No other State managed to get more than half a page of new industries in the same period. That is an indication of the brilliant job the Premier and the Government have done under trying conditions, particularly as the **Labor** Party took over at a time when industry was scurrying out of New South Wales and the former Government did not seem to care.

I really parted company with the honourable member for Northcott when he described **Mr Joh Bjelke-Petersen** as a great Australian. With all the respect it is possible to muster when talking about a member of another Australian Parliament, I must say that I cannot agree at all. **Mr Bjelke-Petersen** has reached the lowest ebb that any creature in this country could reach because of what he has done to Aborigines in the north of Queensland, and of what he has done to earn the censure not only of those on the left in politics, but also of the RSL and the Presbyterian and Uniting churches. The honourable member for Northcott should be ashamed that such a man should be the Premier of a huge State like Queensland. I find it hard to believe that even the honourable member for Northcott, with his ultra right-wing views, would be seen to stand beside **Joh Bjelke-Petersen**, who will go down in history with persons like Hitler and Stalin.

Motion agreed to.

House adjourned at 5.2 p.m.

QUESTIONS UPON NOTICE

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

SUGAR MILLS

Mr BOYD asked the Minister for Consumer **Affairs** and Minister for Co-operative **Societies**—

- (1) Has a co-operative been formed to purchase the New South Wales Sugar Mills?
- (2) If so, what percentage of New South Wales cane growers have joined the co-operative from each mill area?
- (3) What are the main reasons preventing those growers who have not joined from joining?

Answer—

- (1) The New South Wales Sugar Milling Co-operative Limited was registered on 22 May, 1978.
- (2) I am informed that 95 per cent of cane growers have joined from the Broadwater and Harwood Island mill areas and over 60 per cent from the Condong area.
- (3) The main reasons stated by the small group opposed are:
 - (a) they wish to operate the company mill as a proprietary company for their own benefit and not as part of an overall co-operative society serving the whole industry;
 - (b) an incorrect belief that members of the society will be personally liable for the society's debts to an unlimited extent if it were to wind up.

In my view the industry must act in concert and can only see their desire to "go it alone" against the best interests of the whole industry and the employment position of some 3 000 persons on the North Coast.

BYRON ELECTORATE WELFARE SERVICES

Mr BOYD asked the Minister for Youth and Community **Services**—

- As
- (1) the enrolment in Byron Electorate has increased by 6 823 in the last five years, and
 - (2) building approvals in the last six months total 27.5 million dollars compared with 35.6 million dollars in the previous year,

what special provisions in planning and finance have been made by his Department to provide departmental facilities and works to cope with this rapid growth?

Answer—

The staff of the Murwillumbah Office of my Department has been doubled in the last six months and there are now two field officers and two full-time clerical officers.

I have also increased amounts made available to community organizations.

The following Branches of the Home Help Service in the Byron electorate are currently funded by my Department:

Ballina
Byron Bay
Mullumbimby
Murwillumbah
Tweed Heads

Other organizations who have received financial assistance include:

Byron Bay Community Council (initial grant)
Murwillumbah Community Aid Council
Murwillumbah Senior Citizens' Club
Stokers Siding Neighbourhood Centre

SHAMROCK REAL ESTATE

Mr MAHER asked the Minister for Consumer Affairs and Minister for Co-operative Societies—

(1) What is the deficit in the trust accounts of Shamrock Holdings Pty Limited trading as "Shamrock Real Estate"?

(2) When will trust creditors be paid in full from the Fidelity Guarantee Fund?

Answer—

(1) As at 23rd August, 1978, the deficit in the trust accounts of Shamrock Holdings Pty Limited trading as "Shamrock Real Estate" is approximately \$133,000 plus receivership costs.

(2) As the Auctioneers and Agents Act, 1941, now stands, the maximum amount claimable against the Fidelity Guarantee Fund in respect of the defalcations of any one licensee is limited to \$50,000. One of the provisions contained in an amending Bill which I expect to shortly bring before this House will increase this ceiling to \$200,000. In order that trust creditors of "Shamrock Real Estate" will recover the full extent of their loss from the Fund, the Bill contains a provision for this to be made retrospective to 1st September, 1977.