Legislative Assembly

Wednesday, 13 *December, 1978*

Petitions—Questions without Notice—Bills Returned--Child and Community Welfare (Ministerial Statement)--Cognate Bail Bills (Int.)—Police Regulation (Priority Lists and Appeals) Amendment Bill (second reading)—Police Regulation (Superannuation) Amendment Bill (second reading)—Meat Industry (Further Amendment) Bill (second reading)—Wheat Industry Stabilization (Amendment) Bill (second reading)—Totalizator (Amendment) Bill (second reading)—Public Hospitals (United Dental Hospital of Sydney) Amendment Bill (No. 2) (second reading)—Mines Inspection (Amendment) Bill (second reading)—National Parks and Wildlife (Adjustment of Areas) Bill (second reading)—Motor Traffic (Further Amendment) Bill (second reading)—Bills Returned—Housing Agreement Bill (second reading)—Bill Returned-Sporting Injuries Insurance Bill (Com.)—Cognate Universities Bills (Int.)—Allocation of Time for Discussion—Adjournment (Murwillumbah Rail Service)—Questions upon Notice.

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

Mr Speaker offered the Prayer.

PETITIONS

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

Electric Omnibuses

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

(1) That the Townobile electric bus, developed in New South Wales, constitutes a unique local solution to the problems of inner city public transportation.

(2) That the Townobile electric bus has demonstrated significant advantages over diesel-powered buses on grounds of economy, environment and efficiency, and has attracted world-wide acclaim.

(3) That the local production and use of Townobile electric buses would generate employment for New South Welshmen both in their manufacture and in the coal industry, and would reduce our dependence upon increasingly scarce imported petroleum products.

(4) That use of noiseless, pollution-free Townobile electric buses would contribute substantially to the betterment of life within the City of Sydney.

We accordingly urge the Government to act quickly to ensure that the opportunity for local rather than overseas production of Townobile electric buses is not lost, by placing forthwith an order for production of a trial batch of 10 Townobiles.

Your Petitioners therefore humbly pray that your honourable House will add its voice to the growing support for Townobile electric buses and will encourage the placing of an order for a trial batch of such buses.

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

Petition, lodged by Mr Cameron, received.

Railway to Port Kembla Coal Loader

The Petition respectfully sheweth:

That large-scale haulage of coal by roads through the streets and freeways of the City of Wollongong is having an adverse effect on the amenity of the area and that in 1977 when the Premier announced that there would be a new coal loader at Port Kembla, there would also be a new railway and your Petitioners humbly pray that the Government will see fit to ensure the completion of the new railway before the commissioning of the new loader at Port Kembla.

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

Petition, lodged by Mr Ramsay, received.

Women's Health Centres

We, the undersigned citizens of New South Wales, respectfully sheweth, that:

Government funding for Women's Community Health Centres has been cut drastically for the 1978–79 financial year, placing the centres in extreme financial difficulties.

Federal Government cuts to health must be compensated for by the State Labor Government if decent health care is to be available to all.

Your Petitioners humbly pray that adequate funding be restored immediately to Leichhardt and Liverpool Women's Community Health Centres, so that they may remain viable and continue to meet the health needs of women.

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

Petition, lodged by Mr Petersen, received.

Traffic Signals for Enfield

The humble petition of the undersigned citizens of Australia, New South Wales, respectfully sheweth that the intersection of Liverpool and Homebush Roads, Enfield, presents grave danger to all pedestrians who use it and is particularly dangerous to school children as witness thereof the accident involving Sara Fastiggi, aged nine, who was killed on the pedestrian crossing on her way to school on 24th November, 1978.

Your Petitioners most humbly pray that the Legislative Assembly in Parliament assembled, should programme the traffic lights so that all vehicular traffic would halt at certain intervals to allow pedestrians to cross the intersection in any direction at the one time. The safety of pedestrians would be best served if this arrangement were done from 8.30 a.m. to 9.30 a.m. and from 3 p.m. to 3.45 p.m. each week day.

Further, that two policemen or traffic wardens should be appointed to patrol the intersection at the above times to supervise the movements of the three hundred children who use the crossings twice each school day.

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

Petition, lodged by Mr O'Neill, received.

Dingoes

The humble petition of the undersigned citizens of Australia respectfully sheweth:

That the role of the native dog, the dingo, in the fauna and environment of New South Wales be recognized and protected.

Your Petitioners therefore humbly pray that your honourable House—

(1) Amend the Native Dogs Destruction and Poisoned Baits Act, 1901, the Pastures Protection Act, 1934, the National Parks and Wildlife Act, 1974, and any other relevant Act to remove the native dog, the dingo, from the list of noxious animals;

(2) that the bounty be removed from the native dog, the dingo;

(3) that the native dog, the dingo, be given the status of "dog" with amendments to relevant applicable Acts of Parliament;

(4) that steel jawed traps be banned in all areas of New South Wales; and

(5) that aerial baiting be banned in all areas of New South Wales.

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

Petitions, lodged by Mr McIlwaine and Mr O'Neill, received.

QUESTIONS WITHOUT NOTICE

PARTHENIUM WEED

Mr DAY: On 8th November the honourable member for Barwon asked me a question relating to the weed parthenium which he said was spreading rapidly in south-western Queensland and threatening grazing lands in New South Wales. At that time I replied that I was not aware of that weed but that the noxious plants advisory committee kept such matters under constant surveillance. I promised to refer the matter to that committee and now have its reply.

The weed parthenium was first brought to the attention of my department in May 1975 by the Queensland noxious plants authority. Since then Queensland authorities have maintained a very close contact with the authorities in this State about

the movement of the weed and their research on it. The principal agronomist, weeds, of my department has kept in touch with the director of the Queensland Department of Lands research station which is investigating all aspects of the weed, including both herbicidal and biological methods of control. The Queensland programme has provided a valuable stream of information about control measures and my officers have told me that a continuation of their existing contact with their colleagues in Queensland will be more than adequate for our research needs.

In April 1977 a new and thorough examination was undertaken along the borders of this State, because at that time the weed had been reported as far south as Ipswich in Queensland. In April 1978, after reports of an infestation only 20 kilometres north of Goondiwindi, another thorough search was undertaken along the main roads in the northern part of the State. Field officers of my department, together with officials of local councils, examined the area from Mungindi to Bonshaw and as far south as Wee Waa, Moree, Warialda and Inverell, but no trace of the weed was found. At that time, however, it was pointed out that the extensive movement of stock transports and farm machinery across the border provided a fairly high risk of the introduction of the seed from Queensland. In a Commonwealth Scientific and Industrial Research Organization study in 1977 it was reported that the weed had the potential to grow in areas of New South Wales and a recommendation was made by the noxious plants advisory committee and the Department of Agriculture that parthenium weed should be proclaimed a noxious plant throughout the State. This was done. last September.

In the meantime the Queensland Department of Primary Industries had held a field day on parthenium weed at Goondiwindi in June last. Many of the local officers of the Department of Agriculture attended that day. A forthcoming revision of the weeds schedules of the Agricultural Seeds Act will also prohibit parthenium weed as a contaminant in seeds and the field officer, weeds, based at Tamworth will continue his surveillance of the north-west during this summer for the appearance of the weed. I will not play down the problem this weed could cause if it is introduced to this State, but I want to assure honourable members that the department will keep a close watch on the situation and that it will take whatever additional measures are necessary.

CENTRAL COAST EMPLOYMENT

Mr DAY: On 30th November the honourable member for Gordon asked me a question without notice relating to an issue of *Horizons,* a magazine published by the Department of Decentralisation and Development, during the time I was the Minister responsible for that department. The honourable member asked whether a statement appeared in that issue of the magazine suggesting that the workforce in Gosford gave less than a full effort to their jobs. I want to say now that I have examined the article to which the honourable member must have been referring, in which one of the members of a particular business expressed an opinion that his business would get better value from the workforce at its new premises in Orange than it was getting at its premises in Gosford. I stress that that opinion was being expressed by one of the principals of a business, and nobody else.

I regard it as offensive in the extreme for the honourable member to imply that the department, or I as its Minister, was suggesting that the workers of Gosford were less than fully attentive to their jobs simply because somebody else alleged it to be so. I am perfectly well aware that the Gosford area has one of the highest unemployment rates in Australia and in fact this Government restored the decentralization subsidy to

the whole central coast region, from which it had been taken away by the previous Liberal-Country party Government. Since that time we have been greatly encouraged by the new industries seeking to relocate to that area.

It might be interesting to the honourable member to know that the business which moved from Gosford to Bathurst–Orange in fact lasted approximately two weeks at its new premises in Orange before returning to Gosford. The most recent information I have available is that the company is still in business at Gosford. Perhaps this indicates a change of mind on the part of the business and its principals. Finally, I am sure that the department will be more careful in the selection and editing of material for publication in its magazine, so that any which may be divisive will not appear.

DOCTORS IN COUNTRY HOSPITALS

Mr MASON: I address my question without notice to the Minister for Health. Have the Western Australian and South Australian governments now agreed, with full Commonwealth support and approval, to pay 85 per cent of the fee for service to doctors for their treatment of patients in country hospitals? Has the Minister been informed by the federal Minister for Health that the Commonwealth will fund on a fifty-fifty basis a similar reimbursement to a level of 85 per cent to New South Wales country doctors? In view of these changed circumstances, does the Minister intend to review his decision that they should be reimbursed with only 75 per cent of the fee for service? Will he inform the working party of the Australian Medical Association and Health Commission officials, who I understand are meeting this afternoon, of the changed circumstances in other States and of the federal Minister's offer of what appears to be a resolution of the confrontation?

Mr K. J. STEWART: I did not know that South Australia and Western Australia had come to agreement with the branches of the Australian Medical Association in their respective States, though I was aware of a strong possibility that they might do so. When I discussed with the South Australian Minister for Health the amount of money involved in New South Wales—$11.5 million—and compared it with the amount involved in South Australia he said he would have to regard the amount South Australia would have to pay at 85 per cent modified fee for service as chicken feed or petty cash. The hospital system in South Australia is nowhere near the size of the public hospital system in New South Wales. All the State Ministers came to an agreement that 75 per cent would be offered. They came to that agreement in concert with officers of the federal Department of Health. It was difficult to get any sort of indication from the Hon. Ralph Hunt, federal Minister for Health. When Western Australia wrote to the federal Minister quite early in the piece he replied that that State should press for 75 per cent and hold out for that percentage, but that if all else failed he would consider accepting 85 per cent under the hospital costs sharing agreement.

When I spoke to the officers in the South Australian health ministry I told them we in New South Wales had had an indication that though the federal Government had said it would prefer the States to agree to 75 per cent, if that failed it would accept 85 per cent under the costs sharing agreement. The South Australian Minister said he was unable to get any sort of reply from the federal Minister. The pressure put on the State governments was to maintain the agreement to which we had collectively come. That agreement was to offer 75 per cent as the modified fee for service. I have continued to offer that percentage in New South Wales. Doctors working in New South Wales on the modified fee for service basis are receiving 75 per cent. A working party has been established not to consider raising the amount from 75 per

cent to 85 per cent but rather to see if it is possible to work out some kind of machinery so that in the future, if there is some confrontation, it might be determined by some independent means. It is my understanding that the Australian Medical Association, acting on behalf of those doctors working under the modified fee for service system, has accepted 75 per cent.

DECRAMASTIC ROOF TILES

Mr FACE: I direct a question without notice to the Minister for Consumer Affairs, Minister for Housing and Minister for Co-operative Societies. Earlier this week did 1 give the Minister considerable evidence about decramastic roof tiles and their supposed durability, which does not, in some instances, live up to the manufacturer's claim? Have stricter standards been set in New Zealand, following extensive investigations into decramastic tiles and the quality of adhesion by the acrylic method, as against the bitumen base used in this country for adhesion of stone chips? Will the Minister do all in his power to ensure that inquiries are conducted into the light roof tile industry in New South Wales?

Mr EINFELD: As the Leader of the Country Party has just reminded me by way of interjection, the honourable member for Charlestown is most attentive to these matters. The honourable member has a great interest in his electorate and in the peopk of this State. It is true that earlier this week he discussed with me this matter of the decrarnastic roof tile. I have made some preliminary inquiries and have ascertained that the tile was developed about twenty-five years ago in New Zealand, and has been manufactured and distributed in New Zealand since then. It comprises a galvanized iron base covered with a layer of bitumenous material and another layer of crushed! aggregate. The principal manufacturer in New Zealand is Alex Harvey Industries Pty. Limited.

Some time ago, Australian Consolidated Industries acquired a 60 per cent shareholding in Alex Harvey. The New Zealand manufacturer has been distributing the tiles in Australia now for about seven years. I believe it is true that some problems were experienced with the tiles manufactured in earlier years and that there was a tendency after about seven to ten years for the aggregate to become loose and/or discoloured. Australian Consolidated Industries technologists are said to have improved the tiles more recently, substituting an acrylic spray for the polyvinyl acetate that bonded the aggregate to the metal base. The manufacturers are confident that this has overcome the major problem with the tiles.

The Department of Consumer Affairs has not received any direct complaints about the tiles but is aware of at least one special case in the Newcastle area where problems have been experienced. ACI has advised that this is an unusual case and that the tiles were replaced by the distributor. Problems with building materials and components can be awkward because deterioration or failure may occur over a lengthy period and not become apparent until years have passed. The honourable member for Charlestown may be assured that the Department of Consumer Affairs will keep a close watch on the matter, as it does on all matters raised by the honourable member. If necessary, it will seek the development of an Australian standard for the tiles by the Australian Standards Association. I shall keep the honourable member for Charlestown and the House well informed of any further complaints received by the department.

DECENTRALIZATION

Mr PUNCH: I direct a question without notice to the Premier. Did the Minister for Decentralisation and Minister Assisting the Premier say in the Legislative Council yesterday that his department has made a major policy change in emphasis and will not actively promote the relocation of industries from the city to country areas? Was the department originally established to encourage industry to re-establish in provincial cities or towns so as to provide employment opportunities and check the drift from country to city? Was the success of this department shown in recently released figures? Can the Premier indicate to the House if what the Minister said yesterday is now government policy?

Mr WRAN: As usual, the Leader of the Country party prefers to interpret what was said by the Minister for Decentralisation and Minister Assisting the Premier in a way in which the plain English words are not capable of being construed. Put into its entire context, what the Minister for Decentralisation made clear yesterday was that for the first time in history decentralization almost in its entirety will be located in country New South Wales. The emphasis and thrust of the Department of Decentralisation, commenced as it was by the Minister for Agriculture, will be embellished and improved so that the natural resources that are available in country areas will be adapted for new industries and job creation programmes. There was never a greater sham and never a greater shame than the so-called decentralization programmes initiated by Sir John Fuller. All over country areas of New South Wales there are the shells of factories that were doomed to failure before they commenced operating.

Mr Singleton: Not in my area.

Mr WRAN: What would the honourable member for Clarence know about a factory in the country? He is the shadow minister for decentralisation and has decentralized himself from the country.

[Interruption]

Mr SPEAKER: Order! The Premier has the call. I call the Leader of the Country Party to order.

Mr WRAN: The classic example of decentralization is to look along the Country Party benches of the House. It is hard to find any member who is ever in the country. The dairy herds that low at Darling Point are notorious. The Leader of the Country Party has the best dairy herd in New South Wales at Darling Point.

Mr Punch: Better than Bass Hill.

Mr SPEAKER: Order! I call the Leader of the Country Party to order.

Mr WRAN: There has never been another member of the Country Party professing to have anything to do with decentralization who has decided to have his office in Macquarie Street, Sydney. The decentralization that this Government is engaged in is far beyond the concept of the members of the Country Party. It is designed to use our natural resources. The former Liberal-Country party Government dithered around with the possibility of establishing paper mills in New South Wales. The Government has established the beginning of a $160 million paper mill at Albury that will draw on the natural timbers in the Tumut and other areas.

(Interruption]

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

Mr WRAN: I know the honourable member for Bathurst approves of what has been done in the Bathurst area. He was most generous in his praise of the Government's efforts to establish a casing factory there. He said it was the first decent-sized decentralization programme he had seen since he had been the member for that area. The casing factory will utilize the resources from the Blayney abattoir in order that the casings that will be processed will be drawn from the local area. I know that it is difficult for the Leader of the Country Party to understand these elementary principles but that is what the Minister for Decentralisation was talking about in the upper House yesterday. It is not the Government's policy to dump in the country some showpiece for the sake of getting a few paltry votes, but rather to develop industries based upon natural resources and the talents and skills of the country-people—industries that will be permanent and provide job opportunities for the country people and their children.

The greatest condemnation of the Country Party is that, in and out of office, it has allowed the drift away from country areas of important industries and young people. Is it any wonder that this has happened? The Leader of the Country Party sets the example by never going to country areas. The only time he has been to his electorate was when he was losing part of his milk quota—which he had given himself. The thrust of the policy adumbrated yesterday by the Minister for Decentralisation is admirable. For the first time in the history of any government of this State the Ministry of Decentralisation will be located in the bush. The people in the bush will appreciate that, because the nearest they come to Country Party politicians is when they come down to Sydney to see them, and then most of the time the members are anywhere but in Parliament House.

Mr Singleton: They don't get their hair dyed.

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

ELECTRIC OMNIBUSES

Mr WILDE: My question without notice is directed to the Minister for Transport. Is it a fact that a Mr Lembruggen has for some considerable time made representations to the Public Transport Commission and to the present and previous governments for the introduction of the electric Townobile bus for use in the central business district of Sydney? Can the Minister indicate to the House what investigations have taken place in relation to Mr Lembruggen's request? Has the Minister travelled on the bus and has there been an inspection of it by the Public Transport Commission engineers? If so, what is the present position in this matter?

Mr COX: I am grateful to the honourable member for Parramatta for this question. It appears from the petitions that are daily presented to the Parliament that the honourable member for Northcott is now the champion of this bus. It is true that I visited Mr Lembruggen's headquarters and travelled on his bus. I also arranged for an inspection of it by engineers from the Public Transport Commission. That inspection disclosed certain deficiencies in the bus, including the rear braking system and other structural deficiencies which were pointed out to Mr Lembruggen. On that occasion I had discussions with Mr Lembruggen and with the honourable member for Northcott. They indicated during the course of the discussions that the federal Government proposed to make some finance available to get this bus into the system. At that stage I immediately made contact with the federal authorities and discovered that no such offer had been made by the federal Government.

At the discussion that took place with the honourable member for Northcott and Mr Lembruggen, I suggested that I would be willing to write to the Ministers for Transport in South Australia and Western Australia on the basis that New South Wales,

South Australia and Western Australia share a programme for proper research into the development of this electric bus. The Ministers from both States declined to join in a research programme. It is interesting to note that the South Australian Government, prior to my contact with it, had been looking at a bus for its inner city activities and had given special attention to the Townobile bus. For reasons best known to that Government, it decided not to proceed with the Lembruggen concept. I remind the House that the former Government had dealt with this matter of the electric bus for a considerable period and arrived at the same decision as that arrived at by the present Government.

Although one cannot knock the work that Mr Lembruggen is doing in the field of electric buses, his programme that he put before me requires that the Government supply the money so that ten buses can be built. He admits his present bus is virtually a prototype needing much more development. Further, the bus that he will eventually bring forward will be different from the one that he is demonstrating at present. He has indicated clearly that his present bus is a demonstrator model only. Mr Lembruggen is asking the Government to supply finance to the tune of at least $1.5 million to get his programme off the ground. With the Government's present commitment for a programme of updating and modernizing public transport, it just does not have that finance to assist Mr Lembruggen in his wish to build an electric Townobile bus to be used mainly in the central business district of Sydney, which will require battery rechargers throughout the city area, a costly project.

Recently we wrote to Mr Lembruggen and suggested that we have a further inspection of his bus. He telephoned to say that as the bus was out of service, and as a result of financial difficulties, he could not go ahead with that test. I was seeking a further test of the bus to ascertain whether there had been any further modifications to it and to offer Mr Lembruggen what assistance we could in the matter.

It is unfair for the honourable member for Northcott to be promoting a proposal about a vehicle that he knows is purely a demonstrator, and asking the Government to accept full responsibility for the development of ten buses, the cost of which would run into at least $1.5 million. I am sure the honourable member will agree that during the conference that we had Mr Lembruggen said he was looking at establishing a factory in the Bathurst area. That suggestion never came to any conclusion. He intimated also that oversea people are interested in the bus and that if we in New South Wales did not do anything his project would be taken overseas.

One of the lines that the honourable member for Northcott should be developing is that this is a matter surely where federal finance should be made available because the project is in the interests not merely of New South Wales but indeed of the whole of Australia. It is beyond the financial capacity of the Government of New South Wales to be responsible for the whole financial commitment. I am grateful to the honourable member for Parramatta for asking the question. I know that he has been concerned because of press reports appearing in newspapers circulating in his electorate which indicate that the Labor Government of New South Wales is not taking any interest in Mr Lembruggen's proposal. I have done as much as I can to encourage him. I have suggested that the bus needed further investigation. To date Mr Lembruggen has not come to the party.

WOMEN'S HEALTH CENTRES

Mrs FOOT: I address my question without notice to the Premier. Yesterday, in answer to the question by the honourable member for Mount Druitt regarding funding cuts to women's health centres, the Premier outlined the reduction of federal funding for New South Wales for health services over the past three financial years.

Despite this reduction, is it not possible for the State contribution to health programmes to improve on the 1977–78 ratio of 91.2 per cent for public, State and psychiatric hospitals as against 8.8 per cent for administration, community and Aboriginal health services, out of a total State health budget of $922.5 million? Will the Premier move to provide additional funding to the Health Commission for the community health programmes and direct the Public Service Board to allow maintenance of the necessary number of positions to continue these valuable preventive and community-based programmes?

Mr WRAN: The programmes to which the honourable member refers are valuable programmes, especially the community health programme. That is why I informed the House yesterday in response to a question by the honourable member for Mount Druitt that although the Fraser Government had reduced its contribution to community health of this State by 26 per cent over the past three years, the present New South Wales Government in its past three budgets has increased its allocation to the community health programme by 370 per cent. I do not detect any real criticism by the honourable member for Vaucluse of the Government's performance. I have known of her interest for a long time in community health programmes, as well as in a whole range of activities to do with under-privileged people who suffer mental and physical disabilities. I feel certain that the honourable member will be using her considerable persuasion to urge the federal Government to adopt a less parsimonious attitude to the less privileged and less fortunate people in the community, and to desist from cuts in programmes essential to the well-being of tens of thousands of people throughout Australia.

I accept that the honourable member for Vaucluse has asked the question in a proper spirit and has directed it towards seeing whether there can be a re-evaluation of priorities. The honourable member asked whether the Government will allocate more moneys to the Health Commission of New South Wales. Surely she would be aware that the Government is constrained in the moneys that are available to it for the Health Commission—and indeed for all services—by, first, the funds that it receives by way of income tax reimbursements from Canberra and, second, by the level of receipts of revenue from taxes that the Government collects in this State. For many years the whole question of community health has been accepted by the federal Government. However, the Liberal Party of which the honourable member is a member, led by a Liberal Prime Minister, has decided to cut away the financial muscle of the community health programme of Australia. I hope that the honourable member shows the same assiduity in pressing the federal Government to reverse its heartless and inhumane attitude towards the sick, the old, the young and the under-privileged of our communities as in the past she has done in a private capacity.

DOG ACT

Mr MAHER: Will the Minister for Local Government and Minister for Roads inform the House what action the Government has taken to bring forward amendments to the Dog Act, which is proving a most vexed question in many areas?

Mr JENSEN: I am grateful—although there is some reservation about my gratefulness—for the question from the honourable member for Drummoyne, who always takes an interest in matters of real concern to the people of New South Wales. The question of appropriate amendment to the Dog Act is under active consideration. I hope that Cabinet will make a decision in the course of the next few weeks. One might expect the proposals of the Government affecting the Dog Act to come before the Parliament in the early part of next year.

TELEPHONE BETTING

Mr SINGLETON: My question is addressed to the Minister for Sport and Recreation and Minister for Tourism. Is the Minister aware that the Coffs Harbour Race Club intends to conduct on Saturday a race meeting and it proposes to allow people to place bets by on-course telephone? Can the Australian Jockey Club withdraw the stewards from this meeting? Would this create an interference with the freedom and rights of the individual? Can the Australian Jockey Club, by virtual blackmail, stop Coffs Harbour Race Club from conducting telephone betting at its proposed race meeting on Saturday?

Mr BOOTH: I am aware of the proposal of the Coffs Harbour Race Club to conduct a race meeting and for telephone betting to be taken on course. This proposal, which has wide ramifications within the racing industry, dates back to 1957 when it was first mooted. Since then initiatives have been taken at different times, particularly in the Coffs Harbour area, to institute this new type of betting, but no action has been taken by any government during that time in regard to the matter. I hope all parties concerned, including the Coffs Harbour Race Club, have a full understanding of the proposal and its likely effects.

On behalf of the Government I have asked the Crown Solicitor for a legal opinion of the proposal. I understand that the Totalizator Agency Board also is seeking a legal opinion on it because, naturally enough, its revenue could be heavily affected. Associated with the activities of the Totalizator Agency Board there could be a difference of 7 per cent in revenue received if money were invested on course by telephone. The House is well aware, for I have said it on many occasions, that the Australian Jockey Club is the controlling body for racing in New South Wales. The only jurisdiction that I, as Minister, have on behalf of the Government, is to register racecourses and to provide racing days. Any criticism of the Coffs Harbour Race Club for its proposal to conduct racing under the conditions outlined on Saturday must come from the Australian Jockey Club. It is interesting to note that the honourable member for Clarence has even used the word blackmail in relation to the AJC committee. Naturally criticisms by the Opposition are taken seriously by the Government.

In the event of proposals coming forward in regard to the establishment of a racing commission serious consideration will be given to evidence submitted on behalf of the Opposition. The AJC has control of and can revoke registration of the meeting to be held on Saturday, including the withdrawal of the stewards. The AJC has been concerned about the problem since about last October when the Country Racing Association dealt with the matter. No decision was made in relation to it. A small group was formed to investigate the proposal further and I understand that further discussions are scheduled to be held later this week on the matter. As I have said, I have no jurisdiction on this issue. It is a matter for the AJC, as the controlling body for the industry, to resolve the situation. I hope the AJC understands the full and wide ramifications of the proposal.

SOIL CONSERVATION STAFF

Mr AKISTER: I address a question without notice to the Minister for Conservation and Minister for Water Resources. Is it a fact that the honourable member for Young has claimed in this House that during the June quarter of this year people all over New South Wales were sitting on their backsides? Did he allege that these people included not only soil conservationists but also plant operators to whom the Government would not give money to carry on their work? Is it a fact that the honourable

member also claimed that the Government would not provide vehicle mileage for supervision of the work or pay the plant operators? Can the Minister tell the House whether these statements are correct?

Mr GORDON: I thank the honourable member for Monaro for that question. I am pleased to have the opportunity to place on record the facts on the matters he has raised. Far from sitting on their backsides, as the honourable member for Young so crudely put it, plant operators of the Soil Conservation Service worked a record 144 093 recoverable tractor hours during 1977–78, or 16 000 more hours than were worked by these officers in the last year of the former administration. This was achieved despite the very wet conditions that prevailed throughout the State towards the end of the financial year. To a great extent this satisfactory position was brought about by the provision by the Government of $2 million to assist the service to replace the worn-out plant inherited from the former Government.

The honourable member for Young, who is a former Minister, should know that the wages of the plant operators are met from the earnings of the plant-hire scheme, not from money provided by the Treasury. At the end of June 1978 the plant operation account had more liquidity and cash reserves than at any other time in its history. The suggestion that soil conservationists did not have enough money to meet their travel needs and so were restricted in their field work is a fabrication of the imagination of the honourable member for Young. In his electorate from March to May 1978, which is the period that covers expenditure for the final quarter of 1977–78, the four soil conservationists stationed at Young and Grenfell travelled more than 10 000 kilometers and were recouped a total of $1,840 in the travelling expenses they incurred. During that period the officers were in the field on an average of sixteen working days each month or almost 80 per cent of the total working days available. The rest of their time would have been spent on necessary administration or taken as leave. During that period the officers made 247 visits to farms in the electorate of Young or an average of one visit by each officer on each available working day in the quarter.

The original allocation of funds for travel by officers in the two districts was supplemented during the year by 20 per cent to meet the higher rates approved for car travel and subsistence. All travelling allowance payments were met without delay from funds available to the service. Apparently the efforts of those officers are not too well appreciated by people in the electorate of the honourable member for Young. Honourable members will recall that I referred to the unseasonably high rainfalls throughout the State during the latter part of 1977–78. These rains prevented the service from achieving even greater production during the year and kept plant idle for extended periods.

SWIMMING ACCIDENTS

Mr HEALEY: I address a question without notice to the Minister for Sport and Recreation and Minister for Tourism. Does the Department of Sport and Recreation provide any information to migrants in their own language indicating the need for water safety at beaches, pools, rivers and other swimming places? Are funds available for that purpose? During the summer months will the Minister take action to have suitable advertisements placed in the ethnic press stressing the need for water safety to ensure that migrants and their children are as well advised on these matters as are English-speaking children?

Mr BOOTH: I shall give serious consideration to the suggestion made by the honourable member for Davidson. I should like to point out to the honourable member that, as a step towards providing the sort of tuition suggested, special classes for ethnic

groups are conducted so that these children are instructed in their own languages. The Government is going a fair way to meet the demand for ethnic children to be taught to swim. I shall look into the honourable member's suggestion about publicity to determine whether it can be implemented.

LEGAL AID

Mr McILWAINE: I address a question without notice to the Attorney-General and Minister of Justice. Is it the practice of magistrates to advise defendants that they may consult the duty solicitor in courts of petty sessions before entering a plea? If that is not so will the Attorney-General examine the matter with a view to magistrates adopting a practice whereby hearings are adjourned until defendants have had the opportunity to take legal advice on pleas?

Mr WALKER: I thank the honourable member for Yaralla for a most important question. As the House will be aware, shortly after I became Attorney-General I instituted a duty solicitor system in the metropolitan courts of petty sessions. That system has been working in all metropolitan courts for some time. As I informed the House recently, it has been a great success. Many thousands of people who would otherwise have gone unrepresented now receive legal aid. There is also a system of store-front legal aid given whereby people can obtain free legal advice.

That system does not apply in rural areas. Instead the Law Society of New South Wales has its own scheme, subsidized through the federal sphere. It is not a good scheme and needs to be improved. Early in the new year I shall introduce a legal services commission bill that will go a long way towards solving these problems. The answer to the honourable member is that that system applies only in metropolitan courts and not in country courts. Magistrates have been asked by the chief stipendiary magistrate and myself to advise defendants that a duty solicitor is available. I understand that almost without exception this happens. Perhaps on the odd occasion it does not occur. I am informed that before the court starts and often as early as 6.30 a.m. duty solicitors go into the cells to interview defendants to ascertain whether they need assistance. I give credit to the solicitors of the Public Solicitors Office for the wonderful job they are doing. Any instances of magistrates not telling defendants of the availability of a duty solicitor should be brought to attention so that they may be advised of the scheme and its operation. I do not think it has happened to any great extent. The system is working particularly well.

MAIN SOUTHERN RAILWAY

Mr BREWER: I direct my question without notice to the Minister for Transport. Why has work ceased on the reballasting and upgrading of the main southern railway line between Picton and Goulburn? When will work be resumed? Has ballast recently purchased for reballasting sections of the main southern line proved unsatisfactory as it will not pack down?

Mr COX: I am unaware of details of the matter raised by the honourable member for Goulburn about the reballasting of the railway track between Picton and Goulburn. So far in this financial year the Government has spent $47 million on upgrading railway tracks in New South Wales. I shall have the matters referred to by the honourable member checked and I shall give him a further reply tomorrow.

RURAL COUNTY COUNCILS

Mr MAIR: I desire to ask the Minister for Industrial Relations, Minister for Technology and Minister for Energy a question without notice. Can the Minister inform the House whether in **1979** the special assistance scheme will continue to provide rural county councils with financial aid to help with rural electricity development works?

Mr HILLS: A scheme was introduced by the previous Government which provided for the allocation of **$2.5** million each year for five years for special purpose projects. Councils received assistance from this fund in accordance with the proportion of the funds they expended on rural development. This scheme is in addition to the rural electrification subsidy which is paid by the Electricity Authority of New South Wales. It is additional also to the rural electrification schemes implemented by the Electricity Commission of New South Wales. This year the Treasurer has provided **$3** million for this purpose. In **1978** I approved the expenditure of **$3.1** million for special assistance schemes and in **1979 $3.5** million will be expended on these schemes. That expenditure will represent an increase of 80 per cent over the amount spent by the coalition Government during its last year in office.

PROSTITUTES

Mr McDONALD: I direct a question without notice to the Premier. Has the Premier's attention been invited to an offioial Labor Party report dealing with police corruption in the so-called control of prostitution and its legal administration in New South Wales? Is it true that New South Wales prostitutes hand over approximately $40 a week rent for their comer on the understanding that they will not be charged by police more than once a month? Is it true, also, that an extra $20 a week is paid out for so-called protection? If this official Australian Labor Party report is correct what has the Premier done to arrest these corrupt police practices and to eliminate the suffering of these working girls?

Mr WRAN: As the session draws to an end it is good to see the Deputy Leader of the Opposition getting down to acceptable levels. I have not seen any such official Labor Party report. If the honourable gentleman wishes to come into this House, as so many of his colleagues do, and consistently make allegations against the police it is about time he supported some of these rash allegations with facts. The honourable gentleman has shown some interest in the plight of prostitutes. At a constructive level, what the Government is studying is a report of the Women's Advisory Council which, by this time, all members would have read carefully. That report recommends a series of steps towards the decriminalizing of prostitution, not the least of which would involve repeal of those parts of the Summary Offences Act that relate to the offences of loitering and soliciting.

My own view is that a review of that law is long overdue. Indeed, I know from my discussions with the Attorney-General that in the next session of Parliament the Summary Offences Act will be repealed. As the Deputy Leader of the Opposition has shown some interest in Labor Party documents, no doubt he has read that that is part of Labor's policy. I think everyone in the community would disapprove of prostitutes as such. At the same time most thinking people would be concerned at the vice and inevitable crime that is associated with prostitution. The honourable gentleman may take comfort in this yuletide session of the Parliament from the fact that the Government has the plight of these women under active consideration. Next year, when legislation to improve their plight is introduced, he will be given an opportunity to show how compassionate and humane he really is in relation to these women.

DENTURES FOR PENSIONERS

Mr O'CONNELL: I direct my question without notice to the Minister for Health. Have funds allocated for the provision of dentures to pensioners already been eaten up in some hospitals? As the budget provision is apparently in tatters will the Minister take action to make available additional funds so that pensioners urgently needing new teeth may obtain them and not be inconvenienced and indeed disadvantaged over the festive season?

Mr K. J. STEWART: The honourable member for Peats is renowned for including a certain amount of bite in questions that he poses. For a number of years there has been a dental scheme for pensioners to qualify for the supply of false teeth or dentures. This arrangement is administered by the public hospital system and is financed under the 50-50 cost-sharing agreement between this Government and Canberra. It has been most successful. In 1976–77 $2.2 million was expended on the scheme and in 1977–78 expenditure on it rose to $4.2 million. It is estimated that in this financial year something like $5.5 million will be needed to maintain the scheme. Unfortunately last year New South Wales had $25 million cut from its allocation by the federal Government under the cost-sharing agreement. Despite this the Treasurer has increased this State's allocation for the pensioner dental scheme by 7 per cent. Already the Government is faced with the fact that the amount allocated is not enough to meet the demand. I am considering an application by the New South Wales branch of the Australian Dental Association for a 12 per cent increase in the fees of dentists working under this pensioner dental scheme.

If I were to agree to pay the 12 per cent increase sought by the Australian Dental Association, the whole of the amount would be absorbed, probably without resulting in the supply of any extra dentures in New South Wales. I shall look at the matter from time to time with a view to increasing the amount of money available for this necessary community service, which can improve the lifestyle and eating habits of people inconvenienced by dental problems. Members will recall that last week legislation passed through this Chamber and the other place giving chairside status to dental technicians. It will be of interest to all honourable members to learn that it is my intention, as soon as dental prosthetists are registered to deal directly with the public, to invite them to join in the scheme.

SUPERANNUATION (AMENDMENT) BILL

STATUTORY AND OTHER OFFICES REMUNERATION (SUPERANNUATION) AMENDMENT BILL

Third Reading

Bills read a third time together, on motion by Mr Hills.

BILLS RETURNED

The following bills were returned from the Legislative Council without amendment:

Electricity Development (Amendment) Bill
Metric Conversion (Amendment) Bill
Nurses Registration (Amendment) Bill
Trotting Authority (Amendment) Bill
Defamation (Trotting Authority) Amendment Bill
Workers' Compensation (Sporting Injuries) Amendment Bill

The following bill was returned from the Legislative Council with amendments:

Sporting Injuries Insurance Bill

CHILD AND COMMUNITY WELFARE

Ministerial Statement

Mr JACKSON: I propose to lay on the table of the House a green paper containing proposals relating to child and community welfare. However, before doing so I wish to make the following ministerial statement. As most honourable members will realize, the current State laws relating to child and community welfare have guided thinking and actions in this field for several decades. After such a long period it is illuminatingly clear that these laws are in need of thorough revision. It is therefore the Government's intention to introduce new legislation during 1979. On 15th November last the Premier foreshadowed in the House that the proposed legislation would be among the most important, in terms of social impact, of measures presented to this Parliament for many years. It is noteworthy that the new legislation will be a major contribution by New South Wales to activities in 1979 associated with the International Year of the Child.

Several investigations have been undertaken to review the present laws. A number of project teams, consisting of interested members of the community, were given the task of reviewing the main statutes forming the basis for the operations of the Department of Youth and Community Services. These statutes include the Child Welfare Act, 1939, the Youth and Community Services Act, 1973, the Government Relief Administration Act, 1930, and relevant parts of the Public Instruction (Amendment) Act, 1916. Public submissions were sought and many organizations and individuals contributed valuable recommendations. Apart from the project teams, a child welfare legislation review committee was established to review and co-ordinate reports of the project teams. His Honour Judge Muir of the New South Wales District Court also examined the Child Welfare Act. Subsequently, the reports of the project teams, the child welfare legislation review committee and that of Judge Muir were made available to the public.

Recognizing the shortcomings in the present laws the Government prior to its election in 1976 foreshadowed as one of its major policy undertakings the repeal of the current Child Welfare Act. In honouring this commitment, immediately after I assumed ministerial office I directed the department to prepare proposals for new legislation. Pending finalization of a complete new Act the Government introduced amendments to the current legislation. It considered that the need for these amendments was extremely urgent. The amendments included compulsory notification by medical practitioners of suspected cases of child abuse and provision of safeguards for any person who notified suspected cases of abuse or neglect. The amendments also raised the age of criminal responsibilty from 8 to 10 years.

Because of the comprehensive nature of the total review, the wide range of topics covered, but not yet included in legislative change, and the lapse of time that has occurred since the publication of the last of the various reports, I felt that it would be desirable for a green paper to be produced. The purpose of the green paper is to outline, in some detail, proposals that the Government has under consideration, flowing from the legislative review. However, it is by no means a final or definitive statement of the Government's intentions. In fact, the purpose of its publication and dissemination throughout the community is to invite further comment from organizations and interested people before final Cabinet consideration of the matters contained in it. People who wish to make submissions are invited to forward them in writing, before 28th February, 1979, to the secretary of the Department of Youth and Community Services, 323 Castlereagh Street, Sydney.

Mr Mason: That is too early.

Mr JACKSON: The Leader of the Opposition says it is too early. Since 1972 it has been intended to review the Act. For two and a half years the Government has continually publicized that it proposed to review the legislation. Surely two and a half months allows sufficient time for the public to prepare submissions. Anyone interested in the legislation should already have suggestions and recommendations prepared for submission to the Government. Today a copy of the green paper is being delivered to the Parliament House offices of honourable members. Within a week copies of the report will be available from the seventy-four district offices of my department. Following the consideration of further public comment on the proposals, it is the Government's aim to have draft legislation ready for introduction no later than the budget session in 1979. Throughout the many and varied proposals it has been my aim to have the legislation conform to the principles contained in the United Nations Declaration of the Rights of the Child. I look forward to receiving many and varied contributions concerning the proposed bill following the presentation of this report. I now lay a copy of the report on the table of the House.

Mr MASON: I wish to reply but briefly to the ministerial statement by the Minister on the proposed child and community welfare legislation. Before I raise one or two issues that are of concern to the Opposition, may I commend the spirit, aims and objectives that are implicit in the document that the Minister tabled. I am sure that he shares my view that the Parliament's concern is that the same spirit of dignity, freedom and independence should be transmitted through the proposed legislation to the community at large. On behalf of the Opposition I express my sincere and genuine appreciation and congratulations to the Minister who, with the officers of his department, has obviously done an excellent piece of work in bringing this report to its present stage. It is most praiseworthy that the Government has at least indicated the direction of its future welfare programme. Further, it is recognized that the welfare of people in the community is the proper function of every instrumentality and every individual in the community.

The Government must state the aims and outline the objectives that are most likely to realize these aims. The community will strongly endorse the reaffirmation of the central role of the family as the basic unit of society and the need for programmes to reinforce this role. I trust that this green paper's unequivocal support of the family as the central unit of society will be observed by the Government in all its legislation and administrative functions. I must say though that after some references in the House today I have some doubts about that. The legislation and the paper are excellent and worth while. It is indisputable that enormous social and economic adjustments will have to be made in the next decade in recognition of community needs. The adjustments will have to meet those needs and receive community acceptance and support. Allied to this is the fact that changes in the nature of work—indeed of its availability—are likely to have serious social consequences. For this reason it is commendable that the Government is committed to the things contained in the report.

There are two matters I wish to refer to particularly. First, I ask the Minister most sincerely to consider extending the time by which response has to be made. The 28th February follows a holiday period during which it will be virtually impossible for any of the organized groups in the community to get together and do justice to this excellent report. Next year is the International Year of the Child. The Opposition considers that the report could be a real focal point, directing a great deal of community attention to the issues that are so clearly and vitally raised in it. The report could be a vehicle for the International Year of the Child. It could form the basis of the Minister running a number of seminars across the State to ascertain the view of the community. For these reasons I ask him to extend the time for responding to the report to 30th June next. He has intimated that the legislation will not come before

the House until the budget session. It will be at least November or December before the Parliament will consider that legislation. There will be sufficient time to prepare legislation between 30th June and the budget session.

I remind the Minister that considerable time is necessary for a proper review of the proposed legislation. I remind him of what happened when amendments to the Child Welfare Act relating to the interview of juveniles by police were introduced into Parliament. If there had been sufficient time for more careful and public comment, Parliament would not have found itself faced with the problems that followed that legislation. I ask the Minister genuinely to consider extending the time for submissions to be received from 28th February to 30th June. It would not interfere with the parliamentary programme. The report could be the vehicle by which the Minister and his department, especially with the International Year of the Child next year, could promote a good deal of public discussion throughout the community. I am sure that is what the Minister and the Government want, and that is the commendable aspect about the Minister's approach. The Opposition welcomes the paper and the Government's approach, with the one exception I have mentioned. It is a pity that a preliminary report appeared in the newspapers.

Mr SPEAKER: Order! The time of the Leader of the Opposition has expired.

BAIL BILL

JUSTICES (BAIL) AMENDMENT BILL

CHILD WELFARE (BAIL) AMENDMENT BILL

SUPREME COURT (SUMMARY JURISDICTION) BAIL (AMENDMENT) BILL

CRIMINAL APPEAL (BAIL) AMENDMENT BILL

CRIMES (BAIL) AMENDMENT BILL

FINES AND FORFEITED RECOGNIZANCES (BAIL) AMENDMENT BILL

Introduction

Mr WALKER (Georges River), Attorney-General and Minister of Justice [3.21]: I move:

That leave be given to bring in the following cognate bills—

(i) A bill for an Act relating to bail for accused persons in or in connection with criminal proceedings.

(ii) A bill for an Act to amend the Justices Act, 1902, consequent upon the enactment of the Bail Act, 1978.

(iii) A bill for an Act to amend the Child Welfare Act, 1939, consequent upon the enactment of the Bail Act, 1978.

(iv) A bill for an Act to amend the Supreme Court (Summary Jurisdiction) Act, 1967, consequent upon the enactment of the Bail Act, 1978.

(v) A bill for an Act to amend the Criminal Appeal Act, 1912, consequent upon the enactment of the Bail Act, 1978.

(vi) A bill for an Act to amend the Crimes Act 1900, consequent upon the enactment of the Bail Act, 1978.

(vii) A bill for an Act to amend the Fines and Forfeited Recognizances Act, 1954, consequent upon the enactment of the Bail Act, 1978.

Before I begin to talk about these bills I want to express my regret to the House for the expedition with which these measures must be debated in this House and another place if they are to become law before the end of these sittings. The Government is aware that it is desirable for legislative measures as important as these to be fully debated by all honourable members. However, there must be balanced against this the determination, which I think all honourable members share, that the interests of the community should be our prime consideration at all times. Public statements made by honourable members opposite reflect that attitude and it is certainly the attitude of the Government that this legislation should not be delayed until next year's sittings when it can quickly but safely be enacted by this Parliament now.

The scope and thrust of the legislation will not, of course, come as a surprise to honourable members. The Government's intention to legislate in the field has been apparent for some time now and recent tragic events led the Premier to announce on **28th** November that a several-pronged plan to combat the incidence of violent crime in the community was to be implemented as soon as possible. Honourable members will recall that the Premier specifically indicated that bail laws would be quickly tightened, that a review of the parole system would be urgently undertaken, that police reinforcements were to be immediately made, and that banks would be encouraged to design their premises and install protective devices to discourage bank robberies. Encouragement was also extended to the judiciary for their part in the imposition of sentences for crimes of violence and consideration was to be given to the feasibility of increasing statutory penalties for such crimes.

Having made those preliminary comments I return more directly to the motion. The purpose of these important and detailed bills is to codify the criminal law of New South Wales in relation to bail. They deal with all aspects of bail decisions. The existing bail laws of this State contain a number of injustices, defects and anomalies which require rectification. The bills have attempted to strike a proper balance between the right of an unconvicted accused, who legally is presumed to be innocent, to be at liberty, and the right of the community to have accused persons brought to justice.

Recent happenings in this State have shown the need to strengthen existing laws and practices in relation to bail. **A** major factor which cannot be overlooked—and the bills have specifically recognized this—is the protection and welfare of the community. The bills recognize that certain types of accused person can justifiably be detained in custody pending their trial, particularly those accused of serious crimes of violence, and they go into considerable detail to lay down appropriate criteria for the identification of such persons. The criteria to be considered in connection with bail applications will be dealt with by me in greater detail at the second reading stage. The principles relevant to the grant or refusal of bail are not at the moment clear to the community. They should be. The Bail Bill clearly and precisely sets out these principles in simple language which can be readily understood by the layman.

In mid-1976 I appointed a two-member committee—Mr K. S. Anderson, stipendiary magistrate, and Ms Susan Armstrong—to report on the existing system of bail in New South Wales and to propose any changes. They subsequently did so after careful consideration of submissions from a wide range of sources. I tabled their report dated 31st August, 1976, in this Parliament on 30th September, 1976. Thereafter I asked the criminal law review division of my department to consider the committee's report. On 1st August, 1977, having sought the views of members of the judiciary, members of the legal profession, distinguished academics, as well as government departments having an obvious and direct interest in the subject of bail, the director, Mr Roger Court, presented a detailed report **upon** the committee's recommendations.

Mr Walker]

As honourable members will realize from a careful reading of the report of the bail review committee and the provisions of these bills, the matter of bail for accused persons has been the subject of comprehensive and lengthy consideration and consultation. The Bail Bill is a long overdue overhaul of the whole bail system which attempts to strike the necessarily delicate balance between the right of an unconvicted accused person to be at liberty while awaiting determination of the charge against him and the obviously legitimate interest of the community in the due administration of criminal justice. I shall give further details at the second reading stage. I commend the motion to the House.

Mr MADDISON (Ku-ring-gai) [3.27]: The Opposition welcomes the introduction of the legislation and, with the Attorney-General, regrets that so little time is being allowed for the House to consider the bills, debate them and, more particularly, to receive community reaction to them. It is a sad fact that the Government apparently moves only when it faces a crisis. Let me remind the House that the Western case in July 1976 prompted the Government to appoint the bail review committee referred to by the Attorney-General, with a brief which originally required that committee to report within four weeks. At that point obviously there was a sense of urgency in the Government's approach to the highly controversial question of bail. Subsequently, the time for the committee to deliberate was extended by a further two weeks. So the committee looked at the matter for six weeks. The Attorney-General received a copy of its report on 31st August, 1976.

It was not until a few weeks ago that the Government felt the hot breath of public opinion down its neck and decided to move, as a matter of urgency, to introduce the bills to the Parliament. I understand, as the Attorney-General has said, that the matter was under some discussion by the criminal law review division of his department. That may be as is, but it is now two years since the bail review committee reported to the Government. I understand that representations have been made by the bankers' association and bank unions whose members are highly concerned about the fact that many armed robberies have ocurred and have been committed by people while on bail. They asked that the legislation in its draft form might be perused by bankers and bank officers. I am informed today that those representations have been before the Attorney-General since early 1977.

One can never approach the problem of bail and the codification of bail laws without pondering on the reason why it is necessary to go to such great lengths. One of the primary reasons is the delay between committal for trial and the trial itself. This is one of the substantial matters with which the Government and prior governments—the Opposition does not excuse itself—were never able to come to grips. If one can speed up the process between committal and trial, one cuts away the need for bail.

There is no doubt that public concern is felt about crime committed by people on bail. Concern is felt in the community about the number of people who skip bail. No wonder the Government is reacting when it gets a surge of public opinion requiring it to do something. The Opposition does not know precisely what the Government has in these bills. My colleagues and I have had the opportunity to read the report of the bail review committee but we have not had the chance to hear precisely what the criminal law review division of the department has had to say about the matter. No document has been tabled in the House or published for the consideration of the Opposition.

What does strike the Opposition is that if the Manhattan bail system is to be incorporated in the legislation—it is not quite clear whether that is so--it raises a number of questions which I do not think have been properly answered by the bail review committee. They have not been properly answered by the report of Mr Justice

Kirby on criminal investigation. Is the Manhattan system of points allocated under various categories appropriate in New South Wales? Both the report of the committee and of Mr Justice Kirby takes, holus-bolus, the allocation of points based on that system. I raise that query now because I do not know whether it is to be a sort of mechanistic rule which will set guidelines for police, magistrates and judges faced with the problem of granting bail. In the total situation one would hope that the residual discretion lies with the granter of bail to take into account the mechanistic approach. I am not criticizing that approach as an improper one in bringing to the attention of bail granters the factors that should weigh in their mind.

I noticed in the *Sydney Morning Herald* of Saturday last a report that emanated from the Attorney-General on what was to be contained in the Bail Bill. As the Attorney-General shakes his head I am not sure whether he means that the report did not emanate from him or that it came from somebody else. In the press report it was suggested that in the granting of bail the risk that further offences might be committed should be taken into account. That is one of the argumentative points that has been raised every time bail is under consideration, whether or not it is a proper assessment. As far as I can see one cannot adapt the Manhattan system to that though the report in the *Sydney Morning Herald* seems to imply that, without consideration of criteria based on past criminal record or perhaps the nature of the offence with which the accused is charged.

It seems from what the Attorney-General has said in his introductory remarks that it is proposed to have some fairly stringent provisions for the granting of bail in respect of some nominated offences. Honourable members are doubtless aware of the approach of the Victorian Government to the question of bail in 1977. There was a virtual reversal of the onus in certain offences, which are generically described, and that may lead to some argument about applying generic descriptions to crimes. The Opposition looks forward to the legislation. It expects the Attorney-General to agree—it hopes that he will—that if there are obvious loophole deficiencies in his legislation he will be quick to acknowledge it. Having set up a codified law in regard to bail I trust he would not be resistant to change to block those loopholes and meet any reasonable criticisms.

The community has a great interest in the matter of bail. Obviously the community has not had a chance to make an input in to what the Government now proposes. The Opposition hopes that this will be effective legislation that will enable courts and police with the responsibility to grant bail to make better judgments on whether a person should be so released. Like the Attorney-General and Minister of Justice, the Opposition regrets the need for expedition of this measure. However, there should be no delay in determining this matter and the Opposition offers its support of the legislation.

Mr DOWD (Lane Cove) [3.36]: I share the regret of my colleague the honourable member for Ku-ring-gai that this legislation has been brought forward at such a late stage of the session. The Attorney-General and Minister of Justice makes it his custom to bring down measures in this way, as he did, for example, with the recent workers' compensation legislation. Obviously he does not do this intentionally, but it has the effect of stifling examination and criticism on matters of real public concern.

I acknowledge the difficulties in drafting a measure such as the Bail Bill. Inevitably, whatever changes are made there will still be anomalies. I hope we are all gracious enough when they become evident and the Attorney-General and Minister of Justice promptly corrects them to acknowledge these difficulties. It is important do emphasize the point made by the honourable member for Ku-ring-gai that the

granting of bail is not a problem at the magistrates' level. The system works very well there. It is delay in bringing people to trial that distorts the bail process. Decisions have to be made which ought not have to be made in bail applications.

I could not glean from the remarks of the Attorney-General and Minister of Justice whether something will be done with regard to what is termed shopping around. It is unacceptable for people to chase around until they find someone from whom they can get bail. That is one of the most unacceptable aspects of the present system. I assume that the legislation will contain sanctions against breaking of bail conditions. Perhaps the Victorian provisions are appropriate. The onus should be placed on the person who has broken bail to show why he did not attend as required. I am concerned that the proposed bill may not spell out how facts may be brought before the court. Regrettably there are too many busy prosecutors who have instructing officers sitting behind them and the prosecutor merely turns round and says, "Is he all right and is he still with his wife?" when the magistrate asks for details. The pressures in magistrates' courts are great and they deal with a lot of business.

There are far too many occasions when instructing officers deliberately, consciously, and intentionally give false information to the prosecutor. They do not necessarily do this through any bad motive: sometimes it is done with the best of intentions. Perhaps a schoolteacher has been arrested at a demonstration and he does not want it to come to the notice of the department. So he is advised to give his occupation as labourer and this obviates some problem for him. It is not the prosecutor who does this. In too many cases false information is given. The Manhattan point system requires answers to questions such as, How long has he been living with so-and-so? How long has he held his job? and others. It is far too easy to put inaccurate information before a magistrate. I believe there is a need for sworn evidence rather than assertions, particularly in serious cases, before bail is granted. Whether it is done on a form of affidavit or in some other way does not matter.

The prosecutor must work on the information he is given. I admire the way prosecutors handle their work. The instructing policeman often knows very well that the information he is giving to the court is insufficient, inaccurate or sometimes deliberately false. Many of the cases that we see highlighted in the press are not the fault of the court or the prosecutor. I would therefore ask that consideration be given to some means of placing evidence before the court instead of merely making assertions.

I am concerned that there seems to be an emphasis on crimes of violence relating to property. Victoria made a mistake in this direction. That is a wrong emphasis. These are important matters to the community, but so are sexual offences and crimes of violence against the person. These matters should be looked at more carefully. Many people get bail all too easily. There should be greater emphasis on the court being given the facts. I am concerned, also, about the risk of future offences. We all know that often, though it is not placed before the court, the risk of future offences is an overriding consideration in borderline cases of whether to grant bail. Sometimes it is done by a nod or a wink and sometimes it is done over morning tea, when the magistrate is given an indication by the prosecutor of the nature of the crime with which a person is to be charged. There is far too much sloppiness at that level in courts of petty sessions. Any practitioner in police courts knows only too well that there ought to be a greater distance, however well meaning may be their intentions, between the prosecutor and the magistrate in respect of the nature of the matter before the court. I emphasize that most of this is not done malevolently or against the interests of the community.

Many applications are made for bail and most of them are granted. In a remarkably small number of cases the person granted bail commits an offence while on bail. In fact, the proportion would be the same as the proportion of prisoners who would commit an offence as soon as they were let out of prison after serving their sentence. The public must be protected. People's fears must be allayed. It is important that this legislation be enacted. I hope the Attorney-General will not move too close to the Manhattan system for I should not like to see a mechanical approach. Under that system a person arrested could get up to ten points without much difficulty even though he might be charged with a serious offence and there could be a real possibility of his offending again. 1 think I detect that the Attorney-General has resiled from his press statement about the Manhattan points system and that we shall not be burdened with that mechanical approach to this serious matter. I hope we can do better than Victoria, which did little more than codify existing practice and use extraordinary phrases about the likelihood of offences occurring again. The Opposition supports leave for introduction of these measures.

Mr WALKER (Georges River), Attorney-General and Minister of Justice [3.45], in reply: In reply to the honourable member for Ku-ring-gai, the Manhattan system has a place in the bill but that place should be understood by the public and by members of the Opposition. Part V of the bill, which deals with the criteria to be considered in bail applications and is the crux and operative part of the bill, sets out three heads of criteria to be examined by the courts or by the police officer granting bail. The first is the probability of whether or not the person will appear in court in respect of the offence for which bail is sought. When considering that head courts will be obliged to look at the person's background as indicated in the history, details of residence and family situation and any known prior criminal record. The authorized person will be obliged to look at any previous failure to appear in court pursuant to a bail undertaking or recognizance, the circumstances of the offence—including its nature and seriousness—the strength of the evidence against the person and the severity of any probable penalty. The authorized person will be advised to consider any specific evidence indicating whether or not the person is likely to appear in court. It will also take the opportunity to look at the rating that would be given under the Manhattan system. That is but one of a number of factors in that area.

The next head the courts will be required to consider is the interest of the person. The courts will have regard to the period that the person charged may be obliged to spend in custody if bail is refused, the conditions under which the person will be held, the need of the person to be free to prepare his case or free for any other lawful purpose and whether or not the person is incapacitated in any way. The third head that the courts or police officers will have to look at is the protection and welfare of the community generally, whether or not the person charged has failed to observe or has been arrested for anticipated failure to observe a reasonable bail condition, the likelihood of the person interfering with witnesses or juries and the likelihood that the person will commit offences while at liberty on bail. The authorized officer may only have regard to the likelihood of a person committing such offences if the court is authorized to do so under the legislation.

All of these criteria will have to be considered. The Manhattan system will be simply an aid to the court in that consideration. There will be no obligation to apply the system rigidly or mechanistically; it is there to assist. It will be in the form of a regulation under the Act and it can be changed if it is found to be necessary. It can be abolished if it is found to be not working satisfactorily. Tests that have been done

show that it is far more satisfactory than the present system. Many people who were given bail wrongly in the past would not have been granted bail if the courts had applied the Manhattan test.

Mr Maddison: Is there any documentation of the test?

Mr WALKER: An assessment is set out in the report prepared by Mr Anderson and Ms Armstrong.

Mr Maddison: I thought you referred to a more recent test.

Mr WALKER: We have applied the test in other cases. It is not put forward as a rigid and complete test but as an aid to the court that should result in a great deal more uniformity and consistency in decision-making on bail matters. It will keep out of gaol a lot of people who should be kept out and keep in gaol a lot who should be there. The legislation will prove to be the best of its type on the statute books in the Australian States. The bills will deal differently with such offences as armed robbery, offences involving violence and some of the more serious offences, in that the presumption of bail will not apply. Although the Government is taking a hard line in such cases it does not make any apology for that approach. There is increasing incidence of that type of crime. The Government feels that the legislation will assist to control that increase.

Comments were made about delays in bringing people to trial. Many of the delays are brought about by the Crown seeking adjournments better to prepare cases or for other purposes. Many delays are caused by the legal profession not being available to appear on a particular day, or by judges and magistrates not being available to hear cases at a particular time. Some of the delays are unconscionably long and as Minister I shall do all I can to improve the situation. Although the Parliament is the legislator it is not supreme. The judiciary is an arm of Government with rights and powers and there is a limit on the extent that the Government can interfere with their activities and behaviour without acting in a way that would be considered unconstitutional. The Government has appointed more judges in the past two and a half years in an endeavour to improve and strengthen the administration of the court system. It is hoped that the additional appointments will shorten delays, but there is no guarantee that will occur to the extent desired.

The honourable member for Lane Cove commented on evidence and assertions in putting these facts before the courts. There is provision in clause 32 (3) of the bill for facilitating that if it is desired. It will not be compulsory. The bill deals with future offences, which is a factor that can be taken into consideration in regard to crimes of violence and other serious crimes. What the honourable member said about a rise in the proportion of offences committed by persons on bail is true. The latest report showed that 3.1 per cent of people dealt with for armed robbery had committed the offence while on bail. However, statistics fail to take into account that few armed robbers get bail in the first place. I thank honourable members for their preliminary comments. I understand that the Opposition cannot make any specific comments at this stage and I shall endeavour to have the bills made available to them as soon as possible.

Motion agreed to.

Bills presented and read a first time together.

POLICE REGULATION (PRIORITY LISTS AND APPEALS) AMENDMENT BILL

Second Reading

Mr WRAN (Bass Hill), Premier [3.54]: I move:

That this bill be now read a second time.

As I intimated to honourable members at the introductory stage, this bill incorporates a number of proposals, the main one being to provide for the introduction of a priority list system in respect to promotion of sergeants second class to the rank of sergeant first class and to provide a right of appeal in regard to omission from or the order of placement on such a priority list. This is a further step in the implementation of promotion by merit rather than by seniority alone within the police force. A similar system has been in operation since 1976 with respect to recommendations for appointment to the rank of inspector and this bill includes provisions to resolve some areas of doubt that have arisen since that time. In the past, attempts to promote sergeants of outstanding ability out of seniority order have led to delays in promotions while appeals were being determined by the Crown Employees Appeal Board.

Under the proposed new system a number of qualified sergeants second class will be interviewed by an appraisal committee comprising an assistant commissioner and three superintendents. Points will be allocated for length of service on existing rank, assessment by the appraisal committee having regard also to regular merit-rating reports already made and results obtained in departmental qualifying examinations. A priority list will be produced and issued. The system is designed so that appeals can be determined prior to promotions being made, and no delays in promotions should occur.

In 1974 the Police Regulation (Superannuation) Act was amended to insert a provision relating to a wound or injury received during or after any substantial interruption of, or substantial deviation from or other break in, a periodic journey where, in the circumstances of the particular case, the risk of wound or injury was not materially increased by reason only of that break, interruption or deviation. The Police Regulation (Appeals) Act at the time provided a right of appeal against the commissioner's decision that a particular wound or injury was not occasioned during a periodic journey but no action was taken to amend this Act to include a similar provision. Accordingly, opportunity is now being taken to bring the Acts into line. The principles embodied in the bill have been discussed with the New South Wales Police Association which has expressed its agreement to them. I commend the bill to the House.

Mr MASON (Dubbo), Leader of the Opposition [3.57]: The Opposition fully supports the legislation and commends the Premier and the Government for the action they have taken. As the Premier intimated, the bill is a further step towards implementing promotion by merit rather than by seniority alone within the police force. The measure has the support of the New South Wales Police Association which works in the best interests of the police force of New South Wales. The only matter I would briefly comment upon is that it is a pity the Government at a time when it is making amendments to the Act to tidy up the appeal on injury issue, did not make some determination on the issue of police injured on duty. The Opposition understands that the Premier and the Government have had for some little time the report of the committee that inquired into this matter. On 8th November I asked the Premier about this matter. He intimated that it was under consideration. He added at that time:

> I expect it will not be long before some legislative steps to correct a situation, which, over many years has troubled members of the police force.. .

I regret that while the Parliament is considering this amending legislation a matter that obviously has the full support of members of Parliament could not be tidied up so that justice is done to those police who have suffered injury on duty and are anxiously seeking some way out of the impasse that has arisen as a result of the workers' compensation provisions for police injured on duty. I fully support the bill and commend the Government for taking this action.

Motion agreed to.

Bill read a second time.

Third Reading

By leave, bill read a third time, on motion by Mr Wran.

POLICE REGULATION (SUPERANNUATION) AMENDMENT BILL

Second Reading

Mi HILLS (Phillip), Minister for Industrial Relations, Minister for Technology and Minister for Energy [3.59]: I move:

That this bill be now read a second time.

As I said at the introductory stage, the purpose of this bill is to increase the pensions paid to certain retired members of the police force and widows of police. The pensioners concerned are those whose pension commenced, or, in the case of widows, whose husbands died, before 1971. It is intended that this measure, when combined with earlier legislative provisions for the adjustment of pensions, will bring police pensions up to a level that will account for the erosion of their value by the rising cost of living. The increases are on a sliding scale ranging from 5.1 per cent to 33.6 per cent. The earliest emerged pensions are increased by the greatest percentage and later emerged pensions are increased by lesser percentages according to the period in which the pension emerged.

The bill consists of six machinery clauses and two schedules of amendments to the principal Act. Clause 2 specifies the date of commencement of the various provisions of the bill. The provisions contained in this bill for the increase of pensions are deemed to have commenced on 31st March, 1978. As I mentioned when introducing this measure, this is the date from which the earliest emerged pensions were increased, with the approval of the Government. The other provisions are to commence from the date of assent. Clauses 5 and 6 provide that the principal Act is amended in the manner set forth in schedules 1 and 2 to the bill.

I shall deal now with the more important items in the first schedule to the bill. Item (2) specifies a new amount, in accordance with the adjustments proposed, representing the maximum figure for certain police widows' pensions, entitlement to which is dependent upon eligibility for the full Commonwealth social security pension. Item (3) is a machinery provision designed to ensure that the provision of the principal Act concerning the annual adjustment of pensions operate as intended. Annual adjustments of pensions are applied to the whole pension including the amount of any previous adjustments. This previously was not clearly expressed. Paragraph (a) of the item deems the provisions for annual adjustments always to have been applicable in this way. Paragraph (b) is drafted to make it certain that initial annual adjustments, in respect of a part year, apply to pensions payable to a member of the police force

on discharge on medical grounds in the same way as initial adjustments apply to pensions payable when a member retires. This was not expressly provided for in the previous legislation.

I come now to the substantive amendment contained in schedule 1 to this bill, which is the addition of a schedule, also titled schedule 1, to the principal Act. Proposed schedule 1 to the principal Act contains eight items prescribing the manner in which pensions are to be adjusted. I shall deal now with the provisions of the eight items in proposed schedule 1 to the principal Act. Item (1) contains definitions that facilitate the operation of the table of increases to pensions set out in item (2). For pensions emerging before 1951 the table specifies increases ranging from 33.6 per cent to 5.1 per cent. These increases commence from 31st March, 1978. Increases of 5.1 per cent in pensions emerging in the period 1st January, 1951, to 31st December, 1963, commence from 29th September, 1978. Pensions emerging in the period 1st January, 1964, to 31st December, 1970, are also to be increased by 5.1 per cent, but in three stages. The first stage is to be an increase of 1.7 per cent on 29th September, 1978. There is to be a further increase of 1.7 per cent on 22nd June, 1979, and a final increase of 1.6 per cent on 20th June, 1980. The increases in respect of this most recently emerged group are spread over three budgetary years and, by compounding, accumulate to total 5.1 per cent when rounded off to the nearest one-tenth of a percentage point. In each case the date specified is the commencing day of the first pension pay period ending in the month which follows—that is October or July.

Police pensions can arise in various circumstances and each circumstance is dealt with in a separate clause of the schedule. Clause 3 applies the appropriate percentage increase in the table to the pensions of former members of the police force who were retired on attaining 60 years of age or were discharged on medical grounds not related to the exercise of their duty as members of the police force. Clause 4 makes special provision in the case of the very longstanding pensions, if those pensions were increased under 1970 legislation which introduced minimum pension levels. In the cases concerned, the increases now paid may be less than that specified in the table because of the additional pension paid under the 1970 legislation. In no case, however, is the increase less than 5.1 per cent.

Clause 5 applies the table of increases to pensions paid to former members of the police force disabled in the execution of their duty. The clause is drafted to preserve the former member's entitlement to a pension that is no less than the level, from time to time, of workers' compensation weekly payments. Clause 6 applies the table of increases to pensions payable in consequence of the death of a member of the police force. A general provision is made in clause 7 to empower the Police Superannuation Board to determine that an increase shall be a lesser amount than that provided for in schedule 1, if to do so would be in the interest of the pensioner concerned. The purpose of this is to preserve entitlements to any other benefit, eligibility for which is related to a means test. Similar provision has been made in relation to previous increases in police pensions.

Special provision is 'made in clause 8 to deal with the application of the increases that were first payable in October 1978. This date corresponds with the date on which the annual adjustment was paid and clause 8 prescribes that increases due under schedule 1 are applied to pensions after adjustment in accordance with the provisions for annual adjustments. This ensures that where adjustment dates coincide there will be the same compounding effect as in cases where the adjustment dates are different. Schedule 2 to the bill is concerned only with statute law revision.

The whole cost of the increases will be met from consolidated revenue. In the first twelve months, from October 1978, it will be of the order of $200.000. When all increases are payable it will exceed $300,000 a year. The provisions of this bill

Mr Hills]

complete the process of adjusting police pensions in accordance with increases in the cost of living since the time of their emergence and afford additional assistance to some 900 pensioners under the police superannuation scheme. I commend the motion to the House.

Mr SCHIPP (Wagga Wagga) [4.6]: The Opposition gives its support to the proposed amendments, just as it gave its support to the State Superannuation (Amendment) Bill that was debated last night. The Opposition looks forward to the Government bringing up to date the pensions and other benefits of police officers. Members of the Opposition draw attention to the fact that the provisions of this bill do not go nearly as far as those in the State Superannuation (Amendment) Bill. Anti-discrimination measures contained in that measure are not included in this one. Though the female section of the police force is small it is significant. The provisions relating to women will have to be brought into line. I understand that there are only about 200 women in the New South Wales police force, compared with about 8 500 male officers. Despite the small number of women police the Government must do the right thing by them when it is enacting legislation. Probably a sign of things to come here is the fact that women make up approximately 5 per cent of the United Kingdom police force. That will probably happen eventually in New South Wales.

The amendments have been due for some time. Some of them are overdue according to some people. This bill might have been held back while many amendments were being framed to the State Superannuation Act. I refer particularly to the investment provisions to which the Opposition made strong objection last night. The Government seems to have found itself in hot water with the Police Association of New South Wales. That position stems mainly from promises made by the Premier over a long period on what he would do for the police, but he has not done. According to the headlines a confrontation is developing between the Premier and the Police Association of New South Wales. One article refers to strike action. That has not happened in the New South Wales police force although I understand that a confrontation developed in Victoria. Every time the Premier opens the annual police conference he throws another bait in front of the police officers by telling them how he will look after them.

In 1976 the Premier talked about the committee on police retired hurt. Honourable members know that the committee sat from about the middle of 1977 and brought down a report in August this year but no action has been taken on it. It is now two and a half years since that promise of the Premier. I understand that the committee has recommended that compensation provisions be tied in with superannuation for police so that police officers who are retired hurt can be compensated adequately.

At another conference the Premier raised the question of police being excluded from the Workers' compensation Act. When he asked whether that was fair he said that he would look into it. In particular he said he would form another committee for that purpose. At the 1978 conference the Premier said he had not got round to doing that yet but the matter was still under active consideration. Statements have been heard about early retirement of police. That has been recorded in the Police *News* from the day the Government assumed office. The Premier said that the Government was really pursuing that matter. At the 1978 conference he said that it had not been neglected and was right before the Government, which was getting ready to do something about it. At about the same time the Minister who was then in charge of superannuation matters, the Minister responsible for the Department of Services, was recorded as saying that there was no intention on the part of the Government to enact any early retirement provisions at that stage because of the enormous

cost to the Government. But the Premier held out a bait to the Police Association of New South Wales by saying that his great Government is doing all these things for police officers.

Though the measure is short of some amendments to the Act as already mentioned those it does contain have been awaited for a long time. The Opposition welcomes them. It believes that the Government has a duty, because of promises made, to go further than it has. I understand that a draft bill is in circulation somewhere to put into effect the request of the police in regard to changes to the superannuation provisions and in relation to workers' compensation. The Police Association of New South Wales which has carried out its own investigations into superannuation schemes has come to the conclusion that it will have to be careful which way it jumps. The association looked at private superannuation schemes that may have conferred additional benefits but found that those benefits were not as good as those now available to police and they cost more to the contributor. Obviously the police would not want to opt out of their scheme to become members of that sort of fund. Apparently better benefits are payable in some oversea schemes, but the charge to the contributor is three times as high as that paid by police in New South Wales. When the police looked into the State Superannuation Fund they came to the conclusion that it conferred good benefits but the cost of contributions was about twice the present rate of the contributions paid by police officers.

They have agreed that the State superannuation scheme or about that level would be to their liking and they will accept an increase in contributions to the order of about 2 per cent, taking it to 6 per cent. It is about time the Premier stopped making promises in his flamboyant manner. He should stop telling people that they have everything going for them. The Opposition accepts these amendments but believes that the Premier's promises should be brought before the House so that the Parliament may see how far the Premier intends to go in honouring the commitments he has made over the past three years, especially earlier this year when approaching the last elections. The Opposition supports the amendments in the belief that they will be of great benefit to many people.

Mr FACE (Charlestown) [4.16]: I compliment the Minister on introducing this measure which will offer much assistance to retiring police officers. The honourable member for Wagga Wagga, in his usual manner, criticized the Minister and said that the Police Association has something against the Government. I find that extraordinary. I did not detect anything of that nature when last night I attended its Christmas party. It is interesting that no one from the Opposition was invited to that party. That might be an indication of how things stand between the association and the Opposition. The honourable member for Wagga Wagga referred to broken promises. Since I came into this House in 1972 I have heard spokesmen for the coalition parties say there is no easy answer to overcome police superannuation problems. The honourable member for Wagga Wagga should go back to his electorate and try not to perjure himself on television again.

In 1973 the coalition Government's Minister in charge of police said he would do something for thirty-three widows who were outside the provisions of this statute, but nothing was done. Recently the present Minister told me that he is now in a position to do something for them. The former Government could not do anything: even widows of police heroes were denied their rights by the former Government. I have been raising this issue for the past six years. A result has been achieved under the Labor Government. So much for the coalition parties' attitude to the widows of police heroes. Had it not been for the efforts of Maureen Taylor, a police welfare officer, and others, these widows might still be without hope. Her mother was the

widow of a policeman and she is the daughter of a policeman. The Police Association has been able to consult with the Wran Government: that is more than it could do during the reign of the previous coalition Government.

Labor came to power with a comprehensive policy to assist police. Already it has done some of the things it promised. The difference between the Labor Government and the former coalition Government is that Labor has done something to fulfil its promises. The Wran Government set up an inquiry in relation to police hurt on duty. In 1973 when I asked the coalition Minister to do something to overcome the anomalous situation relating to police widows I was told it was too difficult. I am sure the Minister in this Government will give these widows more than some ray of hope. I congratulate him on the measure he has brought forward today. It will assist in some degree to alleviate some of the problems that have existed in a most complex piece of old legislation.

One of the most tragic cases of a policeman hurt on duty was ignored by the former Government. The honourable member for South Coast has made representations about a policeman who was seriously injured on duty. I used to have to go to the police welfare officer to try to get transport for a seriously injured policeman from his home to the Coast Hospital. That situation does not apply under the Labor Government. The honourable member for Wagga Wagga has a complete lack of knowledge of these matters. Again I congratulate the Minister. I know he has almost resolved the problem relating to police widows. I do not like to be personal but I should not be proud to have the reputation of the honourable member for Wagga Wagga for some of the unfounded and untrue statements that he has made about police and what they have done in the area that he represents.

Mr HATTON (South Coast) [4.22]: I wish to speak about police who are hurt on duty. I invite the attention of the Minister to a case that was referred to briefly by the honourable member for Charlestown. On 18th December, 1971, Constable First Class Barklem was involved in a chase after a vehicle that had exceeded the speed limit. During a high speed chase that reached 140 kilometres an hour through Nowra the driver of the car did not heed calls to stop. Finally the car being pursued turned into a lane. Constable Barklem blocked the driveway with his bike. The pursued driver drove his vehicle headlong into the policeman, injuring him severely. The offending driver was arrested, charged, and ultimately pleaded guilty. We was found to have a blood alcohol level of 0.25—three times the legal limit. The department accepted that Constable Barklem was hurt on duty. Under section 12A of the Police Regulation Act an officer with more than five years' service whose services are terminated through illness or injury can get part payment of extended leave and other entitlements.

In this case Mr Barklem has been denied payment. The Premier has indicated that the departmental view is that the resignation by Constable Barklem—now Mr Barklem—was for the purpose of travelling overseas and not because of injury on duty. This is strongly contested by Mr Barklem. On 25th May, 1974, the Premier wrote to Mr Barklem through me and said that the department had no record of a letter written by Mr Barklem on 28th March, 1973, addressed to the officer in charge of police at Nowra. This letter was to the effect that Mr Barklem made application for payment of the monetary value of accrued and extended leave, not because he was resigning to go overseas but because he was taking extended leave to go overseas.

What caused my anxiety was not only that Mr Barklem was suffering severe pain and experiencing difficulty holding down any form of employment, but also that he is a former policeman who had been injured on duty. He has in his possession a letter

signed by the assistant commissioner of police referring specifically to the letter of which the department denies knowledge. The Minister should arrange for a re-examination of this case. I am certain that Mr Barklem has received a raw deal and is worthy of sympathetic treatment.

Mr HILLS (Phillip), Minister for Industrial Relations, Minister for Technology and Minister for Energy [4.26], in reply: The purpose of the bill is to improve benefits for police pensioners whose entitlement commenced before **1971.** It seeks to adjust the position of those pensioners with cost-of-living adjustments that occurred before that date. I am pleased that honourable members support the intention of the bill and applaud the Government for introducing it.

A number of matters extraneous to the bill were mentioned by honourable members and I shall not take the time of the House to talk about them at any length. One matter concerning a policeman who was injured on duty raised quite a complex subject. The Premier set up a special committee and the report of the committee is now being considered by officers of the department. If any amendments are required to the police superannuaton scheme, the Government will introduce the necessary legislation. Until that examination by officers of the department has been completed I cannot propose any amendment.

Another matter raised in debate concerned women police and granting to them rights similar to those provided by the State Superannuation Fund. No specific case drawn to the Government's attention describes circumstances warranting action similar to that taken in relation to the State Superannuation Fund. If a need for amendment is shown in that regard it will be considered. The recent legislation relating to the State Superannuation Fund was an interim proposal because of an undertaking given by the Premier. The more extensive proposals that were necessary when considering that fund will be taken into account when this matter is further considered. The case of the former policeman injured on duty that was raised by the honourable member for South Coast will be examined to see whether some action can be taken to alleviate the suffering of this man. I cannot be expected to deal today with the details mentioned by the honourable member, but the case will be examined and I will inform him of any decision as quickly as possible.

Motion agreed to.

Bill read a second time.

Third Reading

By leave, bill read a third time, on motion by Mr Hills.

MEAT INDUSTRY (FURTHER AMENDMENT) BILL

Second Reading

Mr DAY (Casino), Minister for Agriculture [4.29]: I move:

That this bill be now read a second time.

The object of the bill is to bring about a complete change in the administration of Homebush abattoir. The Government is taking action to do this after receiving advice regarding the administration of the abattoir. There is a serious problem at Homebush which can be overcome only by a complete change in the management structure of the establishment. In the **1970–71** financial year the board made an operating profit of $60,000. In **1971–72** the board made a loss of $540,000; in **1972–73** the loss was

$360,000; in 1973–74 the loss was $840,000; in 1974–75 the loss was $540,000; in 1975–76 a loss of $2.3 million was recorded; and in 1976–77 the board made a loss of $2.35 million.

The board's total revenue for 1977–78 was $17.6 million, the contribution being from slaughtering fees 56 per cent, meat market charges 11 per cent, meat trading 11 per cent, by-product sales 8 per cent and other activities 14 per cent. In the 1977–78 financial year the board made a loss of $3.48 million. Over the past eight years the board has accumulated losses of $9 million. Advice I have received is that there has been no attempt to forecast the demand for slaughtering services and budgets have not been used to secure control of operational activities. This sort of situation must be contained and, as I stated at the introductory stage, the Government proposes to dissolve the present Metropolitan Meat Industry Board on expiration of the term of the present members and replace it with a statutory corporation to be called the Homebush Abattoir Corporation, managed by a general manager.

A small expert task force is also to be established to confer with the management and make recommendations to me on factors influencing markets for the corporation's services and methods of containing the unacceptable profit situation at Homebush. The chairman of the task force will be a private business consultant and the other members will be the general manager of the corporation when appointed, the chairman of the Meat Industry Authority, a trade union representative and a representative of a Public Service Board management audit team. The bill provides for the constitution of the Homebush Abattoir Corporation, which I have already referred to, and makes provision for the appointment and offices of the general manager, acting general manager and deputy general manager. It also makes provision in schedule 3 for the Minister at any time to appoint a person to be the acting general manager of the corporation during any period the office of general manager is vacant. This will ensure the continued administration of the abattoir until a suitable applicant for the position of general manager is appointed. The other objects of the bill are to provide for the continuation of by-laws made under the Meat Industry Act, 1978, until they are repealed or amended, and to make other amendments of a minor or ancillary nature.

I now turn to the provisions of the bill. Clause 1 contains the short title. Clause 2 provides that the Act shall commence on the date of assent and for the commencement of the main provisions of the Act on 1st January, 1979. Clauses 3 and 4 refer to the schedules that the Act contains and the amendments necessary to the Meat Industry Act, 1978. Schedule 1 contains the amendments to the Meat Industry Act, 1978, relating to the Homebush abattoir corporation and inserts among other things definitions of corporation and general manager. Item (4) of schedule 1 amends section 46 of the Meat Industry Act, 1978, to remove the obligation on the authority to make a report to me within two years with respect to the continued operation of the board.

Item (11) (b) of schedule 1 provides for the appointment by the Governor of a person to be the general manager of the corporation and for the appointment of a person to be the deputy general manager. Paragraph (3) of that item provides that the Minister may appoint a person to be the acting general manager *of* the corporation to hold office during any period the office of general manager is vacant. It is further provided in item 11 (f) of the bill that a person holding office as the acting general manager ceases to hold that office when a general manager is appointed. Item (11) (g) provides that the acting general manager shall devote the whole of his time to the duties of that office. Other provisions in item (11) relate to the remuneration, appointment and resignation of officers of the corporation and are self-explanatory.

Item (13) of schedule 1 simply provides for the corporation constituted under this Act to be a continuation of, and the same legal entity as, the Metropolitan Meat Industry Board as constituted under the Meat Industry Act, 1978.

Schedule 2 contains further amendments necessary to the Meat Industry Act, 1978, relating to the Homebush Abattoir Corporation, by omitting therefrom the word board and by inserting instead the word corporation. By way of statute law revision, schedule 3 continues the by-laws of the board and deems them to have been made under this Act by the corporation, and continues in force amendments to the Cattle Slaughtering and Diseased Animals and Meat Act, 1902, and the Government Guarantees Act, 1934, effected by sections 51 and 53 of the Meat Industry Authority Act, 1970, as if those sections had not been repealed. I commend the bill to honourable members.

Mr MURRAY (Barwon) [4.36]: Unfortunately the Meat Industry Act has been a comedy of errors. The House will recall that a bill was introduced and withdrawn. A second bill was introduced and substantially amended. The House is now considering the third set of amendments in virtually twelve months. When the bill was introduced the department and the industry knew that the term of operation of the present Meat Industry Authority was to expire on 31st December. The Minister has only partially explained the reasons for the present amending legislation, and for that reason the Opposition will move an amendment in Committee. At the introductory stage the Opposition asked for information about how the changes in management were to be applied. The Minister has now said that there will be not only the general manager but also an expert task force of five persons, including a private consultant, the general manager and a union representative.

The Minister mentioned a long list of figures ranging from a profit of $60,000 in 1970–71 to a loss of $540,000 in 1971–72 and a present loss of $3.48 million. Unfortunately, he did not give the House a breakdown of those losses, which is vital to management changes. Are the losses due to trading? Was the trading loss included? What was the working loss involved? Further, was the trading loss the result of the purchase of stock to put through the Homebush abattoir so as to maintain its staff level and operations, and then sold off at a loss, at the same time reducing the operational loss but increasing the trading loss? A wide range of factors are involved in the whole operation of this abattoir. The House should have the benefit of figures and details of these matters I have mentioned so that it may properly consider the whole operations of the abattoir.

The Homebush abattoir, which carries on a big operation, is to be the subject of extensive legislative amendments and change. It is a vital works within the metropolitan area and involves the whole of the stock industry of New South Wales. The use of stock purchased and traded by the abattoir has wide implications for the operations of the Meat Industry Authority. A number of abattoirs are purchasing stock to put through their works and if they are able to sell them off at a rate at which they may lose even a few dollars, and so save men from being stood down and wages paid for non-productive work, they consider they have made a small profit.

The Minister has stated in the past that the new Meat Industry Authority has to operate on a trading basis. A few weeks ago the Premier by way of an interjection in the House made it clear that in his opinion the new authority was going to trade profitably. The Metropolitan Meat Industry Board has been operating for a sufficient number of years for the House to be informed of the loss involved in actual physical trading, which will have an effect on the whole of the Meat Industry Authority. Section 46 of the Act is to be amended. Subsection (1) (e) provides that

within two years after the commencement day a report must be made to the Minister with respect to the continued operation by the board. The amending bill proposed by the Minister will remove the requirement to make a report after two years and provide for it to be furnished within such period as may be fixed by the Minister. That is far too open a provision and it is not acceptable to the Opposition. The period of two years sets a limit of time into the future. There is power under the two-year provision for the Minister to call for the report should he so choose. By contrast, there is no limit under the bill.

I am even more concerned about the proposed management changes, especially in view of the Minister's statement that he will establish an additional task force over and above the existing general manager whom he is installing to run the abattoir. There should be a fairly open inquiry into the abattoir's operations at which the views of the whole industry could be received. Further, the views of the 1 100 men employed at Homebush must be taken into consideration because their future is at stake. The proposals put forward by the Minister could well mean that the Meat Industry Authority's report will no longer be involved in the whole of the scheme. The general manager and his task force could take over the whole matter. I am concerned more particularly because some representatives on the Meat Industry Authority were elected by the whole of the meat industry, in all its forms, throughout New South Wales.

There is no doubt that Sydney needs a slaughterhouse and a set of saleyards. However, one does not know of what size or what scope they need be, or how they will operate. Although I recognize the importance of the saleyards, I must recognize also the decline of this basic area of operations, which was once the centre of stock slaughtering and sales in New South Wales. That position no longer exists. There are regional saleyards such as those at Moree, Dubbo and other places. With the increased operations of regional abattoirs there has been a drop in Homebush saleyards from 18 per cent of the total kill of New South Wales down to only 7 per cent.

The whole system of management will be completely altered by the bill. Repercussions will flow right through the stock and abattoir industry in New South Wales. Homebush Abattoir must stay. The meat hall must still be at Homebush for slaughtering of meat. Freezing and storage facilities there are required for transhipment of meat through Sydney for export and into Sydney for wholesale purchases and ultimately for retail sale. Not all meat goes through the Homebush meat hall and storage facilities but a great deal of it does. For that reason those saleyards must be retained. By the same token, a certain section of the abattoir must be kept in service too. But one cannot get away from the fact that costs must be considered. If, as the Minister hopes, the new task force is to be the be-all and end-all of management of Homebush it might be possible to reduce the price for the kill at Homebush and one might find an upsurge in demand for usage of Homebush.

At present the basic cost of slaughtering cattle at Homebush is $28.69 a head; for sheep it is $3.74 a head. That is dearer by up to 100 per cent than stock slaughtered in other areas. For example, beasts slaughtered at the Casino Co-operative Abattoirs cost $14.25 and $2.60 respectively. Cost of slaughtering cattle ranges from $19 at Moree to $15.85 at Gunnedah and $21 at Mudgee as against $28.69 at Homebush. If what is anticipated comes about a reduction in prices could occur. What will be the total effect on the rest of the abattoirs in New South Wales?

It is essential that an examination of stock killing be carried out by the committee appointed under the Act. The Meat Industry Authority has been charged by the Act to do the job. I believe it can still do it but it should be restrained by having to report to the Minister after two years rather than have an open slather given to it by the amending measure with no time limit placed on when reports have to be made. To a certain extent the measure will emasculate the Meat Industry Authority, which should be able to carry on for the purposes for which it was established. Actions of the department in relation to saleyards and classifications will also emasculate the Meat Industry Authority. Poor staffing of the authority will help do the same thing. Though the Opposition generally agrees with the bill and recognizes that the problem must be cured it requires guarantees from the Minister on the future of the great meatworks at Homebush. In Committee I propose to move an amendment to proposed new section 46.

Mr BREWER (Goulburn) [4.50]: As time is short and I do not want to take up unduly the time of the House I shall refer only to some important matters that affect the Metropolitan Meat Industry Board. I question the wisdom of the action in doing away with the Metropolitan Meat Industry Board, which is representative of the trade, producers and the industry, at a time when the Government is moving in other areas from single administration to board type administration. Last night the House dealt with legislation to transfer control of the Government Insurance Office from a general manager to a board. The Department of Corrective Services is also to be controlled by a commission instead of a commissioner. The Public Transport Commission of New South Wales has multirepresentative management and that has not been considered worthy of change by the Government. The reasons put forward by the Minister will not correct the existing situation in any way. I question whether it is proposed to appoint as general manager a member of the Metropolitan Meat Industry Board. A need exists for continuity of knowledge of the operations of Homebush. Mr Brian Walton has been a member of the board for some time and can make a valuable contribution to the management in the future.

It is important to look at some of the reasons why certain problems at Homebush have led to a drop off in kill. The honourable member for Barwon has already mentioned the growth of other works. For some considerable time Homebush enjoyed a strong position in the meat industry in New South Wales. However, as the Minister has said, individual productivity has fallen by 50 per cent. Instead of the kill at Homebush representing 18 per cent of the total New South Wales kill it has dropped to 7 per cent. Real reasons exist for the decline. I know there has been a problem in upgrading Homebush in order to acquire an export licence. That was essential because of the difficulties associated with the Metropolitan Meat Industry Markets. Boning was part of the problem as well as other operations located at Homebush. Considerable costs were incurred in bringing the old abattoir up to export standard.

I wonder whether it would not have been wise to place emphasis on the redevelopment of the whole of Homebush when upgrading the saleyards. I want the Minister to give serious consideration to the matters I raise. I have studied them for some time. The Select Committee upon the Meat Industry included these matters in its report in 1971. I shall refer first to the duplication of awards in New South Wales. The introduction of the Canpak or vertical hide puller resulted in industrial disputation over a period. Workers involved in the introduction of the hide puller were employed under a federal award. The matter was referred to the Conciliation and Arbitration Commission and it was agreed that there should be an increase of 12½ per cent in relation to slaughtering of cattle on the rail on which the new puller was introduced.

In 1975 when Homebush was starting its Canpak operation the Metropolitan Meat Industry Board negotiated with the New South Wales unions. A federal union covers six meatworks in New South Wales. There are also two branches of the New South Wales union as well as the southern, Newcastle and northern branches. The matter went before Mr Commissioner Cansdell who awarded a 12 per cent increase in the award.

There was further disputation by the unions and subsequently the increase was reduced from four and a half beasts to three beasts on the chain. This represents a reduction from 12 per cent to 4½ per cent. Still further disputation took place and the meat industry unions went to arbitration. An award was made for a higher amount to be paid at Homebush Abattoir for slaughtermen which was based on the northern award of 18.75 beasts for each man on the chain. The southern award was 16.5, though the pay was a much lower rate. In the appeal by the union against Commissioner Cansdell's decision that $151 should be paid for the northern kill at Homebush Mr Justice Cahill found that not only should there be a reduction in the number of beasts for each man on the chain but also that section 88A of the Industrial Arbitration Act should be applied. In broad terms that provision says that a Crown employee must enjoy the same standard of awards and conditions as any other person.

With the application of section 88A the higher rate which covers the northern award for the higher kill was applied to Homebush based on the lower southern tally of 16.5. This has cost Homebush a lot of money, and I believe is responsible for some of the heavy losses in recent times. There is further disputation with regard to other conditions. The unions will seek the best out of both awards irrespective of extra allowances to cover certain conditions. I ask the Minister to have a good look at dissociating employees of Homebush Abattoir from the provisions of section 88A of the Industrial Arbitration Act. I do not believe that a change in management or in the type of management will be of any great benefit in overcoming losses at Homebush. However, a thorough investigation into the multiplicity of awards and unions covering the meat industry in New South Wales would assist.

If the Minister can do something about section 88A in regard to employees at Homebush Abattoir he will be doing a service to that abattoir and to the industry. In January 1972 the basic cost of slaughter at Homebush was $8.93 and at Goulburn $8.14. That is very little difference, particularly taking into consideration certain charges at Homebush for loading out into the meat hall. By May 1978 the slaughter charge at Homebush Abattoir had risen to $31.87 and in country abattoirs it ranged from $25 down. Homebush is being used as a whipping post both by the arbitration courts and the unions. That is one of the reasons for a reduction in productivity at Homebush and a reduction in the number of stock being sent to that abattoir. I ask the Minister to ensure that the factors of which I have been speaking are discussed at any inquiry that might be set up. I pay tribute to the members of the Metropolitan Meat Industry Board, Mr Stan Hill, Mr Reg Brownley and Mr Brian Walton. I should like the Minister to take some corrective action in regard to an article that appeared in the *Financial Review* on 6th December last.

Mr Day: I have taken it already. A denial has been printed.

Mr BREWER: I am pleased to hear the Minister say that. It was most upsetting to the board. I implore the Minister to give consideration to the matters I have brought forward. I ask him to look at the capitalization and development of Homebush abattoir. Homebush is a jungle of unions and awards. If the Metropolitan Meat Industry Authority is to be effective it will need a smooth-running Homebush Abattoir in order that it may carry out its proper purpose.

Mr DAY (Casino), Minister for Agriculture [5.3], in reply: I wish to answer some matters raised by the honourable member for Barwon and the honourable member for Goulburn. I shall give details of losses published in the Auditor-General's Report for the year 1977–78. In meat trading the loss was $289,489. In meat markets the loss was $659,058—an increase of $282,312 over the previous year. The stores loss was $369,650—an increase of $240,100 over the previous year. That is a significant increase. In 1977–78 the loss was $2,644,592—an increase of $781,628 over the previous year. Of course, these losses did not come about in just one year. These various awards have applied for a considerable period.

I do not have the profit or loss figures with regard to sheep, cattle or pigs for 1977–78 but I do have them for 1976–77. For that year the loss was $5.85 on each beast, $1.17 on each pig and 77c on each sheep. The loss cannot be pinpointed to any one section at Homebush Abattoir. It flows right across the board. Special mention was made of trading activities. Filling the chains with the additional slaughtering has reduced what would have otherwise been a greater loss in the slaughtering section. That must be taken into account. It has been said that the system of stock killing in New South Wales is governed by what has happened at Homebush. That is not so.

The licensing of abattoirs for various killing activities throughout New South Wales is controlled absolutely by the Meat Industry Authority. However, the problems associated with the losses suffered at Homebush, which is a completely State-owned abattoir, are for the State Government to resolve. This does not mean that whatever the future of the abattoir might be, production there will not have some effect, if only a mild one, on killing capacity at other abattoirs in New South Wales. The chairman of the Meat Industry Authority will be on the proposed task force. I suppose that he, when considering the future of Homebush, will take into account the opinion of the authority, which has a number of producer members on it. That opinion will also be taken into account by the other members of the task force.

We are seeking a first-class general manager to oversee the day-to-day running of this abattoir to endeavour to improve its profitability. However, we have got this task force, which is much more expert than just one representative only of the Meat Industry Authority. As I intimated, the chairman of the task force comes from the private sector. He is a private business consultant. Another member is on the Public Service Board's audit team. The task force will include, also, a representative of the trade unions. He must be, of course, deeply involved in any change of manpower levels or in any changes of direction by the corporation. Naturally, it includes the general manager of the Homebush Abattoir. Thus the task force will have a great deal of expertise, as well as being representative of people who have an interest in the future of the enterprise.

For those reasons we must reject the proposed amendment because there is no purpose in having two distinct organizations reporting at the same time on the same thing; that would be unnecessary duplication. We expect that the Meat Industry Authority's view will be expressed by the chairman through that task force to me, through me to the Cabinet, and then to the Government of New South Wales. The honourable member for Goulburn mentioned the difficulties that were faced as a result of industrial disputation, and awards made by industrial courts and conciliation

commissioners. In particular, the honourable member for Goulburn mentioned proposed section 88A. This is one of the things, as well as award complications, that I would expect the task force to look closely into. It may well be that the nature of operations at Homebush may have to be changed slightly. There may have to be some changes in management techniques and in some other aspects. These things are not resolved simply by government action but through the arbitration system.

I believe that either Mr Justice Cahill incorrectly interpreted section 88A of the Industrial Arbitration Act or his attempts to do so have been misinterpreted. It is certainly not intended that one simply combs through every award covering this industry in order to pick the eyes out of them. The broad purpose of section 88A is to ensure that Government employees are no worse off than employees in the private sector. That is the correct interpretation. I am sure that anyone who attempts to apply any other interpretation through industrial processes will find that what I am saying is a fact.

Since I have been Minister there has been industrial peace at Homebush. Certainly there has been no industrial disputation of any magnitude. The Meat Industry Employees Union should appreciate that fact. I have spoken to representatives of that union about the proposed changes. They have been most co-operative. It is a most important part of the proposed changes that the people involved in them should be consulted and advised of the different points along the line. I am pleased to say that the union representatives fully appreciate the seriousness of the present situation. They have intimated to me that they will, within reason, undertake to co-operate with whoever the chairman may be in order that the abattoir might soon return to a state of profitability. At the same time they insist that any of their hard-won advantages should not be dissipated in any way. I am confident that they will co-operate and my feeling is based on the views they have put firmly to me. I am sdre it will be appreciated by members that the introduction of this measure was delayed by the recent election campaign and therefore it will not be possible to appoint the general manager to take over from 1st January, 1979.

I repeat that at this stage there has been no preselection of a general manager. Applicants will be interviewed by a selection panel and those who are considered suitable will be reviewed by the selection committee, later by the Minister and ultimately an appointment will be made by Cabinet. Nobody has been selected in advance. Hopefully, it will go to the person who will be able to make the biggest contribution to reversing the serious losses. However, there is to be a temporary manager. It will be Dr Dun, the deputy director-general of the Department of Agriculture. He will be seconded to the abattoir for a period of three months until such time as the general manager, yet to be appointed, takes over.

Mention was made by the honourable member for Goulburn of Mr Walton, who is an applicant for the position of general manager. His application will be given the same consideration as that given to the others received. A great number of applications have come to hand but there are still a couple of days to go before applications close. I expect that we shall have an excellent field from which to select the general manager. I thank honourable members for their objective contributions and I commend the measure.

Motion agreed to.

Bill read a second time.

In Committee

Schedule 1

Page 4

(4) Section 46 (1) (e)—

Omit "2 years after the commencement day", insert instead "such period as may be fixed by the Minister".

Mr MURRAY (Barwon) [5.16]: I **move:**

That at page 4, all words on lines 18 to 20 be left out.

Because of what the Minister has said about the task force, it is important that the item be deleted. The reporting provisions will still be in the hands of the Meat Industry Authority. The amending legislation does not give the task force the necessary authority. I am not often convinced by the Minister, but on this occasion he bas done a superlative job. However, I could better understand the bill if section 46 (1) (e) were left out and the task force were the responsible body. Item (4) of schedule I leaves open the period of time in which the report is to be made. If the killing capacity at Homebush abattoir increases, there could be surplus capacity in the State and if the killing capacity decreases there could be a need for extension of meatwcrks in rural New South Wales or, alternatively, approval would be sought for more construction of country killing works. It is vital that the review be done in a correct and thorough manner.

Mr DAY (Casino), Minister for Agriculture [5.18]: The amendment proposed by the Opposition is not acceptable. There should not be two inquiries proceeding simultaneously on the same matter. If the Government adopted the amendment proposed by the Opposition, that is what would happen. Within two years I should be obliged to receive a report from the Meat Industry Authority. The Government is proposing in the bill a provision that the authority shall report to the Minister when he wants a report from the authority. When the task force has made its report and the final direction of activities at the Homebush abattoir is determined, the Minister of the day may seek a report from the Meat Industry Authority. The bill means that the Minister may ask the authority for a report earlier than at the end of the two-year period. It provides more flexibility in that the Government can obtain a report when it is considered appropriate. At the end of the two years, after considering new initiatives that have been taken, a report may be called for, but the provision will not be mandatory. For these valid reasons the amendment is rejected.

Amendment negatived.

Schedule agreed to.

Adoption of Report

Bill reported from Committee without amendment, and report adopted on motion by Mr Day.

Third Reading

Bill read a third time, on motion by Mr Day.

WHEAT INDUSTRY STABILIZATION (AMENDMENT) BILL

Second Reading

Mr DAY (Casino), Minister for Agriculture [5.25]: I move:

That this bill be now read a second time.

The main purposes of the bill are, first, to introduce a system of State accountability for the cost of receiving, storing and handling wheat on behalf of the Australian Wheat Board, and second, to provide for the introduction of a variety control scheme for wheat by the imposition of dockages on varieties with undesirable characteristics, which are delivered to the Australian Wheat Board. The amendments to the Act are complementary to amendments of the Commonwealth Act which have already been passed oy the Commonwealth Parliament. All other States have indicated that they will also pass complementary legislation. The amendments are supported by the Australian Wheatgrowers Federation and the Australian Wheat Board and have been agreed to by the Australian Agricultural Council.

In the past the costs for wheat handling and storage have been pooled on an Australia-wide basis. Under the revised arrangements this pooling will no longer apply. Growers delivering wheat to the receival system in each State will be charged a rate for storage and handling that is appropriate to the costs of the bulk handling authority in that State. Basically, the past arrangement provided for the reimbursement to bulk handling authorities by the Australian Wheat Board for all costs incurred in the handling of wheat, including provisions for depreciation. In addition, the Australian Wheat Board paid the bulk handling authorities a hiring charge. In practice, the Australian Wheat Board met virtually all costs incurred by the bulk handling authorities less the income derived for storing and handling coarse grains and oilseeds. ALL costs incurred by the Australian Wheat Board for storage and handling of wheat were then pooled among all Australian wheatgrowers so that every wheatgrower in Australia had an identical amount deducted from his return per tonne to cover handling and storage costs, even though costs varied considerably from one State to another.

The Grain Elevators Board of New South Wales supports the principle of the new proposal which has been termed State accountability, even though it is aware that grain handling and storage costs are higher in New South Wales than they are in other States. The other State which has a cost level approaching that of New South Wales is Western Australia, which is the other large wheat producing State. New South Wales and Western Australia together account for approximately two-thirds of the Australian wheat crop. The Grain Elevators Board of New South Wales has supported State accountability in principle because it believes that the existing cost–plus basis of remuneration is undesirable and does not help to promote efficiency or cost consciousness amongst the bulk handlers.

The second main purpose of the bill is to provide for the control of wheat varieties being grown in New South Wales. The proposed amendment aims to eliminate the planting of varieties that are prone to serious plant diseases. It aims also to encourage planting of wheat varieties that are most likely to achieve a balance of optimum yield and quality, having regard to the area in which they are planted. The general scheme is for the legislation in each State and the Commonwealth to be amended to allow the Minister to determine each year the wheat varieties that are recommended. In New South Wales it is proposed that the Minister, on the recommendation of the New South Wales standing advisory committee on wheat, will name the wheat varieties that are recommended for delivery to each silo. If a recommended variety is delivered to a silo it will be accepted by the Australian Wheat Board without any dockage.

If a variety is delivered to a silo which is not recommended for acceptance at that silo, then the Australian Wheat Board will impose a dockage on that variety according to a scale of dockages decided from time to time by the board in consultation with the standing advisory committee on wheat.

The purpose of the scheme is to discourage the growing of non-recommended varieties which will affect the marketing of wheat or expose the State's wheat crop to disease. It should also increase the effective storage capacity of the grain receival system by a reduction in the number of segregations required at each silo. The scheme has been developed in close consultation with grower organizations, which have unanimously supported the proposal. In anticipation of the legislation, New South Wales has introduced a voluntary scheme for the 1978–79 wheat season. Varieties were recommended for delivery to each silo but no dockages were imposed. This has been done to enable the smooth introduction of the compulsory scheme and to allow farmers to get used to the system before being penalized. The passing of this legislation will not automatically impose a dockage system on New South Wales farmers. It will only provide for a scheme to be introduced in the future. It is expected that the voluntary scheme will continue to operate until the 1980 wheat season. This will give farmers plenty of time to change over to recommended varieties.

I now turn to the provisions of the bill. Clause 1 contains the short title. Clause 2 amends the present Act in the manner set forth in schedule 1. Item (1) (a) redefines a licensed receiver as a State corporation. Item (1) (b) defines a State corporation by naming the bulk handling authority in each State. This amendment has been necessary to achieve State accountability. Bulk handling authorities in turn are empowered in this bill to appoint agents approved by the Australian Wheat Board. Item (2) amends section 9 of the Act. That section allows the Governor, at any time, to cancel any licences issued to persons other than the Grain Elevators Board and to require all wheat delivered in New South Wales to be delivered to the board. The provision is re-enacted in the amending bill in a slightly different form to provide for State accounting and to ensure that the New South Wales Grain Elevators Board can, at any time, obtain complete control over the receival of wheat in New South Wales.

Item (3) of schedule 1 implements State accountability and wheat variety control. It also removes the ceiling on the freight advantage for wheat delivered in Western Australia. At present, Western Australia obtains an advantage with freight charges because that State is closer to the countries taking our export wheat than the other States. At the moment that advantage is restricted to 92c a tonne. All States have agreed that the ceiling is no longer applicable, in keeping with the principle of State accountability for bulk handling and storage costs. New section 13 (2) (c) (ii) allows the Australian Wheat Board to deduct an amount based on the varieties of wheat delivered to the board. As mentioned previously, all States have agreed in principle to the varietal control scheme. All States, with the exception of Victoria and Western Australia, are proceeding with the introduction of this amendment without delay. Victoria and Western Australia propose making the necessary amendment to their legislation next year. That is why those two States are specifically excluded from the provisions of section 13 (2) (c) (ii).

Proposed new section 13 (2) (c) (iii) refers to section 40 of the Commonwealth Act, the section under which the Australian Wheat Board and the New South Wales Grain Elevators Board enter into an agreement for the remuneration to be paid by the Australian Wheat Board to the Grain Elevators Board. The remaining amendments to section 13 are a repetition of the existing provisions in a different form.

Mr Day]

A new section 13 (2A) defines a prescribed class as wheat determined by the appropriate Minister of each State, and it is fixed by reference to the variety and any other criteria. In New South Wales, as I have mentioned, the prescribed class will be recommended varieties of wheat for delivery to named silos.

Item (4) of schedule 1 inserts a new section 15A which provides that a person who delivers wheat to a licensed receiver shall, at the time of delivery of the wheat. deliver to the licensed receiver a declaration in writing, signed by him, stating to the best of his knowledge and belief, the variety of the wheat so delivered. The positive identification of the different varieties of wheat is not possible by visual means at the point of receival at the silo. Varieties can be definitely identified by a system of growing the wheat and its variety can be determined during and at the conclusion of the growth of the plant. It is, therefore, necessary to have a declaration of the variety from the person delivering the wheat and it is proposed to conduct spot checks from time to time. If the samples taken prove to be different from that stated in the declaration, then an appropriate dockage can be deducted from the second payment. Persons who wilfully and knowingly make a false statement on such certificate will be subject to the general law of fraud.

Clause 3 is a savings clause and provides that the licensed receiver in Mew South Wales will continue to hold a licence to receive wheat and it cannot be cancelled or suspended. Clause 4 makes the State accountability provisions retrospective to 1st October, 1978, because the new agreements between the New South Wales Grain Elevators Board and the Australian Wheat Board have been implemented in the current season. The Grain Elevators Board of New South Wales has entered into an agreement with the Grain Elevators Board of Victoria in respect of an area in the southern part of New South Wales where there is a rail freight advantage on the consignment of wheat to Geelong compared to its consignment to Sydney.

The two boards have entered into an agreement whereby the Grain Elevators Board of New South Wales will operate ten storages owned by it on behalf of the Grain Elevators Board of Victoria. It has been agreed that growers delivering to those stations, which I shall name, will be charged $9 a tonne compared to the normal New South Wales charge of $12 a tonne and that, with the exception of mill premium soft wheat received at Coleambally, wheat delivered to those stations will be moved by either road or rail to Geelong for export, or to Victorian flour mills or stock feeders. The receivals stations covered by the agreement this season are Tocumwal, Finley, Berrigan, Jerilderie, Coleambally, Hopefield, Balldale, Brocklesby, Urana and Rand.

The arrangement may result in a slight fall in the quantity of wheat freighted by the Public Transport Commission but the quantity should not be significant, as substantial quantities of wheat from the area concerned have normally been freighted to Victoria, either by road or by rail. The new arrangement will result only in minor changes in this respect and, in so far as the arrangement inhibits interstate movement of wheat, it will be generally beneficial to the New South Wales economy. These amendments are being made to provisions of the current wheat industry stabilization plan. The 1978–79 season, which we are now entering, is the final year of the plan. New legislation will be introduced next year to cover the arrangements to apply beyond the 1978–79 season. I commend the bill to honourable members.

Mr MURRAY (Barwon) [5.36]: The Opposition supports the proposals in the bill though honourable members on this side propose to raise some queries. The Grain Elevators Board, apart from a few silos that were built in the depression years. is a wholly owned grower organization. The growers borrow money and repay it to the government of the day for the construction of silos. The operation of those silos, which are open to all growers, is virtually paid for by the growers. The general basis of

operation is that the growers pay in proportion to the amount of wheat they deliver to a silo. For many years the system has been operated on an Australia-wide basis. The bill creates a State accounting system which makes each grower much more personally involved in the operations of the board. It also places a greater responsibility on the board itself.

The grower is now in a position where he knows, in relation to his own State, what the operation will cost him. He does not have to subsidize the costs incurred by other States. No longer will the operation of the boards in other States cause fluctuations that affect New South Wales. Likewise, expense created in New South Wales will not be shared by another State. This year, as the Minister has said, the handling charge for wheat will be $12 a tonne. Where wheat is delivered to silos in Victoria the charge will be $7 a tonne. That will raise many queries in the minds of growers.

The costs of the Grain Elevators Board, which are paid by growers, must be carefully scrutinized, as they will be by growers. Costs for wages, temporary storages, contract carriers, purchases of supplies such as iron and wall timbers, and the establishment of second and third receival points for quite a number of silos must be carefully scrutinized. Not only must the Grain Elevators Board be satisfied about costs but the grower also must be satisfied. The stage has been reached in the operations of the board where growers of the State have to be convinced that, by virtue of the bill, they will receive the best possible deal and that the whole of the operations of the board are carried out in a manner that satisfies them.

Many growers are sceptical, especially in view of the handling charge of $12 in New South Wales compared to $7 in Victoria. Many do not realize that an averaging scheme is used in the New South Wales system. The cost will not vary a great deal, regardless of the quantity of wheat grown in a particular year. The system has always been one in which costs are divided by total production in each year. In a good year a lot of wheat goes through the system and the cost is divided so that the cost a bushel is low. In a small production year only a small amount of wheat passes through the silos and the cost a bushel is high. With the averaging system that will be conducted by the Grain Elevators Board, an averaging cost structure will be established which will not vary a great deal from year to year. If the normal system were applied this year, in all probability the charge would be well down on $12: It could conceivably be $7 or $8. By the same token, if one-third of the crop is harvested next year, the cost will be $15 or $16.

The adoption by the Grain Elevators Board of State accountability places on that organization a heavy responsibility to convince its own management and the growers of its integrity and bona fides. It would be a good idea for the board to bring in an outside body such as W. D. Scott and Company or a similar organization to examine thoroughly and report on the accounting system in order to give to the whole industry a basis on which to look to the future. Growers would know at the start of individual accounting that a solid basis had been established and that the operation had been examined and reported upon. They could then look at the various costs that would apply in future years. The board would know that its operations had met the scrutiny of people outside the industry.

It is not often that a board or body can look at itself objectively. This is essential for the future operations of the Grain Elevators Board under the system of individual accounting in New South Wales as proposed by the bill. I read a headline in the newspaper the other day about a big Christmas bonus for growers. One interpretation of the article was that the people of Australia had made a contribution to the wheat industry. To keep the record straight in relation to wheat, in exactly the

same way as it relates to silos, to which the bill refers, I point out that the growers pay the whole of the cost of borrowing money. Money is borrowed from the Reserve Bank at 9¼ per cent interest. When the wheat is sold the money is repaid to the Reserve Bank, as is the interest, by the grower and not by the people of New South Wales. The board is a co-operative organization which is not subsidized by consumers. Quite often the wheat industry subsidizes the consumer of bread.

The next matter I wish to discuss is the power of the Grain Elevators Board to license what ought to be termed outside receivers. The High Court decision means that the Grain Elevators Board should license receivers and silos other than those constructed and maintained by State authorities. That is a most interesting decision. It will ensure that the facilities available operate to maximum capacity. Quite often we have seen a small harvest in Queensland and a large harvest in New South Wales, though there has been no movement of wheat from New South Wales to Queensland. If this were done it would relieve storage problems in New South Wales. The reverse would apply, too, in appropriate seasons. The imposition of dockage for the supply of certain varieties of wheat is one of the best factors in this bill. It is vital that proper control is maintained within the wheat industry. Over the years there has been much breeding and research to get good varieties of wheat.

On occasion, the State's whole wheat crop has been wiped out by rust. Wheat varieties with high resistance to rust and root rot have been established. Despite this some growers take no advantage of research achievements. They do not accept advice as to the best variety of grain for their area. They bring in seed wheat from another district and perhaps with it various strains of diseases that might have the effect of throwing years of research and breeding down the drain. Taking southern wheat to northern New South Wales can have this effect. A wheat that is totally resistant to rust in the south may not maintain that characteristic in the north. The same applies with smut. The grower has an undeniable right to plant the variety of wheat of his choice. However, he cannot be allowed to threaten other sections of the industry without cost to himself. The imposition of variety dockage seems to be the best way to bring commonsense to growers. Wheatgrowers have a responsibility not only to grow a good crop of wheat for themselves but also not to harm their industry. The wheatgrower has a responsibility not to downgrade the silo to which he delivers. If a grower sends an inferior quality or barred variety of wheat to his silo it will not fit into the sale that will be made from that silo.

Item (4) of schedule 1 to the bill is, I believe, the weakest part of the measure. This proposed new section nullifies the other proposals in the bill. I have not moved an amendment though I believe one is necessary. The section should be completely rethought. A lot more work will have to be done on it to overcome the problem I envisaged. I do not think I could improve on what is there without a lot of legal expertise, and so an amendment would achieve nothing at this stage. Proposed new section 15A provides:

> A person who delivers wheat to a licensed receiver shall, at the time of delivery of the wheat, deliver to the licensed receiver a declaration in writing signed by him stating, to the best of his knowledge and belief, the variety of the wheat so delivered.

It is totally impractical to do this on the basis of wheat delivered. Nowadays growers employ contract strippers to harvest their crops quickly. Quick stripping of wheat requires the employment of contract carriers many of whom subcontract to lorry owner–drivers. Also, the Grain Elevators Board is anxious to receive wheat as quickly as possible. Those three factors—increased speed of stripping, use of multiple lorries and increased capacity of the board to receive the grain—result in less contact

between the grower and the silo. Take my own case, as an example. I employ a contractor to strip the wheat. I engage a contract lorry driver to transport that wheat to the silo. I tell the contractor at the beginning of the job that the variety of the wheat is timgalen. The contractor's employees or the subcontractors take the wheat to the silo and the silo manager asks what sort of wheat it is. If the contractor has not told his employees or the subcontractors what type of wheat it is the lorry driver most probably asks the nearest person, "What type of wheat do they grow up here?" Somebody would undoubtedly say, timgalen, and for that reason, my wheat becomes timgalen.

At harvest time trucks and lorries converge from all over the State. Many coal lorries come from the coalfields to cart wheat. Recently lorries from Kyogle have been working in the Northwest. The fact that a person delivers wheat to a silo and says it is of a particular variety does not commit the grower in any way. The person who has made the delivery signs that to the best of his knowledge it is of a particular variety. He is not committing the grower and in fact it might be a different type of wheat altogether. Once the wheat is in the silo no one can say that it came from a particular lorry. Once it goes past the testing station, whether it be an hour or a day later, it cannot be pinpointed. It must be tested before it goes past the station. We are all familiar with running samples. The Minister said there is no way of sampling all wheat in this way.

A mere statement that to the best of his knowledge and belief the variety of wheat delivered is such and such means virtually nothing. The grower must be committed to make a statement as to the variety of his wheat. The grower must have the responsibility. The lorry driver might cart coal for eleven months of the year and wheat for the remaining month. This is a grower's responsibility and the grower must be committed. He must say it is a particular variety of wheat. This can be done perhaps when the first load is delivered to the silo or even before the harvest is commenced. The grower could go to the silo and complete a statement for the silo manager that the wheat he is growing on his property is of such-and-such variety. If other varieties are detected through running samples taken later, action, as proposed in this bill, should be taken.

The inclusion of section 15A in its present form is a complete and utter waste of time. Whether it can be put into better legal language I do not know. If the Minister takes a month or so to rethink that provision and achieves a workable solution he will have our support. In its present form it is impractical. We know that 99 per cent of wheatfarmers are honest. It is necessary to deal with the "smarty" who will take advantage of the section as it is now drafted so quickly that it is a waste of time giving legal effect to it. I hope the Minister and the chairman of the Grain Elevators Board will pass on to the board the views I have expressed tonight, and that there will be a close look at this industry. The Opposition supports the bill.

Mr DAY (Casino), Minister for Agriculture [5.56], in reply: As the honourable member for Barwon correctly points out, the Grain Elevators Board is owned and controlled by wheatgrowers. I am sure they will respond to any suggestion that there should be some investigation of the means to control costs, which they will now have to meet. I agree with the honourable member that some difficulties are associated with proposed section 15A. It has been pointed out to me that during the whole of last season and in this season so far, drivers have been signing declarations of the varieties carried. There have been no problems in this respect for many years. If there is any suspicion that a declared variety is incorrect, tests will be carried out and, if necessary, dockage can be made later from payments due to a grower. Spot checks will help to

monitor the system. If some problems arise in practice, an amendment to the legislation would be appropriate. I and the Government will lend our support to such an amendment. However, as things stand, it is not thought that the legislation in its present form will not work as intended.

Motion agreed to.

Bill read a second time.

Third Reading

By leave, bill read a third time, on motion by Mr Day.

[Mr Speaker left the chair at 5.58 p.m. The House resumed at **7.30** *p.m.]*

TOTALIZATOR (AMENDMENT) BILL

Second Reading

Mr BOOTH (Wallsend), Minister for Sport and Recreation and Minister for Tourism [7.30]: I move:

That this bill be now read a second time.

As I mentioned when introducing this bill, at present, apart from horseracing meetings conducted at the four major metropolitan racecourses and in a few very minor exceptions, the only means of placing bets on races conducted at other courses is through the medium of bookmakers. This bill, in allowing the transmission of totalizator investments from one racecourse to another, will enable punters at country and provincial race-meetings to reap the benefits that would flow from tapping into larger and more viable pools. This would enable them to receive the same odds and benefits that are available at the metropolitan meetings. Therefore, where country and provincial racetracks are suitably equipped, punters will be able to make use of the various types of betting available at Sydney meetings, including trifecta, quinella, doubles and the normal win and place betting.

The transmission of bets from one racecourse to another will, in all likelihood, quite apart from providing an additional facility for racing patrons, generate additional revenue for the clubs concerned. The transmission of investments will allow a common pool made up of off-course investments through the TAB together with investments at the racecourses concerned, which would lead to a declaration of common dividends. The attraction of punters being able to take advantage of this betting medium will thus generate additional revenue for the race clubs, and may attract larger crowds to the country and provincial race-meetings.

The Government sees this initiative as a step that will assist the smaller, less financial race clubs to provide better facilities for patrons. As I mentioned earlier, other than at meetings for horseraces conducted at the four major metropolitan racecourses, with minor exceptions, the only means of "away" betting is via bookmakers. As the return to clubs from the operation of bookmakers is considerably less than that derived from the operation of totalizators—in fact, the majority of greyhound and trotting clerks receive only a flat fielding fee from bookmakers irrespective of turnover—this legislation will ensure that a greater share of the available moneys goes to the club and therefore, indirectly, back to the punter by way of additional

facilities. I must say that the technicalities of transmission of bets from one racecourse to another would present no problem to clubs utilizing adequate facilities and competent staff to handle not only the routine situations but also any emergency that may arise.

I shall deal now briefly with the details of the bill. Proposed section 3B provides that with the approval of the Minister and, subject to such terms and conditions as he may impose, a racing club may, on any racecourse at which it holds a race-meeting, cocduct totalizator betting upon any event or contingericy scheduled to be held on any other racecourse on which bets are paid into a totalizator, for transmission into a totalizator used on any racecourse within New South Wales.

The major portion of the bill consists of provisions for the distribution of the commission deducted from the pool. I should point out that provision is made for clubs operating totalizators under proposed section 3B to continue receiving the same proportion of commission as would apply should they be operating their own investments pool and not pooling bets with bets made on a totalizator used on another racecourse. The remainder of the bill provides for the omission of any reference in the Totalizator Act to the Treasury or the Treasurer. Such references are no longer appropriate following the transfer of the responsibility for the administration of this Act from the Treasurer's to my portfolio. I commend the bill to the House.

Mr ROZZOLI (Nawkesbury) [7.33]: As I intimated at the introductory stage, I find no conflict in this matter. In many ways it deals with a routine matter, but it does have some far-reaching effects on the racing industry generally and the provincial clubs in particular. The bill provides, not only for the race clubs that operate from their home courses, but also for race clubs that operate at a course that is not their home course. For example, in my electorate the Hawkesbury District Agricultural Association conducts trotting meetings on the course of the Hawkesbury Race Club.

It is principally of significance to the provincial clubs that cannot by advertising attract large crowds and are more susceptible to the vagaries of weather which may not be bad enough to cancel a meeting but will deter people from attending at the course. The provision will enable those clubs to attract a larger public following. The scale of percentages paid out to the clubs is being varied slightly from existing provisions. I accept tha. as an actuarial assessment of the appropriate payout percentages considerably increased income will come to provincial race clubs which are committed to a large capital investment so that they may provide basic facilities. The advent of the TAB has been a great boon in providing better facilities at such clubs.

In his secocd reading speech the Minister mentioned briefly the abolition of all direct payments to the Treasury. These payments will now be made to the Minister per medium of the director of the Department of Sport and Recreation. Although I do not question the propriety of that, I shall be interested to know why it was necessary to make such a change. Inevitably the money ends up in consolidated revenue. This would seem to be a more circuitous route than direct payment to the Treasury. I accept the Minister's explanation that competent staff and adequate facilities will overcome any possible delay in declaring dividends at the conclusion of races. There is a necessity to ascertain with absolute certainty the return from any racecourse that contributes to the pool. It is incumbent on race clubs to make sure that they are efficient and do not unnecessarily delay the declaration of dividends. With that slight reservation the legislation will be beneficial to the industry. The Minister did not mention that a bet could be placed with SP bookmakers on events being held at the same time at different racecourses. It has been said that the only

way the TAB could equal the charm of the SP bookmaker would be to declare the TAB illegal. That might add some spice to betting on the TAB. The bill will bring the TAB into conformity with facilities available in other betting mediums. The measure should be well received by the industry and by the public, which is entitled to this service.

Mr BOOTH (Wallsend), Minister for Sport and Recreation and Minister for Tourism [7.38], in reply: The reason for the adjustment in financial arrangements is that the responsibility should rest with the Minister instead of with the Treasury. The money will find its way into consolidated revenue and there is no way in which that machinery can be altered. The declaration of dividends is a matter for the administration of the clubs. The honourable member for Hawkesbury virtually answered his own question by saying that clubs that take advantage of the innovative measures provided in the bill will be alive to the responsibility of providing people on course with the best possible service and the prompt declaration of accurate dividends. I assure the honourable member that these things have been taken into consideration. Racing clubs look forward to the possibility of this machinery being provided at other than the major racecourses.

Motion agreed to.

Bill read a second time.

Third Reading

By leave, bill read a third time, on motion by Mr Booth.

PUBLIC HOSPITALS (UNITED DENTAL HOSPITAL OF SYDNEY) AMENDMENT BILL (No. 2)

Second Reading

Mr K. J. STEWART (Canterbury), Minister for Health [7.42]: I move:

That this bill be now read a second time.

As I stated at the introductory stage, the principal objects of the Public Hospitals (United Dental Hospital of Sydney) Amendment Bill are to afford the United Dental Hospital of Sydney a corporate status; to vest certain lands at present occupied by the United Dental Hospital of Sydney in the Health Commission of New South Wales; and to ensure that the rights and benefits of the employees of the United Dental Hospital of Sydney are preserved upon its incorporation. At present the United Dental Hospital of Sydney is an unincorporated body constituted under the Dental Hospitals Union Act, 1904. It is subject to the control and management of a board of control appointed by the Governor and is a hospital mentioned in the third schedule to the Public Hospitals Act, 1929. All other major teaching hospitals in New South Wales are corporate bodies and the board of control of the United Dental Hospital considers it would facilitate the control and management of that hospital if it were given corporate status. This bill will enable the granting of that corporate status.

The Public Hospitals (United Dental Hospital of Sydney) Amendment Bill was introduced into Parliament in February this year. Although the provisions of that bill were passed unanimously by this House, the Opposition in another place sought to amend the bill in order to particularize the functions and activities of the United Dental Hospital of Sydney. The bill subsequently lapsed. The Government considers that the proposed amendment to the former bill could unnecessarily restrict the activities of the board. Therefore, the bill now before the House does not include that amendment.

I turn now to the provisions of the bill. Clause 1 cites the short title. Clause 2 specifies the schedules to the bill. Clause 3 provides that the Public Hospitals Act, 1929, shall be amended in the manner set forth in schedules 1 and 2. Clause 4 asserts that the word director in the context of section 24 (2A) of the Public Hospitals Act, 1929, is not to be construed to include a director appointed by the Minister. Schedule 1 details amendments to the Public Hospitals Act, 1929, relating to the United Dental Hospital of Sydney. Item (1) of schedule 1 makes minor amendments. Item (2) provides that when an order is made pursuant to section 4 (2) of the Public Hospitals Act, 1929, adding the name of the United Dental Hospital of Sydney to the list of incorporated hospitals mentioned in the second schedule to that Act, the name of the United Dental Hospital shall be removed from the list of separate institutions mentioned in the third schedule to that Act. Items (3), (4), (5), (6) and (7) make minor amendments. Item (8) adds a new division to part VIA of the Public Hospitals Act, 1929, and comprises new sections 33FA to 33FG.

New section 33FA stipulates that the division, excepting those provisions that will commence on the date of assent to the amending legislation, shall commence on the day upon which an order is published under section 4 (2) of the Public Hospitals Act, 1929, adding the name of the United Dental Hospital of Sydney to the second schedule to that Act. New section 33FB defines board, board of control, chairman, hospital and superannuation scheme. New section 33FC provides that the board of the United Dental Hospital of Sydney shall consist of nine directors appointed by the Minister. Three of those directors shall be nominated by the University of Sydney. The section further provides that if for any reason the university declines to nominate persons, the Minister may nominate persons who shall, on appointment, be deemed to have been nominated by the university. In addition, the section provides that the Minister shall appoint the chairman.

New section 33FD provides that the land which is not already vested in the Health Commission and upon which the United Dental Hospital is situated shall be vested in that commission. The land is vested at present in the Minister for Public Works. New section 33FE directs the Registrar-General to issue to the Health Commission a certificate of title for the whole of the land occupied by the United Dental Hospital. New section 33FF contains savings and transitional provisions relating to the employees, servants, or members of the staff of the hospital which ensure that they will not be disadvantaged by the incorporation of the hospital. The section provides specifically for the continuation of employment of the employees, servants, and members of the staff after incorporation; the retention by such persons of rights accrued or accruing under a superannuation scheme including the right to continue to contribute; the continuation of existing salary, wage and industrial conditions subject to any variation in an award, agreement or determination or to an order of a court of competent jurisdiction; and service by such persons with the unincorporated hospital to be deemed, for the purposes of annual leave, sick leave and long service leave, service with the incorporated hospital.

New section 33FG preserves the power of the board of control before the appointed day, empowers the hospital on or after the appointed day, and empowers the Health Commission at any time to make application, pursuant to section 92 (1) of the Superannuation Act, 1916, to amend, in respect of the United Dental Hospital, the list of employing authorities contained in schedule III to that Act. The term appointed day is defined to mean the day upon which the hospital is incorporated. Item (9) adds the sixth schedule to the Public Hospitals Act, 1929. This schedule describes the land upon which the hospital is situated. Schedule 2 provides miscellaneous amendments to part V of the Public Hospitals Act, 1929. Items (1), (2) (a) and (b), (3) and (4)

remove a doubt which may exist concerning the meaning given to the word director in sections 21A, 23C (1), 24 (2A) and 24B of the Public Hospitals Act, 1929. Item (2) (c) omits part of section 23C (1) of the Public Hospitals Act, 1929, which no longer has effect by reason of the effluxion of time. I commend the bill to the House.

Mr J. A. CLOUGH (Eastwood) [7.50]: The Opposition does not have any comments to make in serious opposition to the bill and it will not be moving any amendments. A similar bill was introduced prior to the last elections as one of two cognate measures. One was the Dental Hospitals Union (Repeal) Bill, 1978, and the other the Dentists (Dental Board) Amendment Bill, 1978. The Minister referred, as does the bill, to a board of control. I should have thought that this would be redundant. The Dentists (Dental Board) Amendment Act, which was assented to on 12th April, provided in section 3 that the Dentists Act of 1934 was amended by omitting from section 4 (1) the word president and by inserting instead the words "chairman of the board of directors". Section 4 (2) of the Dentists Act, which provides that the Governor may appoint one of the members of the board to be president of that board, is still retained. Notwithstanding the amending legislation, that provision still remains in the Dentists Act of 1934 and it would appear that the matter is invalid.

Some tidying up of section 4 (2) of the Dentists Act will be necessary as there will no longer be a president after the amending legislation now before the House is passed. A further matter to which I draw the Minister's attention is that the Dental Hospitals' Union Act was repealed by the Dental Hospitals' Union (Repeal) Act of 1978, which was assented to also on 12th April. That included the repeal of section 3 of the Dental Hospitals' Union Act, which referred to the board of control. Throughout the amending legislation the board of control is referred to. Had the bill now before the House been passed and assented to concurrently with the two amending bills to which I have referred, everything would have been in order. There appears to be some irregularity wherever the words "the board of control" occur. The Minister has said that the purpose of the bill is to incorporate the hospital. This should satisfy the board of directors. The hospital will fall within schedule 2 of the Public Hospitals **Act** as an incorporated body. That also will remove a lot of concern from the minds of the directors and those responsible for the future management of this hospital.

The bill increases membership of the hospital board from seven to nine. That is in line with schedule 2 hospitals: provision is made in the Act for the boards of schedule 2 hospitals to be not less than nine members and not more than twelve members. I turn now to Act No. 74 of 1978. By section 3 of that Act the Dental Hospitals Union Act of 1904 is repealed. But by proposed new section 33FB of this measure a new division 2 is created in part VIA in respect of the United Dental Hospital of Sydney. The relevant part of proposed new section 33FB reads:

> "board of control" means the board of control referred to in the Dental Hospitals Union **Act,** 1904, of the United Dental Hospital of Sydney;

However, I have a copy of legislation that repealed that Act in April of this year, so to that extent the reference is surely redundant and has no validity in the bill. I draw the attention of the Minister to that matter. Proposed new section 33FC (4) reads:

> The Chairman shall be the director who is so appointed by the Minister in and by the notification of his appointment as a director or by a subsequent notification published in the Gazette.

In the bill it is pointed out that the chairman may be appointed by the board, in line with other officers of the hospital. It is not clear whether the Minister intends to appoint the chairman for the first time and then leave it to the hospital to appoint the board subsequently. It seems to me that the chairman will probably always be

appointed by the Minister. That is hardly in keeping with the principles of present schedule 2 hospitals. I draw that point also to the Minister's attention. The bill provides that the chairman shall be appointed for as long as stipulated by the Minister, but it does not indicate whether it is to be for three years, five years, seven years or ten years. Doubtless the Minister will clarify that, and no doubt it will be done by regulation. It seems to me that the Minister, after he has appointed the first chairman, ought to allow the chairman to be appointed by the board of directors.

The Minister referred to the new provision preserving the rights of employees under the new legislation to be employed under the same terms and conditions and at the same salaries as they are receiving at present. He said that employees will be entitled to subscribe to the same superannuation funds. It is interesting to note that employees of the United Dental Hospital of Sydney at present subscribe to two different superannuation funds. Two officers only, the superintendent and the deputy superintendent, subscribe to the State Superannuation Fund; the rest of the employees subscribe to the local government superannuation fund. That will still be allowed.

It should be made clear to employees that by proposed new section 33FF (3) an employee, if he decides not to continue to contribute to the local government fund or, in the case of the superintendent and the deputy superintendent, the State Superannuation Fund, will be deemed not to be an employee. The employees of the hospital ought to be informed that they run the risk that if they decide not to continue to contribute to the fund to which they belong they stand the risk of being unemployed, because contribution to a fund is compulsory. I do not think employees would want to do that, but there may be some employees who, for some reason or another, would wish to do so. Those employees ought to be informed of the risk involved.

Again I refer as a matter of interest to amending legislation. I refer to Act No. **95** of **1976.** Perhaps for one reason or another at that time the Government did not wish to incorporate the hospital. One would have thought that the Government would have taken the opportunity to incorporate the hospital by Act No. **95** of **1976.** That Act validated incorporation of hospitals. By section **6** of that Act a transition provision was made in regard to directors so that, subject to the Act, the director would be construed to be still a director at the time of the assent to Act No. 95 of 1976, or for a period of five years from date of assent to the Act. Having regard to the provisions of that amending legislation one would have thought that in this bill the Minister would have been more explicit about the appointment of the chairman. Though the present hospital board is pleased that the hospital is to be incorporated, as the board will be relieved of responsibilities that go with unincorporated bodies—particularly bodies of such a magnitude—I was interested to get my hands on a document in regard to the history of the hospital and to find that the writer was against incorporation, probably for sentimental reasons. I shall quote what the person who prepared the information wrote:

> It is the writer's view that the Dental Hospital should not be placed in the Second Schedule to the Public Hospitals Act and the following reasons for this view are given—
>
> **(1)** Of the organizations contained in the Third Schedule to the Public Hospitals Act, the Dental Hospital is the only one which relates to the provision of services other than medical services.
>
> (2) The United Dental Hospital is entirely unlike a public hospital in many respects, the most important of which are as follows:
>
> (a) Each patient for the whole of the time he is treated at the Dental Hospital will be treated by a fully qualified dentist or by a student under direct qualified supervision.

Mr J. A. Clough]

(b) The percentage of full-time University qualified personnel to total staff is infinitely higher than in medical hospitals.

(3) The function of the United Dental Hospital is the Social Service care for all adult patients for practically the whole of the Metropolitan Area of Sydney and the instruction of undergraduates in dentistry for the whole of the State of New South Wales. It is the writer's view that the Dental Hospital has for years been neglected by both the Universities and the State Government. When it comes to financing, the United Dental Hospital seems to fall between two fires. A simple inspection of the magnificent medical teaching hospitals on the one hand and the modern University buildings to house the various Faculties on the other must prove this point.

(4) The writer is unable to locate a definition of "a teaching hospital". It is clear, however, that even though the United Dental Hospital of Sydney has been described as a teaching hospital by the Australian Universities Commission it is not treated as such when it comes to allocations of capital and other grants.

Mr DEPUTY-SPEAKER: Will the honourable member identify the document?

Mr J. A. CLOUGH: It was prepared by Mr Hugh Norton, a member of the board of the hospital. It is rather whimsical that this hospital is designated a 500-bed hospital yet I am informed that it has only six beds. If a general anaesthetic had to be administered, particularly in a serious case, the patient would have to be removed to Royal Prince Alfred Hospital.

Mr K. J. Stewart: That is quite right. There are no beds there at all.

Mr J. A. CLOUGH: I was told that there were six beds in that hospital. There is not much difference between six and none, though there is a big difference between 500 and none. This hospital has quite an interesting history. Now that it is to be incorporated and will come under schedule 2 of the Act and its property vested in the Health Commission, I should like to take the opportunity to tell honourable members something about its history. These days we hear a lot about the affluence of so-called tall poppies who are said always to be trying to squeeze the poor. We hear most about doctors and dentists who are regarded as the rich. What is now called the United Dental Hospital was originally established by the dentists of Sydney. It was known as the Sydney Dental Hospital, organized by dentists for indigent patients. Its origin is not well known and proper recognition should be given to the dental profession for its foresight. Too often we hear that doctors and dentists are ever ready to squeeze money out of the community; in fact, they do an enormous amount of voluntary work for the community.

In 1900 the University of Sydney Dental Hospital was established for teaching and eventually these two hospitals were merged by what is known as the Act of union, repealed some time ago. A lot has happened in the transformation. A little brick building, four storeys high, was contructed in 1910. It was pulled down in the 1950's. The original main building was built in 1939 and extensions added in 1950. In 1955 it was increased to eight storeys. Later the old nearby Metro-Goldwyn-Mayer building was acquired and after internal reconstruction was used for administrative offices and a laboratory. Between the United Dental Hospital and the MGM building an old building known as the Marchants Bicycle Manufacturers building was acquired by the United Dental Hospital. That building was razed and in its place a four-storey building constructed. It provides entrance for ambulances and stores and houses the canteen, which was transferred from the main hospital building.

This hospital has a history of continuing progress and still development continues. It is a place of tremendous importance to the health of our community. Oddly enough, this institution, which has an annual allocation from the State Government of at least $5.5 million, has never produced an annual report. I was amazed to learn this. I am informed that it has made many reports to the Health Commission but it has never made an annual report *per* se. No doubt it will be required to do so in the future under its newfound status. It is incredible that this institution involving more than 1 000 staff and patients, including about 400 students, has never been called upon to produce an annual report.

Dentists have done a lot of good work for our community. Recently they established an emergency dental clinic in a lock-up shop. They are waiting for the regional director of health to approve the payment of overtime so that a dentist might be engaged to perform emergency surgery at all hours. More than 300 000 treatments each year are carried out at the United Dental Hospital. It is short of thirteen dental mechanics and, following the enactment of legislation in this House last week, thst number of vacancies may increase. The waiting time for dentures at the hospital is at least nine months. I hope that when the United Dental Hospital becomes an institution of the Health Commission under schedule 2 it will be able to find the extra technicians and thus offer better service to the community. As I said earlier, it has an annual expenditure of at least $5.5 million.

The hospital operates a travelling dental rail clinic at an annual cost of about $300,000 and a road dental clinic at an annual cost of about $85,000. It pursues quite an amount of research, using grants from the World Health Organization, the Medical Research Council and the National Institute of Dental Research. Each year the hospital spends approximately $300,000 on research work. Clearly it is performing a wonderful service. It is to be regretted that the hospital is about to take on its last group of apprentice dental technicians: apprenticeships will phase out in about four years. That is not good because apprentices who have gone through this hospital have been held in high regard and have always been sure of a job on completion of their indentures. In future dental technicians will undergo the prescribed course at the technical college. The hospital has also offered cadetships. Each year eight undergraduate cadetships in dentistry are offered, at a total cost of $32,000.

I should like to comment about some of the administrative officers and the board. It may be of interest for the House to know that the superintendent is Mr Colin Croker who has been on the staff, and I think in that position as superintendent, for at least thirty years. He has seen the place grow, in the true sense of the word. The board consists of seven members, though one, Mr C. J. Watt, formerly an undersecretary of the Department of Health, has retired. The chairman is Sir Emmet McDermott. Other members are Mr Eric Gee, president of the Dental Board of New South Wales, Professor Noel Martin, dean of the faculty of dentistry at the University of Sydney, Mr R. E. O'Halloran, a former police inspector and an old acquaintance of mine, Mr Harold Mayes, former registrar of the University of Sydney, and Mr Hugh Norton, a solicitor. I hope that this measure will not interfere with their tenure as members of the board. These men have served well. The new board will comprise nine members, so there will be an opportunity for at least three others to be appointed should the existing six members be retained. It would be a great pity if the flavour that is there at present is not maintained in the interests of dentistry and the community generally.

It is pleasing that this legislation is about to be put into effect. There is no doubt that this institution should be incorporated. We have no quarrel one way or the other in regard to the amendment that was put forward in another place. At the

time it was made many thought it was a good idea. I believe that this hospital will always treat the indigent and, unless some radical change occurs, it will always have a teaching place in dentistry, particularly now that the Westmead centre has been established. I am sure that the United Dental Hospital will extend its teaching facilities there. As time goes on, I hope we will see even better facilities for the treatment of pensioners and those who are unable, for one reason or another, to meet the high costs of prosthetics and other special types of dentistry. Staff levels will have to be preserved to ensure that training and teaching standards are maintained and that the waiting time for those in need of the dentistry services provided at the hospital is considerably reduced.

Mr K. J. STEWART (Canterbury), Minister for Health [8.20], in reply: I thank the honourable member for Eastwood for his contribution to the debate tonight, and I certainly thank the Opposition for their support of the measure. I do not think I would be describing the position incorrectly if I said that the bill was virtually prepared prior to my becoming Minister for Health. Indeed, the machinery for the legislation was prepared by my predecessor, the honourable member for Davidson. The honourable member for Eastwood has canvassed a number of matters this evening, not the least of which is the attitude of the New South Wales branch of the Australian Dental Association. He lauded their dentistry endeavours on behalf of the people of New South Wales. I join him in praise of that association by saying that they are a very ethical professional body. I have been most impressed by their tremendous interest in preventive dentistry and their great interest in education in dental health. Indeed, they have worked in ciose co-operation with the Government and the Health Commission in this area.

Although I do not want to mislead the House into thinking that I have never had any disagreement with the New South Wales branch of the Australian Dental Association—the events of last week would have been indicative of a great disagreement that we have had—nevertheless, I regard it as a very ethical professional body. Dentistry in this State is in very good hands when it is in the hands of the New South Wales branch of the Australian Dental Association.

The honourable member for Eastwood mentioned the mobile clinics. Perhaps he has read my speech in **1972** commending the provision of such mobile clinics. He then referred to the eight cadetships maintained at the dental hospital. If it were not for those eight cadetships, we should have no mobile clinics. How else could one get a dentist to stay three weeks at Pambula unless he were bonded to the dental hospital? Although we decided to abandon bonds for trainees, that was not done in New South Wales in respect of the eight cadetships at the United Dental Hospital. Had we done it we knew that we would not have the manpower to maintain the mobile dental clinics that move into the rural areas and the more isolated parts of New South Wales.

For many years I have been a great proponent of emergency dental services. I have always said so. The authorities of the United Dental Hospital have pointed out that as their surgical services were located in a part of the hospital that could not be isolated from the general public, the hospital would not have been secure if it were opened in holiday times to provide emergency services. Tonight the honourable member for Eastwood has stated that a section of the dental hospital is now secure and it will be possible to provide emergency dental services there. It is my great desire that during the Christmas period emergency dental services will be provided at the dental hospital for people who during that period, particularly out-of-hours, require dental attention. I hope they will receive it.

Some discussions are proceeding between the dental hospital, the Health Commission of New South Wales and the Public Service Association on award provisions for out-of-hours service and in regard to changes in rosters. I am certain, from the discussions I had this afternoon with the industrial section of the Health Commission, that all of these matters will be resolved in time for an emergency dental service to be provided at the hospital over the Christmas period. The honourable member referred to the fact that he had sought to see an annual report of the dental hospital.

Mr Einfeld: He could not get one.

Mr K. J. STEWART: That is right. When I asked for one in 1972 I was told that it was not available to members of Parliament. I then went to the Parliamentary Library and sought the help of the research officer. I said that I did not want the hospital authorities to know that I was seeking details of the work done at the United Dental Hospital. I asked an officer of our library to write to the research officer of the dental hospital saying that he had received an inquiry from a member of Parliament in regard to work performed for the previous twelve months at the United Dental Hospital. The letter was duly written. I told the library staff that as my practice was to drive past the dental hospital every afternoon I would deliver the letter personally. That letter contained a request to be supplied with details of the clinical dental work and prosthetic work done at the dental hospital during the past twelve months.

Mr Einfeld: They did not ask who was the suspicious fellow delivering the letter.

Mr K. J. STEWART: They could not recognize me. I went incognito. About seven days' later the Parliamentary Library received a reply from the United Dental Hospital to the effect that the information would not be provided, but added that if the member who wished to have such details would like to pop up and have a talk with the president of the board, perhaps he could tell the member what he wanted to know.

I regard it as essential that any public instrumentality in New South Wales, especially those working in the area of health care, whether medical or dental, should publish an annual report so that this Parliament and the people of New South Wales may have some oversight or knowledge of the work performed. I regard as a most unsatisfactory state of affairs a procedure in which a member has to interview the president of a board to obtain certain information. I assure the honourable member for Eastwood and the House that in future there will be an annual report published by the United Dental Hospital.

The honourable member referred to certain problems associated with schedule 2 of the Public Hospitals Act. All through the preparation of this legislation the board of control of the United Dental Hospital was kept completely informed. They have agreed to every part of it, including my nominating the chairman of the board. The honourable meinber also referred to the fact that it is proposed to change the title of the president of the board of control to chairman of the board of directors. If the honourable member refers to the Dental Board (Amendment) Bill, 1978, he will find that the Dental Act of 1934 is being amended by omitting from section 4 (1) of the Act the word "president" and by inserting in lieu thereof the words "chairman of the board of directois".

There is some confusion in this area because earlier this year when the Government introduced the United Dental Hospital (Amendment) Bill two cognate bills passed through all stages without amendment and were enacted in February or March, 1978. However, the passage of this measure was delayed because of an

amendment made to it in the upper House. The proroguing of the Parliament has led to the reintroduction of the bill tonight. The enactment of the bill is necessary in order that it may be related to the two cognate bills that became Acts of Parliament earlier this year. The other item referred to by the honourable member for Eastwood concerned new section 33FF (3). The honourable member is under a misapprehension when he says that if members do not pay into a superannuation fund they cease to be employees of the dental hospital. That section of the bill preserves the rights of members paying into superannuation funds.

Mr J. A. Clough: I disagree.

Mr K. J. STEWART: The honourable member disagrees with me, but I must stick to my guns. These employees must pay into the Local Government Superannuation Fund, as do employees in the public hospitals of New South Wales.

Mr J. A. Clough: That is what I said.

Mr K. J. STEWART: That is not what the honourable member said. When any person employed in the public hospital system of New South Wales becomes a permanent employee he must contribute to the Local Government Superannuation Fund. No discretion is permitted in that regard. The bill makes no differentiation for employees of the United Dental Hospital. Speaking from memory, two employees of the United Dental Hospital are paying into the State Superannuation Fund and three employees are receiving payments out of the State Superannuation Fund. At the moment, two employees are contributors to the State Superannuation Fund, whereas a large number, perhaps as many as 437, are contributors to the Local Government Superannuation Fund, which is the superannuation fund designated for employees of the United Dental Hospital of Sydney. It is misleading for the honourable member to suggest that a person can be unemployed because of the provisions of proposed section 33FF (3). That new section will apply to all of the 280 public hospitals in New South Wales incorporated under schedule 2 of the Public Hospitals Act.

I thank the honourable member for Eastwood for his interesting historical review of the United Dental Hospital of Sydney. It will continue to be the clinical training school for the University of Sydney school of dentistry and it will work in co-operation with and in partnership with the new facilities to be provided at Westmead. I hope that the board of the United Dental Hospital will not have any reason for despair because of the appointments that I shall make.

Motion agreed to.

Bill read a second time.

Third Reading

By leave, bill read a third time, on motion by Mr K. J. Stewart.

MINES INSPECTION (AMENDMENT) BILL

Second Reading

Mr MULOCK (Penrith), Minister for Mineral Resources and Development [8.30]: I move:

That this bill be now read a second time.

The Mines Inspection Act, 1901, provides for the regulation and inspection of metalliferous mines. It is a safety measure with an effective practical record. It sets the overall qualifications for those involved in inspection and management of mines and provides for safe practices in those mines. In the past this Act has been amended in keeping with the need to revalue periodically the industry's requirements and to modernize the controls that in the interests of safety should regulate it. The measure before the House also has those objectives. It will make mining operations carried on by dredges subject to the Act as are operations carried on by other types of machinery.

The Act currently makes a distinction between a mine and a dredge and correspondingly different provisions are applied to them. This distinction may have had some basis historically, but at present there is no technical or safety need to persevere with it. This matter is dealt with in items (2) and (3) of schedule 1 and in schedule 7. Schedule 2 contains amendments that will ensure that all mines, whether above or below ground, will be in the charge of a manager holding a certificate of competency or of service applicable for the class to which the mine belongs. At present qualified managers are required in a mine only where ten or more persons are employed below ground. There is no provision for the appointment of a qualified manager where work is carried out solely on the surface. It is necessary to alter this situation because of the extensive operations now conducted above ground. It is necessary to ensure that these above-ground operations are supervised by a person with specific qualifications and experience. This view conforms with the general practice adopted or to be adopted in other States and it is supported by the general code now being drawn up following meetings between chief inspectors of mines of the States and the Commonwealth.

The Minister will have power to make rules to apply differently in respect of different classes of mines, and an inspector will be empowered to issue permits to managers of mines employing fewer than twenty people who satisfy him that by their experience they are capable of managing a mine. All certificates of competency or service granted or approved by the board of examiners of mine managers after the commencement of schedule 2 will specify the class of mine to which they are applicable. Certificates of service will be granted by the Minister to persons who satisfy the board of examiners that before the commencement date they had acquired satisfactory experience of managing above-ground mines employing twenty or more people. In addition to making it obligatory for all mine managers to be qualified, the penalty for operating a mine without a manager for more than fourteen days will be increased from $100 to $250 and the daily penalty of $10 will be increased to $50.

Schedule 9 of the bill contains provisions of a transitional nature that allow persons, for a specified period, to continue to manage certain mines. This is to afford those persons an opportunity to meet the new requirements relating to managers of a mine. The bill enables an inspector to order the owner or manager of a mine to withdraw men from the mine if there is a serious threat to their safety or health. An owner or manager who fails to comply with such order will be liable to a penalty of $10,000 in respect of each day the failure occurs, unless the court is satisfied the order was not justified. The Minister's consent must be obtained before instituting proceedings for the offence. At present there is no specific power in the Act to authorize the making of such an order. In the past there have been occasions when inspectors have called upon managers to withdraw men from parts of a mine for reasons of health or safety. These occasions can arise from the existence of excess smoke and dust in a mine from

blasting operations or because of what is known as unsafe or dangerous ground. On those occasions owners and managers have fully co-operated. It is clear, however, that such a critical area of safety should be reinforced statutorily. This is the function of the provisions I have outlined which are set out in item (3) of schedule 3 and item (4) of schedule 6.

Schedule 3 also includes some increases in penalties. The penalty for failing to comply with a defect notice issued by an inspector will be increased from $100 to $250 and the daily penalty will be increased from $10 to $50. The penalty for breaches of the rules for prevention of lead poisoning in mines will be increased from $40 to $200 and the daily penalty from $10 to $50, and the penalty for failing to lodge plans of abandoned mines will be increased from $60 to $500.

In 1976 the Mining Act, 1973, was amended to allow mineowners, with the consent of the Minister, to conduct tourist activities on land held under mining leases or mining purposes leases. When giving his permission, the Minister can attach such conditions as he thinks fit. These conditions, primarily concerned of course with safety, are based on the advice of the chief inspector of mines. In this way it is possible to regulate the safety of tourist activities conducted on land that is the subject of leases under the Mining Act. However where tourist activities are being conducted on land held under a private mining agreement or in abandoned mines, the Minister's consent is not required and no conditions as to safety can be imposed.

The function of the provisions introduced by schedule 4 of this bill are to control such activities. New part IVA set out in that schedule will prohibit, unless authorized by a permit, the use of abandoned mines and certain other mines for tourist or educational activities. In appropriate cases the Minister will issue permits to authorize such activities provided he is satisfied that persons can enter the mine without risk to their safety or health. Any tourist or educational activity conducted in such a mine otherwise than in accordance with these provisions will render the owner of the mine liable to a penalty of $500. The bill has, however, certain savings provisions in respect of existing tourist or educational activities. These are contained in schedule 9.

The principal amendment contained in schedule 5 will allow elected representatives of workers in a mine to enter the mine and inspect it and any machinery used in the mine. This right was previously restricted to workers in underground mines. This provision is designed to ensure that the workers in a mine can satisfy themselves as to the safety and other working conditions of it. The rest of the amendments in that schedule are consequential upon amendments contained elsewhere in this bill.

Schedule 6 contains a number of important amendments. The general fines for offences, for which no express penalty is specified, have been increased. Where the offender is an owner or a manager, the fine will be increased from $200 to $500. If the offender is any other person, the fine will be increased from $50 to $200. The further fine to which offenders may be liable when an inspector has given written notice of any such offence is to be increased from $40 a day to $100 for every day that the offence continues after the inspector's notice.

In addition, a new provision imposing a penalty of $1,000 is to be inserted for offences against the Act relating to the storage or use of explosives. This amendment is contained in schedule 8. Proceedings for offences against the Act, other than misdemeanours punishable by imprisonment, may now be brought in the Supreme Court in its summary jurisdiction or in courts of petty sessions. The maximum penalty that may be imposed in petty sessions proceedings will be $2,000, including daily penalties, if any, or the maximum penalty provided by the Act, whichever is the lesser. In Supreme Court proceedings the maximum penalty provided by the Act may be imposed.

Proceedings in the Supreme Court may only be brought within six months of the commission of the offence. Proceedings for the offence of failing to withdraw men from a mine may only be brought with the consent of the Minister.

Schedule 6 also introduces a new section 81 that regulates the circumstances in which persons may disclose information obtained in connection with the administration of the Act. Such a provision, common to other mining legislation, is desirable to protect, on behalf of mineowners, confidential aspects of their operations. Schedule 7 repeals the third schedule to the Act. I dealt with that matter when dealing with the amendments in schedule 1 of the bill. The amendments in schedule 8 are mainly amendments for the purpose of state law revision, though a number are ancillary to or consequential upon the principal amendments already dealt with. However, one statute law revision provision is drawn to the attention of honourable members. That is the repeal of section 55 on a date to be proclaimed. Section 55 contains all the general rules. These general rules will, by virtue of item (16) of schedule 8, continue in force notwithstanding the repeal of section 55. They will, on repeal of that section, henceforth be deemed to have been made by the Governor under section 56 as general rules separate from the statutory provisions of the Act. This completes my consideration of the bill, which I commend to the House.

Mr SMITH (Pittwater) [8.40]: The Opposition has looked carefully at the bill and generally supports it. The measure provides that all classes of mines must be under a certified manager. This is a good thing. We commend particularly the provision that for a small mine an inspector may grant that certificate. There is a distinct difference between the metalliferous mining industry and the coalmining industry in New South Wales. Although both are separately regulated, their regulation is along somewhat similar lines. In the metalliferous mining industry a large number of small mines are operated by individuals, prospectors or men of prospecting type. It is essential that a certificate of service be allowed for that type of mining operation. I hope the Government will not consider this provision a step towards having totally qualified mining people, such as those with university degree qualifications or technical college diplomas, responsible for managing small mines. We must allow people to become managers of these small mines through experience. Proposed section 9 (4) covers that matter quite adequately.

The Opposition objects to the massive increases in penalties, which range from 250 per cent to 833 per cent. If the Government hopes that this is one way of increasing its revenue, I draw its attention to the Minister's statement that most cases of dispute have been happily resolved between the inspector and the manager without the need to go to court. This has been the general experience in the mining industry, which is most law-abiding.

The provision for tourist activities at mines has been much needed. The general public has a tremendous interest in viewing what goes on in mines. For people generally, a mine is another world. I draw the Minister's attention to the fact that similar provisions do not exist in the Coal Mines Regulation Act. There are proposals to have in New South Wales underground coalmining museums. The Lithgow City Council has a proposal to create in one particular area an underground coalmining museum. It would be a wonderful adjunct to that city's facilities. There is a reference to the omission of part of section 55 of the principal Act and to section 56 (1) (b) of that Act. I ask the Minister whether that foreshadows a complete new set of general rules. If it does, the Opposition looks forward to closely examining them to ensure that no changes would adversely affect the metalliferous mining industry of New South Wales. The Opposition has no objection to dredges being classed as mines. That

provision will simplify the legislation and thus be an asset to the metalliferous mining industry. I commend the Minister for bringing the measure before the House. It removes a lot of the anomalies in the old Act. Generally they are procedural matters.

Mr MULOCK (Penrith), Minister for Mineral Resources and Development [8.44], in reply: I thank the honourable member for Pittwater for his contribution to the debate. I note that the Opposition generally supports the bill. The honourable member referred to a massive increase in penalties. I assure the honourable member and the mining industry generally that the penalties have not been increased to enable the State to gain additional revenue. Rather they are an indication of the serious view that the Government takes of safety in mines. The penalty structure spells out that concern clearly.

I acknowledge that it may well be that many problems have been worked out in the past. No doubt many will be worked out in the future. However, the honourable member will be aware that more serious aspects for which heavy penalties apply are subject to the Minister's approval. That should ensure that they are not invoked capriciously. I noted that in his comments the honourable member for Pittwater referred to tourist activity provisions. I appreciate the validity of his comments. The Coal Mines Regulation Act is at present the subject of a full review, which is at an advanced stage.

The draft legislation, which has been the subject of preparation by departmental officers, is now at a stage where last week I invited the colliery proprietors, the Miners' Federation and the Labor Council of New South Wales to appoint nominees in respect of what is commonly referred to as the craft unions and also representatives of the deputies and colliery managers association to participate in the final review of the draft legislation. I am hopeful that they will accept the invitation and that those people will come together early in the new year. I hope that will be a continuing process because in the industry there is a distinct desire to ensure that safety legislation is updated. I look forward to the speedy consideration by that review committee of the legislation which is in an advanced stage of preparation.

I shall ask the Department of Mineral Resources and Development to note the comments of the honourable member for Pittwater and to examine the question of tourist activities in the light of this measure. I feel confident, without having knowledge at this stage, that it would be covered by the proposed Coal Mines Regulation Act review. If it is not taken into account in that review, I shall direct the attention of the officers to it. As to foreshadowing a completely new set of rules by virtue of bringing the general rules under section 56 (1), I do not see any need for departure from the present procedure. Any new general rules will be in accordance with the code of practice being compiled by the chief inspectors of mines of all States and the Commonwealth. I made a reference during my second reading speech to that body. It is on a national basis and this should lead to uniformity.

The repeal of section 55 is, to a major degree, on the grounds of economics. At present every time a general rule is amended the whole Act has to be reprinted. Separating the rules from the Act will avoid that. I trust the matters to which I have alluded in reply will set at rest the mind of the honourable member for Pittwater. I am pleased that the legislation has the support of the Opposition. Again I thank him for his contribution.

Motion agreed to.

Bill read a second time.

Third Reading

By leave, bill read a third time, on motion by Mr Mulock.

NATIONAL PARKS AND WILDLIFE (ADJUSTMENT OF AREAS) BILL (No. 2)

Second Reading

Mr HAIGH (Maroubra), Minister for Corrective Services [8.51]: I move:

That this bill be now read a second time.

This bill deals with adjustment of the areas, in minor respects, of six national parks and a historic site. These adjustments are all necessary, for reasons that I will show presently, and they can be made only by Act of Parliament because of the clear words of section 37 of the National Parks and Wildlife Act of 1974. The Act reads:

> Notwithstanding anything in any Act—the reservation of lands as, or as part of a national park or historic site shall not be revoked, and lands comprised therein shall not be appropriated or resumed except by act of Parliament.

The reason that, in effect, Parliament has been made the guardian of national parks and historic sites is to be found in section 6 (4) of the original National Parks and Wildlife Act of 1967, substantially re-enacted in the consolidating National Parks and Wildlife Act of 1974. National parks contain unique or outstanding scenery or natural phenomena and historic sites are areas that are the sites of buildings, objects, monuments or events of national significance or areas in which relics, or aboriginal places of special significance are situated. It is because of the unique or outstanding character of these areas or their national significance that the approval of Parliament expressed in legislation is necessary before such areas may be reduced.

The measures that this bill proposes for enactment relate only partially to reductions in the area of national parks, and, in fact, Sydney Harbour National Park will be increased in area by transfer of the site of a building, Greycliffe House, and Nielsen Park from Vaucluse House historic site. It is no doubt more fitting that these areas should be part of the park than of the historic site, as the historic character of the site derives essentially from Vaucluse House as an historic residence. Therefore, clause 4 (1) of the bill proposes the revocation of these areas as specified in schedule 1 and clause 4 (2) proposes reservation of the same areas as part of Sydney Harbour National Park.

The excisions, dealt with by clause 5, are of small boundary areas required for necessary road widening and road construction purposes. No perceptible loss to the three national parks and historic site is involved. It has always been the rule and practice that main and public roads within these national parks were not included in the original reservations of the parks. The national parks dealt with are Blue Mountains National Park as to land at Mount Wilson, Brisbane Water National Park as to land at Kariong, and Royal National Park as to land at Loftus. A small area is also proposed to be excised from Hartley historic site by clause 5 (6) for widening of the Great Western Highway. This excision will not result in damage to any historic aspect of the site.

Clause 5 will also revoke—and for the protection of any past dealings deem never to have been effected—the reservation of a single allotment of 619.7 square metres at Pittwater reserved by mistake as part of Ku-ring-gai Chase National Park. The same clause proposes the revocation of about 19 hectares at Mount Scanzi which has environmental value as a viewpoint, but is separated from Morton National Park by lands which could not be acquired from private owners to join the land in question with the park. In addition to this boundary anomaly, problems would result in management of the land from its situation and local authority drainage and access responsibilities. Preservation of the area, in practical terms, is more fittingly a function of the local authority concerned.

Clause 6, the final clause of this short bill, revokes the reservation as national park so far as applicable to land below a depth of 150 metres from the surface, of two areas of 6 671.2 square metres in one case and 5.4734 hectares in the other in the parish of Linden, within Blue Mountains National Park. These areas were added to that national park on 6th April and 3rd August, 1973, without any restriction of the reservation in depth. It is now proposed that a restriction to standards agreed with the Department of Mines shall apply to the addition I have just mentioned.

Similar adjustments are provided for at Hill End historic site, and Muogamarra and Sherwood nature reserves, by clause 6. At Hill End a depth restriction of 20 metres is proposed to be applied to an area of 3.913 hectares in the parish of Cummings, reserved as an addition to the historic site on 2nd June, 1972, and another area of 1 537.5 square metres in the parish of Tambaroora, reserved as an addition to the site on 27th October, 1972. At Muogamarra, a depth restriction of 150 metres is proposed for application to an area in the parish of Cowan of about 53 hectares added to the reserve on 2nd March, 1973, and at Sherwood nature reserve, 20 metres over an area of about 1 085 hectares situate in the parish of Sherwood which was added to the park on 5th May, 1972.

The measurements that I have referred to were, as I have said, to standards of the Department of Mines, and are sufficient, in the particular areas to which they relate, for the preservation and protection of the national park, historic site and the two nature reserves. The protection of the environment and the utilization of resources are adjusted by this bill to the extent I have mentioned. I commend the bill.

Mr FISHER (Upper Hunter) [8.57]: The Opposition has no objection to the principles outlined by the Minister. At the introductory stage I intimated that the Opposition intended to examine this bill carefully. The proposals put forward are essentially of an administrative nature to tidy up a number of matters which, for one reason or another, were overlooked during the passage of bills at earlier stages. It is essential that proposed alterations to national parks be brought to the attention of the Parliament. The provisions of the National Parks and Wildlife Act require this to be done. The bill deals first with the transfer of Nielsen Park and Greycliffe House from Vaucluse House historic site to Sydney Harbour National Park. I shall ask my colleague, the honourable member for Vaucluse, within whose electorate this historic site is located, to speak further on this proposed transfer.

This proposal is a forerunner to a greatly expanded Sydney Harbour National Park, which is the brainchild of the former Premier and honourable member for Wollondilly, the Hon. Tom Lewis. I pay tribute to the foresight of that gentleman who saw the great virtue and value of national parks. I am aware of the difficulties that have confronted the National Parks and Wildlife Service in dealing with the Commonwealth Government and in arranging for the transfer of land. I trust the Minister will see fit to expedite measures to bring into that national park the areas envisaged in the original proposals.

The next matter with which the bill deals is the excision of a number of areas from several national parks and the Hartley historic site. Members of Parliament experience difficulty in determining the precise areas involved. Admittedly these are relatively small parcels of land and perhaps inconsequential, but I do not think it is satisfactory that the plans referred to may be viewed only if one seeks the plans lodged with the Department of Lands. Members of Parliament, especially those in whose electorate these national parks are situated, should be properly informed of the areas to be excised. The electorates of the honourable member for Blue Mountains, the honourable member for Heathcote, the honourable member for Pittwater and the

honourable member for Wollondilly are all affected by this measure. As the local members, they should take careful note of the parcels of land to be excised for one reason or another from national parks within their electorates. The Opposition takes no exception to the use of small areas of national parks, especially on perimeters, for widening main roads or gaining access to the parks. My criticism is that where excisions are intended local members should be given a detailed description of what is involved.

The third matter contained in this bill relates to depth restrictions in respect of a number of areas of land which have been added to several national parks. It is intended that the same restrictions should apply to these areas as apply to the major part of the parks. The Opposition has no objection to a measure which brings this sort of restriction into conformity with that applying in the remainder of the park. Another intention of the bill is the excision of a small area from the Morton National Park. It is hoped that at some stage in the future this important lookout will be added to the Morton National Park. It is a matter of regret that negotiations have failed to bring about the inclusion of this area so far. Nevertheless, there is no point in maintaining small outposts which are not in conformity with other dedicated areas. The Opposition has no objection to the remaining clauses of the bill.

Mrs FOOT (Vaucluse) [9.5]: I understand the provisions of this bill will have the effect of transferring Nielsen Park and Greycliffe House from Vaucluse House historic site to Sydney Harbour National Park. I am glad that the land at South Head, now in Commonwealth hands for the purposes of the Army and the Navy, will ultimately become part of Sydney Harbour National Park. The time has obviously come, now that governments have become competent in the field of park management, for public lands to be transferred to the National Parks and Wildlife Service. I am pleased that my electorate will be able to contribute to this very beautiful park.

The present measure will add Nielsen Park and Greycliffe House to the Sydney Harbour National Park and it is appropriate that this should occur. The area of Nielsen Park and Greycliffe House is 21 hectares. Since 1975 Greycliffe House has been the administrative centre for the Sydney district of the National Parks and Wildlife Service. The Sydney Harbour National Park extends from Dee Why to Port Hacking. To date, Nielsen Park and Greycliffe House have been administered under Vaucluse House trust and by-laws. The Vaucluse House site trust, which caters to the needs of some 100 000 visitors annually, is currently co-operating with the National Parks and Wildlife Service in the development of the area in the immediate vicinity of the house, which is currently at its magnificent best and faithfully reproduced by the historic architect, Mr Clive Lucas. I know the trustees are eager to acquaint the Minister for Lands with their work and hope he will accept their invitation to meet with them in February.

The function of Vaucluse House trust is perhaps not strictly pertinent to the bill, but with the indulgence of the House I should like to emphasize to the Minister the value of maintaining a local trust at Vaucluse House. His predecessor, the present Minister for Lands and Minister for Services, would agree with me if I were to stress the work being done there by the trustees, as would Mr Don Johnson, the director of the National Parks and Wildlife Service. By maintaining such a trust made up of local residents, one preserves the interest of my constituents in the House. In practical terms, it results in fund raising which would not otherwise take place. It also encourages my constituents to have a personal interest in the House, and I am sure the Minister would agree with this interest being preserved.

I turn now to Greycliffe House, which was formerly a Tresillian hospital. I point out that it is currently being remodelled and when completed the public will be able to visit this magnificent building. The administration of Sydney Harbour National Park is being conducted from there and deals with such matters as licensing of wildlife sanctuaries and aviaries. A new wharf is to be built at Nielsen Park which will facilitate mass transport to both sites and should alleviate parking problems in the Vaucluse area. Restoration of Greycliffe House and the building of the wharf depend on funds becoming available. The trust appreciates that neither the management of Nielsen Park, a public swimming place visited by thousands of Sydney people, nor the care of Greycliffe House is an appropriate activity for the trust, and supports the Government's transfer of these areas from its care and control to that of the National Parks and Wildlife Service.

I note from the bill that the land relevant to my electorate is specifically defined and terms used in the measure are in no way general. This is as it should be. The Minister's prerogative in this matter needs to be precisely defined. As the member whose electorate is concerned in this transfer, I support this move to Sydney Harbour National Park, an idea introduced by the former member for Wollondilly when Minister for Lands. I pay tribute to his brainchild.

Mr HAIGH (Maroubra), Minister for Corrective Services [9.8], in reply: I thank the honourable member for Upper Hunter and the honourable member for Vaucluse for their support of the bill before the House. As both honourable members and I have intimated, the bill is a machinery measure and is designed to provide a more effective administrative control of parks in the areas that are to be affected by its terms. I took particular note of the words of the honourable member for Upper Hunter when he said that he was anxious that the members whose electorates were affected by the bill should be given the opportunity to know the details of the proposal, and should be able to peruse maps of the areas to be affected. This can always be arranged at the Sydney office of the National Parks and Wildlife Service, which is always anxious to provide information of this nature to the honourable members. I agree with the point raised by the honourable member for Upper Hunter.

Both honourable members referred to their hopes and desires for the Sydney Harbour National Park extensions so that we can move forward to a realization of the broad expanse of parkland around our wonderful Sydney Harbour. I am referring particularly to the areas controlled by the Commonwealth. There will be meetings this week between the Commonwealth and State Ministers to see whether the negotiations cannot be taken a stage further, in the hope of getting the transfer from the Commonwealth to the State of these additional areas of land so that the proposed extensions to the Sydney Harbour National Park can take effect. As I said earlier, I thank the honourable members for their contributions and support of the bill.

Motion agreed to.

Bill read a second time.

Third Reading

By leave, bill read a third time, on motion by Mr Haigh.

MOTOR TRAFFIC (FURTHER AMENDMENT) BILL

Second Reading

Mr COX (Auburn), Minister for Transport [9.10]: I move:

That this bill be now read a second time.

As I stated when seeking leave to introduce the bill, its main objective is to achieve, by increasing the maximum penalties that may be imposed, a reduction in the number of persons driving while under the influence of alcohol or a drug or with the prescribed concentration of alcohol in the blood or committing any other serious offence against the Motor Traffic Act. The matter of greatest concern is the extent to which drinking and driving is occurring and the fact that this combination is a factor in relation to many motor vehicle accidents resulting in a fatality.

It is now a well-publicized fact that in the current calendar year the number of fatalities has exceeded the total for the whole of 1977. Although specific figures are not available as to the extent that alcohol is a contributing factor in these fatalities, sample studies indicate that it is likely to have been a factor in at least 50 per cent of the cases. Moreover, there is a widespread feeling that it could have been a contributing factor in a much higher percentage of cases. An indication of the extent to which drinking and driving is occurring will be gained from the knowledge that, during the first eight months of this year, 16 129 drivers were asked to submit to a breathalyser test. Of this number, 13 400, or around 80 per cent, later appeared in court charged with driving with the prescribed amount of alcohol in the blood. This is despite the education programmes aimed at drinking drivers which have been developed at State and national levels in an effort to reduce the high incidence of this type of offence.

The more serious of the offences referred to in the Act and dealt with in this bill are: driving with the prescribed concentration of alcohol in the blood; refusing a breath analysis, which is carried out at a police station and usually follows a positive roadside test; wilfully doing anything to alter the concentration of alcohol in the blood when required to submit to a breath analysis; driving while under the influence of alcohol or of a drug; driving a motor vehicle furiously, recklessly, or at a speed or in a manner which is dangerous to the public; driving while disqualified from holding a licence; and failing to stop after an accident involving death or injury. At present, a court may impose a maximum penalty of $400 and/or six months imprisonment for these offences. In addition, they carry a twelve-month automatic disqualification from driving, subject to the court's discretion to fix a shorter or longer period of disqualification. In the case of a subsequent offence within five years the automatic disqualification period is three years, subject to the court's discretion to fix a shorter or longer period of disqualification. The bill provides for the maximum monetary penalty for these offences to be increased from $400 to $1,000.

In addition to the offences I have already mentioned, the bill provides for an increase from $200 to $500 in the maximum monetary penalty for the following offences: driving negligently; refusing to undergo a roadside breath test; offences relating to vehicle engine numbers; wilful delay or obstruction of a member of the police force entering premises used for the repair of motor vehicles to trace stolen vehicles or stolen vehicle parts; and offences under the Act for which no specific penalty is provided.

Finally, there is a provision to increase from $80 to $200 the maximum penalty for failure to return a licence that has been suspended by the court. The maximum penalty for the wilful obstruction of a police officer from entering motor vehicle

repair premises to search for stolen vehicles or parts was fixed in 1969. The maximum penalties for offences relating to driving with the prescribed concentration of alcohol were fixed in 1968. In all other cases the penalties were fixed as far back as 1961. Apart from any other factor, in the light of the high level of inflation that has occurred since the present maximum penalties were set, I think all honourable members will agree that substantial increases are now warranted in order to restore to some extent the deterrent effect that they had at the time they were determined. The consumer price index, which is used nationally as a guide in relation to costs generally, has risen by more than 140 per cent since the 1966–67 finanoial year and it has been decided to use this as a guide in proposing the new maximum penalties contained in the bill.

It is stressed that the Government is not restricting itself to increasing penalties in its endeavour to encourage safer driving practices. In the relatively short time it has been in office, the Government has been most active in road safety activities. Some of the measures the Government has sponsored in the area of road safety include a television and radio campaign directed at pedestrians 50 years and over. The cost of the advertising alone was $95,000. The Government sponsored also the introduction of graded licences for new motor cycle riders. This is aimed at prohibiting young riders in the first twelve months from riding the large, powerful bikes. Another measure it has sponsored has been the upgrading of the standards for the manufacture of motor cycle helmets.

Legislation was presented to Parliament and adopted making it mandatory for young children travelling in the front seat of a motor vehicle to be protected by means of an approved restraining device. In conjunction with this, a considerable amount of work has been carried out by the Traffic Accident Research Unit with regard to the development and manufacture of booster cushions for small children. Moreover, the unit has done a lot of work on the child restraint problem, particularly in giving advice to parents through publicity programmes and the issue of pamphlets. Another measure sponsored by the Government was the inclusion for the first time of questions relating to drinking and driving in the test questions asked of new motor vehicle licence applicants. A trial with the use of motor cycle headlights during daylight hours as a countermeasure to the disproportionate number of motor cyclists being killed has also been sponsored by the Government. Many motorists have stated they did not see motor cyclists who drove without headlights on during daylight hours. The preparation of special road safety kits for the education of children in primary schools—at a cost exceeding $126,000—has also had Government sponsorship.

Arrangements are also in force whereby the Traffic Accident Research Unit now identifies accident locations and passes the information on to local traffic committees for special consideration and introduction of appropriate countermeasures where considered necessary. Early this year, a firm of consultants was commissioned to undertake a study of traffic dangers and safety needs outside metropolitan schools. A report has now been received based on a survey of approximately 950 schools and is being examined. The purpose of the study is to develop on a statewide basis a programme of traffic management and safety measures outside schools. A section of the community that appears too often in statistics comprises drivers and riders under 30 years of age. They tend to drive more often and perhaps a little faster, they drink a little more and are sometimes overconfident. Young drivers are involved in fatal accidents out of all proportion to their numbers. Pedestrians are also the victims in many accidents. These are mainly pedestrians in the older or very young age groups. In each case, they need special consideration by motorists. Unfortunately, this has not always been forthcoming.

At the outset I indicated that the Government was particularly concerned about the increase in drink-driving offences and the extent to which the consumption of alcohol was a factor in fatal accidents. In this regard New South Wales is not alone in the move to higher penalties. The maximum monetary penalty for drink-driving offences in the Australian Capital Territory has been increased to $1,000. This was on the recommendation of the Commonwealth Law Reform Commission. Legislation has also been introduced into the Victorian Parliament to provide for a similar increase in the monetary penalty in that State. On the general question of penalties, I know that there is a school of thought that there ought to be a minimum penalty for drink-driving and other major offences. Prior to 1961, a conviction for driving under the influence carried an automatic licence disqualification of twelve months. However, where courts considered that in particular circumstances this penalty was too severe, many drivers were given the benefit of section 556A of the Crimes Act relating to first offenders and thus, I believe, received much lighter treatment than the offence warranted. It is significant that, since flexibility was built into the licence disqualification provisions of the Act, the number of convicted drink-driving offenders dealt with under section 556A has fallen from 44 per cent in 1959 to 6.7 per cent in 1976–77.

The desirability of reintroducing minimum penalties has been given consideration and has been rejected on the basis that it is preferable for the court to retain some discretionary power to deal with an offender in a manner considered appropriate having regard to all the circumstances associated with each individual case. I was interested to hear the views of the honourable member for Lane Cove in responding to my motion for leave to introduce the bill, that there ought to be built into legislation, wherever practicable, an automatic increase in maximum monetary penalties and the like. It is true that provision for automatic adjustments in the light of movements in the consumer price index has been incorporated in some legislation. At this time I have some reservation about adoption of this arrangement in respect of penalties, but it is a suggestion that will be looked at closely in the event of a further increase being contemplated at some time in the future.

As I have already mentioned, there is at present provision in the Act for the period of automatic suspension of a licence to increase from one year to three years for a second conviction within five years for one of the major offences against the Act. This provision is not being altered. As I also mentioned previously, there is a provision in the present legislation whereby the court may fix a longer or a shorter period of disqualification if this is considered to be appropriate in a particular case. This is also remaining unchanged. I feel confident, however, that if the bill receives the unanimous support of all honourable members it will be a clear indication that the legislators, in the interests of the community as a whole, will be looking to the courts to impose penalties that will be a deterrent to drinking and driving, and to the commission of the other serious offences with which the measure deals.

The bill is a straightforward one. I have mentioned the particular offences concerned and the variations in penalties that are proposed. The schedule provides for the Motor Traffic Act to be amended accordingly. With the Christmas season imminent, and bearing in mind that thousands of families will be in their cars travelling to holiday resorts, if these families are to receive the benefit of this legislation, it is important that it be enacted as soon as possible. In the new year it is proposed that the Traffic Authority of New South Wales will set up a traffic safety committee that will consist of representatives from the Police Department, the Health Commission, the Department of Justice and the Department of Education. The committee will seek the co-operation of the National Roads and Motorists' Association to examine road safety. Assistance will be sought from the child safety centre at Princess Alexandria Hospital, from motor cycle organizations and from Dr Henderson, who has special knowledge of

this matter and at present is deputy secretary of the Australian Medical Association. The committee will be asked to examine means of reducing the road toll and to submit a report to me as Minister suggesting measures to be taken. I commend the bill to the House.

Mr MORRIS (Maitland) [9.24]: The amendment of the Motor Traffic Act is overdue and the bill has the support of the Opposition. Some of the amendments go beyond the question of drinking and driving. However, most of them relate to a scourge that is upon us—the road toll. Many fatal accidents can be attributed to the association of alcohol and driving. Over the past three years the Government has shown some laxity in its approach to road safety. It has talked a lot about public transport but paid little attention to road safety. The press and the other media have shown little interest in this human problem.

Road safety seems to have become a forgotten issue with the Government, with the result that more people are dying on the State's roads. During their term of office the Minister and the Government have not introduced a single new road safety measure of any real significance. Quite a number were mentioned by the Minister for Transport but I suggest that they were cosmetic measures. I remind the House of the sorry record of the current administration in regard to road safety. This year, road deaths will amount to some 1 400. the highest ever in the history in New South Wales. The Minister may say that this is due to increasing population and that the death rate itself is not rising. If he were to say that he would be wrong on both counts. Notwithstanding changes in population and in vehicle numbers the number of road deaths in New South Wales has remained fairly steady at something like 1 250 a year. I predict that this year there will be a massive jump to some 1400 deaths. That is contrary to the steady trend of the past seven years.

Looked at scientifically, in 1978 the rate of deaths on New South Wales roads as a proportion of the total population will rise alarmingly. The rate of road deaths in relation to population is the internationally accepted means of measuring traffic fatalities as a public health problem. For the past five years the rate has been steady at 2.6 road fatalities per 10 000 of population. This year I believe it will increase to something like the figure that was in existence in New South Wales prior to the introduction of the compulsory seat belt legislation when the rate reached **2.7** or **2.8** deaths per 10 000 population. This backward trend is totally unjustifiable in today's society when we have the means and research to pinpoint the causes of traffic accidents.

I wonder why this alarming trend has developed. I do not want to be unkind or uncharitable, but it is a fact that during the Government's first term of office a policy was deliberately adopted, not by the Minister but by someone higher up in his party, not to offend anybody during that Government's first term. That included not offending dangerous or drunken drivers. That is why little emphasis has been placed by the Government over the past thirty months or so on the question of the road toll. No greater problem confronts any government or any Minister than the carnage that is taking place on the roads of New South Wales. I know that the Minister for Transport is a man of compassion and integrity. However, he, like the rest of the Cabinet, has bad his orders over the past two and a half years not to rock the boat or get anybody offside but to keep everybody happy. Of course, they may get away with that during the Government's first term of office. After that the chickens come home to roost.

On 13th May, 1965, I had the privilege of taking over the transport reins in New South Wales. One who approaches that portfolio without any previous experience wonders where the emphasis might be placed. By the Queen's birthday weekend in June, 1965, a month after I took office, I quickly realized just where the sore spot was in relation to the transport administration. This was highlighted by the news media

in New South Wales. The Queen's birthday weekend in 1965 saw dreadful carnage on the State's roads. It was then I realized that some particular emphasis had to be placed on road safety. Quite frankly, from that time until 1975 I was never able to get off the back of the road safety tiger. It seemed to be the main feature throughout that time, aided and abetted by the present Minister for Transport who was then shadow minister.

The main cause of injury-related road accidents is well known. What is missing is legislation to counter this element. Research has established beyond any shadow of doubt that 50 per cent to 60 per cent of fatalities on the road are alcohol related. This figure is not the raving of a wowser, a figment of the imagination or a theory of road safety workers; it is a fact established time and again by eminent researchers round the world, including those in Australia. The Minister's own advisers have repeatedly put this on record. The simple and undisputed fact is that in nearly two out of three fatal accidents alcohol is present in one or more of the parties.

Mr Flaherty: It is shocking.

Mr MORRIS: Indeed it is a shocking indictment of our society that this distress, death and injury is being caused in the name of civilized drinking. The side effects are flowing into many homes in New South Wales. Some time ago the Victorian Government empowered magistrates to take a harder line against drink-driving offenders. That Government brought in legislation that substantially increased penalties for road infringements, particularly those related to drunken driving. At that time, which was just before the last election, the Minister for Transport when asked to comment said that there was no possibility of New South Wales following suit. Every drinking driver in any key seat would have been highly delighted with that attitude.

Most of the offences listed in the hill are related to drinking and driving. They include negligent driving, dangerous driving, driving with the prescribed concentration of alcohol, and one of the most heinous crimes of all—failure to stop after an accident. The information I have is that in nine out of ten cases where a driver had been involved in a collision or in an accident with a pedestrian, and failed to stop, the reason he gave when apprehended sometime later did not indicate any particular callousness on his part hut was purely the fact that he was under the influence and was afraid of the consequences that would flow to him. Recently I was surprised to read in the *Sydney Morning Herald* the following statement attributed to an officer of the Traffic Accident Research Unit:

> We do not know why this year's road toll is so high. We have looked at every variable. Perhaps it is due to the random fluctuation in the toll that takes place each year.

With great respect, that statement is a lot of tripe. That research unit was set up to provide the Minister for Transport with accurate data and information on how he might cope with the toll of the road. One of the great voids in the transport portfolio was that invariably when asked to comment upon the toll of the road the Minister would talk off the top of his head. He would say that heavy rain over the long weekend must have caused the road toll to climb. When a sunny weekend came and the road toll went higher the Minister did not know precisely what to say about it publicly.

Mr Cox: Is the honourable member talking about me?

Mr MORRIS: I am talking about myself. There was an absence of scientific information which any Minister holding the transport portfolio should have available to him. That was why an enlightened Commissioner for Motor Transport, Mr Coleman, came to me with the idea of establishing a traffic accident research unit. The unit was

financed by flogging off black-and-white number plates. Those number plates proved to be a bonanza. They are still proving to be a bonanza for the Minister for Transport who has increased the cost of these plates by $10. The Minister needs the help of that unit.

I protest at the role of a toothless tiger to which the Traffic Accident Research Unit has been relegated by the Government. The unit, which was under the direction of Dr Michael Henderson, has won world acclaim for its work on planning the legislation to require the compulsory wearing of seat belts. It is a matter of record that amongst many other road safety measures introduced by the former Government one of the major ones was the establishment of the Traffic Accident Research Unit. Its research work was, and is, second to none in the world. I cannot help feeling that during the past three and a half years some down-grading of the Traffic Accident Research Unit has occurred. The director of the unit should report direct to the Minister for Transport and so remove any suspicion of bureaucratic jealousies within the Department of Motor Transport. I know that that change was in the mind of the Commissioner for Transport when I was Minister. I ask the Minister to give the matter consideration.

I cannot repeat too often, or too strongly, the great need of the Minister for Transport for scientifically researched advice on the reason for fluctuations in the road toll. The Opposition supports the bill. I believe that it will save some lives. The deterrent effects of the measures proposed are fairly strong. Most people—the Minister touched on this in his second reading speech—who come before the courts on breathalyser charges or on charges relating to driving under the influence are not given the maximum penalties by the courts.

Some magistrates are tough. Where they are tough, in a particular town or on circuit, dramatic improvement in driving standards may be observed in that area. Unhappily, all too often if a magistrate takes a firm stand in the interests of road safety it is possible, by a little manipulation, for an appeal to be lodged in the District Court where a particular judge who is more sympathetic will dismiss the charges or reduce substantially the penalties imposed. I have made statements like this on many occasions and I have received some blasts from the bench for my effort. I say, with respect, that if the courts were willing to take on drunken drivers and traffic offenders, as they are entitled to do within the bounds of the legislation passed by the Parliament, a dramatic reduction would occur in the road toll. Unfortunately many courts pussyfoot with drunken drivers and other potential killers on the road.

I shall mention a matter that might be considered in the future as far as the Motor Traffic Act is concerned. Of the cases that come before the courts under the breathalyser legislation 70 per cent or 80 per cent involve first offenders. However, a small percentage of people are continually appearing before the courts on such charges. Obviously these drivers, usually arrested with a high percentage of alcohol in the bloodstream—0.2 per cent or even more—have a problem that will not be assisted by imposing the strictures of the law. I know that the Minister for Transport is giving some consideration to that aspect. These people are really sick. They need assistance and guidance as well as perhaps committal by the court for proper treatment rather than the imposition of a penalty that imposes a severe drain on the financial resources of the family.

I hope that ere long the Minister will bring in legislation, or an appropriate amendment to the Act, to ensure that these sick people, who appear regularly before the courts, are treated differently. One man in my area has been before the court on his fourth charge this year. The man is quite hopeless in his handling of alcohol; obviously he needs treatment. Perhaps the courts should be able to make a committal

in respect of that person rather than virtually starve his wife and children by imposing heavy fines that affect them, not the driver. I hope that is done, for it gives none of us joy to see the toll of the road in New South Wales increasing in the proportions of this year's record. The Opposition supports the bill and hopes that it has the desired effects sought by the Minister and all honourable members.

Mr SHEAHAN (Burrinjuck) [9.43]: I am pleased to take part in the debate and to congratulate the Minister for Transport on the bill. I congratulate him also on his second-reading speech and the measures he outlined in it as well as the initiatives he proposes in the new year. I should have thought that the road toll was such a serious matter that honourable members may have expected one who occupied the portfolio of transport for so long to have been a little apolitical. I have always had a great interest in two areas, constitutional reform and road safety, but on an apolitical basis. A former Minister for Transport, the honourable member for Maitland, who has been out of the ministry for four years, accused the Minister for Transport of laxity regarding the road toll. Anyone who has read the recent figures would realize that already in 1978 the number of people killed on the roads in New South Wales has exceeded the figure for 1977.

When the honourable member for Maitland learned of these figures he should have been coccerned about seeking a solution to the problem, not trying to make political capital out of it. The honourable member did not have much support because since he was Minister for Transport there were several other Ministers and several shadow Ministers for that portfolio but not one of the members of the Opposition who is still a member of the House was present when the honourable member for Maitland made his contribution to the debate. I deplore the fact that the honourable member endeavoured to make the matter a party-political issue instead of adopting the dispassionate, sensible and constructive approach one would have expected from him. The honourable member for Maitland did not vouch for the accuracy of his quote from the Traffic Accident Research Unit that was recently reported in the Sydney Morning Herald. The first part of what he said was stated by an officer to the *Sydney* Morning Herald representative was correct but the second was a deliberate misquotation of what was reported in the Sydney Morning Herald on 6th December of this year.

I said in this House during the debate on the Loan Estimates that sooner or later a government, no matter what its political colour, would have to bite the bullet on the issue of the road toll. It is imperative that this happens. I speak as the representative of all but the last 3 miles of the famous horror stretch of the Hume Highway. On Monday night last—and I intended to speak in this debate before that occasion—I was involved in a jousting match in a line of thirteen overloaded, fast and recklessly driven semi-trailers during a trip from Yass to Cootamundra. That is the sort of problem that the ordinary motorist must face almost every time he pulls on to the highway. It is not a question of laxity on the part of the Government.

There are many aspects to be considered in regard to road safety. They all deserve serious attention across political boundaries. One wonders why there has not been a more concerted attack on the issue of road safety at the national level. I have documents that reveal that the Australian Automobile Association appeared before a select committee on road safety of the Senate in 1960. The first report of the House of Representatives select committee on road safety was tabled in September 1973. There have been many examinations of this issue but nobody has been willing to accept the odium of an unpopular political decision in order to deal effectively with the road toll. This Government does not believe in an attitude of harsh penalties towards most types of behaviour. It is a government that is most careful about increasing penalties. Nevertheless, tonight it has introduced severe penalties for driving offences.

The honourable member for Maitland said that about 50 per cent of all road deaths and serious injuries have an aicohol component. Yet the honourable member, a former Minister for Transport, attacked the Labor Government for giving priority to providing adequate public transport facilities for the people of New South Wales. There has to be a choice. If a person has the choice of driving under the influence of alcohol or travelling by adequate public transport, his attitude towards society helps him make the right decision. The consumption of alcohol associated with driving is said to be all right if one takes a cold shower or drinks fourteen cups of coffee. That is a myth. It is a medical fact that drunkenness can be cured only by the passage of time and the operation of those forces within the body that neutralise the effect of alcohol. I deplore the attitude adopted this evening by the honourable member for Maitland, though I accept and appreciate his support for this measure. Drunken driving is a matter of attitude adopted by those who use the road. We need to come to grips with the situation.

Under the existing system a person can obtain a driver's licence relatively easily at the age of 17 years and then, provided he does not come under police notice in the meantime, the next demand made upon him is that when he reaches 80 years he must obtain a medical certificate certifying his competence to continue driving. The ultimate solution to the problem may be an unpopular measure but we must not hesitate to take such a step to combat the anti-social attitude of many drivers. Another aspect on the question of attitude is the widespread abhorrence that people feel when they hear of some tragic circumstance such as a major bushfire, an earthquake or some disaster such as the Granville train smash when many people were killed. The newspaper headlines say, "Eighty dead in rail horror", yet when more than 1 300 people are killed on the roads in New South Wales it is reported in one little black square at the bottom of page 1 in the *Sydney Morning Herald* towards Christmas time. The attitude of the community is coloured by the fact that something unusual, such as a train disaster, has occurred.

Mr Morris: Or two drownings.

Mr SHEAHAN: Yes, two drownings, with a photograph of grieving relatives. We must try to change the attitude of the driving public. It may be that the answer lies in the various suggestions put forward. We have heard proposals for more intensive driver education in schools, continuing education of drivers, continuing education about the affect of alcohol, more police on the beat and so on. No doubt if this Parliament debated road safety for a week every member would put forward at least one suggestion which he thought might help to overcome the road toll. It all comes back to the attitude of the driver. That attitude is one of blame everyone except the driver. We have been told that motor cars are not safe enough, roads are not good enough or whatever. It may be that other measures are necessary to overcome these ancillary problems, but it always gets back to driver conduct and attitude, as is evidenced by the fact that 50 per cent of serious injuries and deaths on the road have an alcohol association. People consume a certain amount of alcohol and get to a stage of not caring. The Australian Institute of Criminology, in its *Newsletter,* volume *6,* No. 1, of September 1978, reported:

> "It can be argued that while most people who break the law are considered deviant and are socially ostracized, those convicted of motoring offences are more often still regarded as law abiding citizens and their behaviour is tolerated and even excused. Yet wilfulness and malicious intent are not completely absent from many motoring offences, particularly serious ones", the submission said.

Later in the same report it said:

> "'Conventional' penalties have not proven totally adequate in deterring motorists from drinking and driving, and mass advertising/educational programs on this issue have not been overly successful", the submission said.
>
> "Non-punitive approaches, including diversionary alternatives incorporating non-coercive social measures, may be more relevant to contemporary society in grappling with the drink-driving problem. Such approaches, combining both therapeutic and punitive factors, may in the future prove more successful as deterrents than purely punitive measures", the submission said.

The honourable member for Maitland, who is generally regarded by members on this side of the House as one of the gracious members opposite, has attacked the Government and accused it of laxity in regard to road safety. I would ask him to say, in truth, who developed the educational programme for those who have been involved in either drug abuse or alcohol consumption associated with driving? It was this Government. That is a move supported by such responsible bodies as the Australian Institute of Criminology. It has proved successful, as was indicated by the figures detailed by the Minister in his second reading speech.

The Government is taking a momentous step towards overcoming the excessive road toll by bringing into the Parliament legislation to increase fines from $200 to $500, from $400 to $1,000 and so on, representing in some cases a 250 per cent increase in penalty. It is not a popular move. Perhaps it may have some effect, at least in the short term. Let us hope that for at least the balance of this year and the early part of 1979 it will have a marked effect. It ill behoves honourable members opposite to try to make this subject a party political issue.

Mr Pickard: No one has done that.

Mr SHEAHAN: The honourable member for Maitland has done exactly that. The honourable member for Hornsby would not know. He was not here.

Mr Pickard: I have been here.

Mr SHEAHAN: Go back to the press party.

Mr Pickard: I have not been there.

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

Mr SHEAHAN: I hope that the House sits beyond 11.30 p.m. so that the honourable member for Hornsby can be provided with a cab home.

[Interruption]

Mr SPEAKER: Order!

Mr SHEAHAN: This is a serious matter and should be dealt with accordingly.

Mr Caterson: There is no need to be rude. You should apologize.

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

Mr SHEAHAN: I shall not apologize, either to the honourable member for The Hills or to the honourable member for Hornsby. The Government does not suggest that this measure is the total and final solution to the problem. It does not suggest even that it is a long-term solution. But this is a courageous step on the part of the Minister and the Government expected a more constructive contribution from the honourable member for Maitland.

If there is any doubt about the charge, the honourable member should harken back to our exchanges in the House while he was Minister for Transport about prevention of heavy and overloaded vehicles using major roads after flood and rain damage. The honourable member, despite his great achievement in introducing the personal black and white registration plates to finance the traffic accident research unit, took no action. Yet we have the honourable member for Gloucester, the Leader of the Country Party, who in 1974 was willing to go to the press and say that most road damage had been caused by excessive use by semi-trailers, now suggesting that the road maintenance tax should be abolished forthwith and so give the heavy vehicles an open go on our roads. This has been the attitude of the Leader of the Country Party in and out of government.

I ask honourable members opposite to take a far more constructive attitude to the road toll; to join the Government in trying to improve the quality of the driving public; to encourage driver education programmes; and to support this legislation in its passage through the House.

Mr RYAN (Hurstville) [9.56]: As has been pointed out by previous speakers, particularly the honourable member for Burrinjuck, this is a most serious area of deep concern to every honourable member and the community generally. The Minister for Transport is a compassionate man and is concerned about all forms of human suffering, particularly in this area where we have such great carnage on our roads. It seems incredible that in New South Wales in recent years more than twice as many people have been killed on the roads than were killed in the whole of the Vietnam war. I am speaking about Australia's casualties in that war. This is only the tip of the iceberg, because added to these fatalities on the road is a multitude of very serious residual and crippling injuries to many thousands of people in our community.

It is a most unpalatable subject for a man such as the Minister for Transport. He is certainly most reluctant to increase penalties in any area at all and he cannot do more in this area as he has already increased road penalties dramatically. It is now a matter for the courts. As we have seen in the past, even though they have three forms of penalties available to them, namely, fines, cancellation of licence and incarceration, the courts seem to have resiled generally from taking any firm or positive steps against the slaughter on our roads. Though the previous maximum penalty was $400, the rule of thumb seems to be imposition of a fine somewhere in the vicinity of $150 to $200. Despite the fact that the maximum period of disqualification was twelve months, and three years if there were a second offence within five years, the courts, on average, seem to have been imposing less than three months' cancellation. The average is probably closer to one month. I only hope that this increase in penalties will achieve the desired result, but I am not optimistic that this will be so.

I wonder whether there should be a complete rethinking of the problem of the carnage on the roads. I feel there should be a three-pronged attack. It should be a combination of education of drivers as to the causes and consequences of driving and drinking and, worse still, combining them with speeding. Second, there should be a great expansion of research into the problems associated with recidivist drivers who repeat the same offence time after time. Third, of course there has to be some deterrent. In this area the time may have come to be really firm in the imposition of penalties. I wonder also whether the time has come to begin to treat a licence as a privilege, not a right that should apply throughout our driving lives. As the honourable member for Burrinjuck has said, at the moment a 17-year-old youth can obtain a licence, and short of any major criminal offence or serious misconduct he can probably retain that licence indefinitely, or until he reaches the age of

80, without having had to undergo any medical checkup. If a licence were regarded as a privilege and could be withdrawn after, say, a second offence, it would begin to assume some importance for the individual. At present people are more concerned about retaining their licences than payment of a monetary penalty. A fine is usually no problem but cancellation of a licence is what concerns every driver. Everybody in the community feels that his licence can be retained indefinitely.

I suggest three steps that could be taken to give some sort of emphasis to the matter publicly. They have to be combined with a massive education programme on the causes and consequences of drinking and driving. As has been spelt out tonight, statistics show that more than 50 per cent of accidents on the roads are caused by the combination of drinking and driving. I have no doubt that the percentage could be much higher. The three steps I think should be considered are first, that a licence should include a photograph of the driver. I know all the arguments that can be put for and against that idea, but this could be of further assistance in preventing impersonation of drivers. Second, section 7A of the Act deals with a disqualified driver, and I believe that after a second offence for driving whilst disqualified there should be a mandatory gaol penalty. Whether it should be served in our present gaols or whether there should be a completely new system of gaols for that purpose is a matter for consideration. Third, section 4E of the Act deals with driving with the prescribed concentration of alcohol and I think that after a second offence a gaol penalty should be mandatory.

These steps should be taken in conjunction with a massive education programme. This is an area where all sections of the news media should be prepared to contribute if they are really interested in the welfare of the public. If they are concerned, they will devote free space and time to assist the Government with such a programme. I am confident that something could be done by way of research into what medical assistance and treatment could be provided for recidivist offenders. In the meantime, I wish this legislation well and hope that something can be achieved by it. I commend the Minister upon his most courageous step in an unpopular area.

Mr COX (Auburn), Minister for Transport [10.5], in reply: I am grateful for the contributions made by the honourable member for Maitland, the honourable member for Burrinjuck and the honourable member for Hurstville. One of the matters overlooked by honourable members is that in 1960 the ratio of fatalities in traffic crashes was 9.3 per 10 000 vehicles and in 1977 it was 5.7—a significant reduction. Although this year there has been a big increase in the number of fatalities, it should be remembered that in 1970 the fatalities were 1 309. Progress has been made. I am not happy with the fact that so far this year there have been 100 more fatalities than last year. However, having regard to the statistics, the ratio per 10 000 vehicles is coming down. One cannot be happy with the situation that the number of fatalities has risen over last year's figure. The honourable member for Maitland mentioned the need for counselling to be given to people who are convicted of having a high concentration of alcohol. This counselling has been available for eighteen months and the information available at the moment is that it has produced worthwhile results. The Government is optimistic that this innovation in the court system will achieve further results.

There are now 30 per cent more vehicles on the road than there were in 1970. The honourable member for Maitland will realize that when I came into this Parliament I suggested that my party would support the compulsory introduction of seat belts. The Labor Party was the first party in Australia publicly to support compulsory introduction

of seat belts. Similar support was given for the introduction of breathalyzer tests. It was not made a political consideration. Although the honourable member has said that the Government has been lax, it does not do any harm for the Opposition to indicate weaknesses in the approach taken by Ministers. That is the right of the Opposition. The statistics reveal that in **1961** the number of persons killed per **10 000** licensed drivers was **6.8** and in **1977** it was **4.6.** So there has been a reduction. In the first year of breathalyzer tests 5 000 drivers came before the courts, but in the first eight months of this year 13 **400** drivers have appeared before the courts. The legislative provisions in relation to breathalyzer tests have been stepped up. The police are apprehending more people who are offending against this important legislation.

Mr Morris: The courts could be more helpful.

Mr COX: I do not disagree with the honourable member. It is a matter for the discretion of the magistrates. I hope that with the Opposition's support the passage of this legislation will indicate that the Parliament expects the courts to adopt a more sensible approach. The honourable member for Maitland suggested that the traffic accident research unit should come under ministerial control. At present it is under the control of the Traffic Authority, but I shall consider whether there should be greater control at ministerial level. The bill now being debated created immense interest when discussed by the parliamentary Labor caucus, so much so that the caucus moved a resolution that a seminar on road safety take place in March or April next year. That is an indication of the feelings of the supporters of the Government. I am sure the same feelings exist among members of the Opposition. I thank honourable members and commend the bill to the House.

Motion agreed to.

Bill read a second time.

Third Reading

By leave, bill read a third time, on motion by Mr Cox.

BILLS RETURNED

The following bills were returned from the Legislative Council without amendment:

Constitutional Powers (New South Wales) Bill
Police Regulation (Priority Lists and Appeals) Amendment Bill
Police Regulation (Superannuation) Amendment Bill
Stamp Duties (Amendment) Bill
Companies (Death Duties) Amendment Bill
Superannuation (Amendment) Bill
Statutory and Other Offices Remuneration (Superannuation) Amendment Bill
Government Insurance (Amendment) Bill
Statutory and Other Offices Remuneration (Government Insurance) Amendment Bill
Totalizator (Amendment) Bill

HOUSING AGREEMENT BILL

Second Reading

Mr EINFELD (Waverley), Minister for Consumer Affairs, Minister for Housing and Minister for Co-operative Societies [10.6]: I move:

That this bill be now read a second time.

As I have already indicated to the House, the bill is to authorize the execution of the Commonwealth–State Housing Agreement which will operate for the three financial years commencing on 1st July, 1978, and ending on 30th June, 1981. The 1973 housing agreement expired on 30th June, 1978. The agreement provides a framework for the Commonwealth to advance funds to the States for rental housing and associated purposes in New South Wales, mainly through the agency of the Housing Commission and for home purchase assistance, principally through terminating building societies. At the outset, it is proper that the attitude of the New South Wales Government towards the new agreement be made clear. In the view of this Government, the agreement provides further evidence that the Commonwealth is in the process of reducing its role in welfare housing to an absolutely irreducible minimum. Indeed, it is not too far fetched to say that there are grounds for the belief that the Commonwealth wishes to withdraw from the field altogether.

In the past ten years total Commonwealth outlays have risen 336 per cent in dollar terms. Education funding has risen 1 221 per cent, health 635 per cent and social security 610 per cent. It cannot be denied that there has been a demonstrable need for these increases. But it is significant, in my view, that funds for housing have risen only 157 per cent. In 1975–76 the proportion of Commonwealth budget outlays allocated to welfare housing stood at 1.6 per cent, which was depressingly low as it was. In 1976–77 the proportion dropped to 1.5 per cent and in 1977–78 to 1.4 per cent. In the 1978–79 Commonwealth budget, the proportion dropped to 1 per cent, which is the lowest it has been for at least twenty years. Honourable members will have noted also that the reduction in welfare housing finance, even in dollar terms, in this financial year's budget was the steepest for at least twenty years.

The allocation for New South Wales for 1978–79 was $103.7 million, compared to $128 million in the previous financial year. In dollar terms, this is a reduction of 19 per cent. In real terms it represents a drop of more like 25 per cent. The effect of this reduction on the New South Wales Housing Commission is that after all current and forward commitments are taken into consideration this financial year only slightly more than $31 million is available for building new accommodation and upgrading existing stock. The amount of finance available to terminating building societies has been reduced more than $7 million to $31 million. Coupled with the rise in the maximum amount of loan to $25,000 — which was dictated by current economic realities — this means that there will be about 430 fewer terminating building society loans this financial year.

In addition to these reductions, the Commonwealth has refused to entertain the State's inquiries about forward funding for the remainder of the period of the new agreement. Indeed, it is impossible to find out if there is to be an agreement to succeed the new one. At this stage the New South Wales Government has no idea what the level of funding from the Commonwealth will be next financial year. Honourable members will appreciate that no sensible planning can be done for a period that starts in only a little more than six months' time. This is an impediment to the efficient operations of the Housing Commission. It is a blow to an already hard-pressed construction industry. It is disastrous for citizens on lower than average incomes who have been encouraged to expect realistic welfare housing assistance.

The second point that I wish to make about the New South Wales Government's total view of the agreement is that it gives the Commonwealth the unwarranted opportunity to restrict the State's autonomy in the spending of its own funds. This is particularly serious for a State government whose sense of social and economic priority is fundamentally opposed to that of the present Commonwealth Government. This limitation on State autonomy comes mainly through the concept adopted by the Commonwealth this financial year of matching funds. By matching funds I mean the proposal by the Commonwealth that New South Wales would receive its full allocation of $103.7 million—$25 million less than the preceding year—only if it could find about $42 million from its own resources. The New South Wales Government, which had already embarked on an energetic policy of finding more housing finance anyway, was able to find the $42 million. But this does not in any sense mean that there would be a resultant increase in the total amount available for housing as the Government had already earmarked that $42 million and more for this sector.

The concept of matching funds was imposed on the States without any prior consultation and without warning. It imposes conditions on the States' activities, even though the funds involved are advanced as a loan that must be repaid by the States. On the one hand, the Commonwealth espouses its new federalism policy, which is supposed to provide the States with more autonomy; on the other hand, it has introduced arrangements that deliberately interfere with the rights of the States to determine their own priorities and policies. Finally, on this point, I should like to say that the attitude of the Commonwealth Minister at the recent Housing Ministers conference at Adelaide must give the States good reason for pessimism about both the Commonwealth's intentions and its capacities.

The Commonwealth Minister was advised to tell the conference that, in the Commonwealth's view, the level of construction activity this financial year should equate with the level of demand. What this really means, of course, is that demand is as slack as construction activity. This does not seem an intelligent thing to boast about. He also pointed with satisfaction to the prospect of what he called a significant increase in the flow of housing finance from banks and building societies, Both remarks show that the Commonwealth has a very eccentric view of what is happening in the housing field. A person who borrows $30,000 over twenty years at 10 per cent interest will repay the loan at about $66 a week. If repayments are to be kept to 25 per cent of income, the borrower will need to earn $264 a week to be eligible for the loan. Even if the loan were at 9 per cent, the weekly repayment would be $61 which would require an income of $244 a week. So it is obvious that there is no way that an increase in the amount of bank and building society finance—however significant—will help the person earning less than average wages. In view of this, to say that demand is satisfied when those earning average wages or below cannot afford a loan through the private market is sheer nonsense.

In this situation it is nonsensical to cut down on the availability to these people of their only alternative: Housing Commission accommodation or terminating building society loans. The Commonwealth Minister not only sprouted nonsense at Adelaide; he also infuriated all the State Ministers by his disdainful manner, to the extent that they agreed unanimously to complain to the Prime Minister about it. Even the Housing Minister in Victoria, Mr Hayes, who is a Liberal Party Minister and a political colleague of the Commonwealth Minister, called his behaviour a public disgrace. What is left of the Commonwealth Government's welfare housing policy could be described as malign neglect. It is marked by contradictions and misconceptions that will have serious consequences for housing and the housing construction industry in both the short term and long term. To appreciate the new Housing Agreement, it is necessary that honourable members understand this policy.

To ensure that the New South Wales welfare housing program is not damaged beyond recall as the result, it is necessary also that the New South Wales Government urgently consider other sources of finance less subject to Canberra's whims and fancies. The alternative is to agree with the Commonwealth that welfare housing is an unnecessary luxury. The New South Wales Government will not countenance this. I have therefore been giving careful examination to proposals for raising housing finance in our own way and on our own terms. It may be possible, for instance, to maximise home purchase assistance account funds by persuading permanent building societies to blend them with their own funds and finance eligible borrowers with their first homes, thus increasing the quantum available.

It may be possible to lend funds from the home purchase assistance account to a lending agency of the State, such as the Rural Bank, for on-lending to particular kinds of borrowers or to borrowers in particularly needy areas. One of these proposals would seek to expand the funds available for home purchase; the other would seek to concentrate them on areas of special need. Another method that has been suggested for raising finance concerns the quite low rate of interest still being paid on terminating society loans made before 1976, when the accelerated loan repayment scheme came into force.

The New South Wales Government is not anxious to raise interest rates but it is a fact that about $150 million has been lent under housing agreements before 1976 at very low rates of interest and for homes at much lower prices than those obtaining today. If it were considered necessary to raise the rates on these old loans, obviously the method of doing it would have to be selective. The Government would have to be sure that it concentrated more on those whose incomes had increased significantly since they received the loans and that borrowers were not harmed by any change. As I have said, these are ideas only. They are but a few of the proposals that have been put to the Government since it became obvious that the Commonwealth had become less interested in welfare housing. I also have under urgent consideration proposals to find resources for housing outside the home purchase assistance account. The New South Wales Government, recognizing both the urgency of the housing situation and the unwillingness of the Commonwealth to appreciate it, has given the highest priority to the objective of establishing its own adequate and consistent sources of finance for housing.

I turn now to an explanation of the provisions of the new agreement. Honourable members will find that the functional parts of the agreement are part V, which deals with rental housing assistance, and part VI, which concerns home purchase assistance. First I would like to point out that the agreement provides for a process of Commonwealth-State consultation before the Commonwealth fixes annually the amounts to be made available to the States. Not more than 70 per cent of the capital advances are to be used for welfare rental housing assistance, reducing to 60 per cent by 1980–81. Funds are to be advanced for rental housing assistance at 5 per cent a year and for home purchase assistance at 4½ per cent a year, to be repaid over fifty-three years.

I shall deal first with the provisions concerning rental housing assistance. The agreement provides that the proceeds of past investment of Commonwealth advances for rental housing and the proceeds of cash sales of dwellings sold after 1st July, 1978, as well as new advances, be accounted for and used for the purposes of the agreement. States can determine eligibility for accommodation but should provide for those most in need. In New South Wales, eligibility will be based on ability or otherwise to meet the rents of available private accommodation. The States are encouraged to charge market rents and review rents annually. In this State, the rents of Housing Commission dwellings are being increased by annual increments not

exceeding $5 a week to 80 per cent of market rents. Dwellings built may be sold to tenants but only for cash, for value or replacement cost, although in sought-after locations within the metropolitan areas the New South Wales Government's policy precludes the sale of rental housing that is regarded as irreplaceable.

Though the clauses in the agreement concerning cash sales and regularly-reviewed market rents are consistent with New South Wales policies, the motive behind their inclusion by the Commonwealth is an obvious desire that the States assume more of the responsibility for funding in the public housing area. They are essentially a means of generating funds for future capital expenditure on housing and will provide the Commonwealth with an opportunity to reduce future real levels of funding. Thus what has been in the past a very useful source of funds to provide additional sorely-needed housing will become a substitute for what has heretofore been a traditional area of Commonwealth responsibility.

The purposes to which rental assistance funds can be applied have been broadened to include the following purposes: to meet the costs of acquisition, planning and development of land primarily for residential use; to pay for the construction or acquisition of housing; to repay principal and interest on loans for rental housing; to provide funds to voluntary groups or housing management bodies as approved by the State Minister; and to enable housing to be let to organizations approved by the State Minister for the provision of assistance to disadvantaged persons.

Rental assistance funds can be applied also to engage in urban renewal activities related to public housing; to allocate funds to local government authorities for the provision of rental housing assistance if the State Minister considers that it would be more appropriate for such assistance to be carried out by these bodies; to pay for or provide bridging finance for, the provision of open space, community facilities and other costs associated with land development; to undertake research; to participate in joint ventures to integrate public and private housing; to lease housing from the private sector; to provide housing advisory services related to public housing; and for any other purposes agreed upon between the Commonwealth Minister and the State Minister.

Unfortunately, the inclusion of many additional purposes in the agreement has been accompanied, as I have said, by a reduction in the level of funding. The limited funds available, in 1978–79 particularly, will have to be for the purpose of the Housing Commission's building programme. The home purchase assistance account is a new account, similar to the old home builders account, though it allows a wider use of funds than was possible under previous agreements. It is from this account that the purchase of homes by persons of modest income is financed. The New South Wales Government has established a loan request list which operates throughout the State to ensure that, all things being equal, applicants are dealt with in order of priority as they apply for loans.

As I have already implied, it will be possible to lend from this account to bodies other than terminating building societies. These other bodies are listed in clause 24 of the new agreement and they include permanent building societies. As I have said, if the New South Wales Government becomes convinced that any such body can offer a better benefit to the homebuyer, consideration may have to be given to allocating funds in that direction as well as to the terminating societies which qualify. The new agreement also allows subsidies to be provided to homebuyers or lending institutions to reduce the cost of loans. Finance may also be provided from the home purchase assistance account for the construction or purchase of dwellings for sale to people eligible in terms of the agreement.

One feature of the agreement that disturbs the New South Wales Government is the requirement that the interest on finance lent by the State must escalate following the conclusion of the first full financial year after the loan is made. Each annual escalation is of one-half of 1 per cent until a rate equivalent to 1 per cent below the long-term bond rate is attained. It then fluctuates in sympathy with any variations in this bond rate. The manner of establishing the long-term bond rate is defined in the agreement.

This new feature will put borrowers, particularly young couples, under some financial strain. It will allow them virtually no time to adjust to the costs of establishing a home and raising a family before they find their monthly repayments becoming more burdensome. Within a few short years their repayments will bear no relationship to welfare housing finance rates. This is another indication, in my view, that the Commonwealth wants the welfare component removed from the agreement.

Though the New South Wales Government's initiatives in reducing home loan interest rates have brought eligibility for home ownership within the capacity of more people in the past twelve months, there are still many thousands whose only hope of achieving this objective lies in a loan out of funds covered by this agreement. Unfortunately, the Commonwealth has made this achievement that much harder, not only through its policy of higher interest rates but also through its savage reduction in the amount of finance available from the home purchase assistance account.

Honourable members will find that the actual agreement is in fact the schedule to the bill. As I have said, parts V and VI cover the terms and conditions of the rental housing and home purchase assistance accounts. Part IV of the agreement deals with the financial arrangements, part VII arranges for the superseding of previous agreements and part X provides that provisions of parts V and VI may be varied in certain circumstances. The other parts are more concerned with machinery matters.

The agreement is the best that could be obtained for the State from a reluctant Commonwealth. It will provide a basis for continuity of welfare housing activity in this State at a level that will be very largely determined by annual Commonwealth budget decisions, apart from what New South Wales can find from its own resources to the maximum practicable extent. In this conditional way, I commend the bill to the House.

Mr McDONALD (Kirribilli), Deputy Leader of the Opposition [10.28]: The Minister can be excused for giving such a turgid diatribe on this bill, for he has not held the position of Minister for Housing for very long. What he talked about related entirely to what his Government has failed to do. He made no reference whatsoever to any policies, principles or source of direction that this Government proposes in relation to housing in this State, whether in the field of welfare housing, to which this bill is directed, or in the field of housing generally.

The Minister failed to mention that about 90 per cent of housing construction in this State is in the hands of the private sector and about 10 per cent in the hands of the public sector. All we heard from the Minister was a recitation of criticism of the federal Government in an attempt to cover up his Government's failures. That is the Government's defence not only in regard to its failures in housing but also in education, health and a number of other spheres.

This year the Labor Government has completed fewer Housing Commission homes than the Liberal-Country party Government completed in 1975–76 before it went out of office. In that year it completed 7 056 homes. This year the present Government will have completed some 1 300. The Government has created a high level of ministerial and bureaucratic confusion on welfare housing and has allowed the

list of families waiting for Housing Commission homes to blow out to between 35 000 and 40 000. The construction of rental accommodation has been discouraged and, because of the Government's action in other directions, rents have risen by between 18 per cent and 25 per cent.

I am delighted that the former Minister for Housing is in the Chamber. It is perhaps to him more than the present Minister that my criticism is directed. I give due deference to the Minister for Consumer Affairs, Minister for Housing and Minister for Co-operative Societies; I could understand that some of the remarks he made were due to his having held the housing portfolio for only a short time, although he may well have coveted it for some time.

The Minister stressed that the Commonwealth Government regarded welfare housing as an unnecessary luxury. He had no justification for making that comment. He referred to the meeting in Adelaide, which he attended, but when he was asked what allocations were to be made by the Commonwealth he failed to say that he did not utter one word of criticism to the federal Minister on the adequacy of the allocations. He made no comment at that meeting. If the Minister wishes to deny that, I inform him that my advice is to the contrary. This Government lacks any policy on welfare housing or private sector housing. There is a lack of policy planning at the federal level. The Commonwealth–State housing agreement is a good example of this. It is useless for the Minister to shelter behind the Commonwealth-State housing agreement. If the Minister does not know the future of housing in this State he should not blame his lack of knowledge entirely on the federal Government.

I endorse the remarks made by the honourable member for Lane Cove at the introductory stage of this bill. Although members of the Opposition supported the introduction of the bill we were surprised and concerned that the Government should seek to bring forward the legislation at such short notice. The Minister should have been aware that it should have been introduced much earlier during the present six-week sittings of the Parliament to afford an opportunity for proper and intelligent debate on this most important and critical subject, particularly as the agreement is to run for three years.

Any major housing programme should be ongoing. There is no question about that. A minimum agreed level of finance should be provided over a number of years. The Opposition would not disagree with the Government in that respect. The present system of allocating funds on a yearly basis leads to fluctuations in activities and, clearly, that will happen this year. Regrettably, as in the past, there could be a continuation of the stop–go situation in which housing, like the motor vehicle industry, will be used as a tool to monitor the economy. If that happens costs may increase.

If there is to be a government housing scheme its programme should be much more stable and not so subject to the cyclical fluctuations that occur in the present system. The Opposition regards the approach of uncertainty to finance for welfare housing as unsatisfactory. It regards the Minister's criticisms of the federal Government as an attempt to fob off the Government's failures and poor performance in this area. As a result of the reduction in funds for housing in 1978–79 and expected further reductions next year, a further cutback in Housing Commission building will occur. As tenders for new starts have not been called until now—perhaps the Minister can advise whether they have—in order to maintain a flow of work from February, 1979 to the financial year 1979–80, I understand that construction of those projects will not commence until next year. That means that there will be a six months' hiatus in Housing Commission building. Why blame the federal Government for it? Without question this State Government, armed with that knowledge, could have redirected its priorities.

Apart from tenders that might have been called in recent weeks, the last tenders were called for by the end of June **1978.** The effect of the proposals will be felt by all those who are supplying for, and building, Housing Commission homes. Those jobs represent, at the most, slightly in excess of 10 per cent of the total market in the State. The Government gives no direction to the building and construction industry. Neither has it given any encouragement to some sense of direction and purpose, from any statements that have been made. The Government has no policy on this matter. All it can do is criticize the federal Government. Though the Minister has the title of Minister for Housing he is really only the Minister for welfare housing. He is not a Minister who looks at the whole question of housing, urban affairs and related matters.

Lack of work, expected as a result of the Housing Commission's situation, will progressively affect subcontractors probably from the last quarter of this calendar year onwards. By the time the new work commences in the first quarter of next year, probably some of the people concerned will be out of business. Only 2 500 commencements are expected in **1978–79.** The 2 500 units will provide accommodation for people on the lists of the Housing Commission, homes for the aged and other subsidiary welfare programmes and should be compared with more than 3 500 in 1977–78.

Honourable members have heard from the Minister his eulogistic references to the contributions made by the Government to match the contributions of the Commonwealth Government. The Minister referred to the fact that the Government has matched the Commonwealth housing grants, but did not give details of the Government's action. The former Minister did not do that either when he was responsible for the portfolio. Honourable members were left in a situation of complete uncertainty about whether contributions by the State in accordance with its responsibility under the Commonwealth-State housing agreement matched the federal contribution in real dollar terms. The federal Minister for Housing was uncertain. He was not totally or 'clearly informed by the former Minister in that regard.

The Commonwealth-State housing agreement is contained in schedule 1 of the bill and consists of eleven parts. The schedule deals with financial assistance to the States from the Commonwealth in part IV. In part V reference is made to rental housing assistance. Part VI refers to the home purchase assistance for States over the three financial years commencing from 1st July, **1978.** The thing that is perhaps most important about the agreement is that the State Ministers for housing have at least established principles. The fact that they have done so is important. Really this State Government has not established a housing policy or provided any sense of direction, particularly for the private sector, which is responsible for so much of the building and construction industry and has such a significant effect on the economy of the State.

Such a policy should include provision of housing assistance to facilitate home ownership for those who are able to afford it and to provide adequate rental accommodation. The preamble to the agreement indicates clear recognition of the separate but complementary roles of construction and acquisition of dwellings, management of the rental operation and the sale of dwellings. It stresses the maximum social benefit that will be sought from previous investment in housing. It is a pity that the House has not heard from the Minister along those lines.

The Government should indicate some concern for this social area rather than berate the federal Government which has provided for this State an increase in funds over the past three years. The failure of the Government effectively to deploy funds into areas that it might have regarded as suitable or of sufficiently high priority should

be mentioned. The Minister expressed concern about whether in future the States will be able to exercise maximum autonomy and flexibility in financing housing. Perhaps in his reply he will refer more specifically to his concern in that regard.

Overall the Opposition, as the honourable member for Lane Cove said in his speech on the introduction of the bill, cannot reject the legislation in principle. It continues to make the point that it will look foiward to the day when the Government finally accepts its responsibilities, clearly and thoroughly, in coming to grips with the problem of accommodating the people of the State and with enunciating a policy for the private sector rather than continuing to abnegate its responsibilities. It is quite clear that the former Minister for Housing was a failure in that role, otherwise he would still hold the portfolio. I am sorry that the present Minister has had to pick up the tab for the failings of the former Minister. One can only assume that was why the change occurred. The Opposition would be delighted to believe that, in the light of further consideration by the Minister, it might receive from him a green paper on housing and on the urban accommodation problems of the State so that some sense of direction can be given to the building and construction industry and so that for the next year at least we might be able to get some idea of where we are going.

Mr MULOCK (Penrith), Minister for Mineral Resources and Development [10.45]: Having listened with interest to the honourable member for Kirribilli, I must say that my greatest disappointment in losing the housing portfolio was not that I would no longer have contact with him in his function as shadow minister for housing. The honourable member fulfils a murky role in this Chamber. The bill seeks to ratify the Commonwealth-State Housing Agreement for the next three financial years. The honourable member for Kirribilli has waxed loud and strong, as is his wont, about what the Government should have done, what it should not do and what the federal Government is doing. He would have us believe that the federal Government is acting honourably in respect of this matter. He suggested that the Government should set a direction for the private sector. It is obvious from his speech that he has absolutely no sense of direction. The honourable member for Kirribilli spoke about the philosophy behind that agreement. It is not much good having philosophies——

Mr McDonald: Or principles.

Mr MULOCK: ——or principles, unless you live up to them. The former federal Minister for Housing, Mr K. E. Newman, told a conference of housing Ministers in Perth. "This is the agreement that me will give you." During that conference Mr Newman was at pains to state why the federal Government could not give the States a three-year base limit in respect of financial arrangements with the Commonwealth. I represented New South Wales at that housing Ministers' conference. The record of proceedings at that conference will show that I was a main voice amongst the State housing Ministers. I demanded that the Commonwealth should give the States a base commitment for an ongoing three-year period, because a cutback from five years to three years was made—and that was at short notice. The honourable member for Kirribilli acknowledges that to be the fact. That is why I say it is all right to talk about principles but one has to live up to those principles.

When I first took over the housing portfolio I attended a conference of housing Ministers in Canberra. At that conference the former federal Minister for Housing, Mr K. E. Newman, used flowery terms to describe what he called the dream of the Com~monwealth—andhat is what the Commonwealth is doing; it has gone into a deep sleep about this issue. At that time I wanted a base commitment. I realiz-d when that package was unwrapped at that conference, without any real notice being given to the States about it, the Commonwealth was about to unload its housing responsibilities. It wanted to pass those responsibilities on to the States by ensuring that there was a

movement in Australia toward market rentals. As a result, a turnover of funds took place and the States had a cutback of funds forced upon them. The whole thrust of the requirement for the States to give detailed information of transactions that took place long in the past was to arm the Commonwealth with that information so that it could unload its responsibilities. One of the last comments I made to Mr Newman at that meeting in Perth was, "I only hope you live up to what you say because in my opinion the Commonwealth will use this three-year period to unload its responsibilities" —and that is exactly what the federal Government is doing. In the first year after that conference the federal Government imposed a 25 per cent cutback in real terms. The honourable member for Kirribilli has the hide and the gall to stand up and defend the federal Government for adopting this approach.

Mr McDonald: Has this Government matched the federal Government's contribution?

Mr MULOCK: Of course, this Government matched it—and it matched it in real terms. Perhaps the honourable member for Kirribilli would like to know how the Government was able to do that.

Mr McDonald: By book entries.

Mr MULOCK: They were not book entries; they were entries that were made by this Government and accepted by the federal Treasurer as fulfilling this State's responsibility in terms of a matching commitment. The Government has been able to overmatch the Commonwealth contribution because when it came to office---and this is only one direction—the State Superannuation Board put a great deal of money into home construction. Moreover, in the previous two years this Government gave special funding to housing. In the previous financial year the Government gave $10 million by way of special funding for housing. That funding was given out of capital funds to supplement the shortfall imposed by the Commonwealth. This year the sum of $10 million will come out of revenue for the same purpose. Moreover, $17.5 million will come out of this Government's funds in order to stimulate the housing industry by way of assistance to project housing. A total of $27.5 million was given for this purpose in that two-year period. Moreover, this Government was able to match its commitment with the sum of $53 million. From memory it was asked to commit itself to providing the sum of $42 million—and it was no book entry.

The Government was able to show, in terms of hard cash, that it had contributed from its own funds to the development of the housing industry in this State. Shortly before I left the Ministry for Housing I had discussions with representatives of the Housing Industry Association. Mr Bill Kirby-Jones, the executive national director of the association, was present at those discussions. I have a letter in my files from Mr Kirby-Jones thanking me for clarifying the lies and distortions that had been fed to him from Canberra. We set out, paragraph by paragraph, why the Government was forced to wait until the end of this year before moving on to contracts next year. Mr Kirby-Jones had been under a misapprehension in a comment that he had made on the Vincent Smith programme a week before. At that time he said that under this agreement the Commonwealth had provided the States with more money than had been given to them in the past. After receiving my letter, Mr Kirby-Jones, using information supplied to me by the Housing Commission, made a public statement about this matter.

Mr McDonald: I am aware of that.

Mr MULOCK: That would be the only thing you would be aware of; you have not got a clue about any other part of this issue. The honourable member for Kirribilli made a contribution to this debate that was full of distortions, as he has done on every

occasion he has made a statement about housing. In quoting figures in respect of the 1975–76 financial year he said that approximately 7 000 houses had been completed in that period. When he said that he was half-right.

Mr McDonald: That information is in the annual report of the Housing Commission.

Mr MULOCK: Of course it is. The honourable member for Kirribilli did not mention one fact—and it may be that the report does not mention it. If the honourable member is as close to the industry as he suggests, he will know that a huge injection of funds was given by the Whitlam Government in the 1974–75 and 1975–76 financial years. If the honourable member for Byron keeps shaking his head it will fall off because there is nothing inside it to keep it on his shoulders. As a result of a continuing programme from the previous year, a number of completions were achieved. Moreover, the Housing Commission was given the expectation by the Whitlam Government that an ongoing programme would be carried on under which 6 000 houses would be built each year. In this way the waiting period for a Housing Commission home would have fallen to below twelve months. No extra funds came in this direction in 1975–76 in the Hayden budget; the funds remained the same as they were the year before. The following year no additional funds were provided by the Fraser Government, and only a 3 per cent increase in funds was given in the next year. This year the increase in real terms is only 5 per cent. The honourable member for Kirribilli has the gall to say, "Don't blame the federal Government." Successive Commonwealth–State housing agreements have been reached since the 1940s. The basis of those agreements is a commitment on the part of the Commonwealth that it would be responsible—not for giving money away—for lending money to the States to carry out welfare housing.

The honourable member for Kirribilli says the Government has done nothing in respect of the private housing sector. I have just detailed the funds that the Government gave in respect of the project building scheme. The money came from the Government's own revenue; it provided $17.5 million to stimulate the housing industry. Wherever one goes in the private sector of the building and construction industry in this State one sees a recognition that the Government has done a great deal to assist the private sector in this area. Under this Government there has been a 17 per cent increase in capital spending in the construction area. In the same time the federal Government has made cutbacks in funds. Recently I attended a meeting of engineers. At that meeting I found myself in a group of people who expressed the opinion that but for the Government's public works programme, they would have been out, not on their knees but on their backsides. Since this Government came to office it has recognized the importance of the home building industry. In November 1976 the Premier sent a submission to the Prime Minister asking for an injection of $150 million in funds not only for New South Wales but also throughout the whole of Australia. In 1978 this catchcry was taken up by Mr G. P. Hayes, the Victorian Minister for Housing. It was taken up subsequently by the Premier of Victoria on two occasions, and recently he raised it for the third time.

At the last conference of housing Ministers that I attended it was pointed out in discussions on a motion by Victoria which was unanimously supported by every State housing Minister in Australia, that this year we could do twice the amount without any inflation and without any overdemand being placed upon manpower resouces or material. We asked for $700 million instead of $370 million. I can still see the face of the Hon. R. J. Groom, federal Minister for Housing, when that resolution was passed unanimously. He said, "How can I do that? How can I go to the Treasurer and get this money? You are asking me to increase the allocation by almost 100 per cent." I said, "You do not go to the Treasurer looking for a

100 per cent increase. You say that this amount represents a minute part of a **$30,000** million budget, and you tell him what it will do by way of impetus to the economy. You tell him that such an allocation would have an untold effect upon stimulating consumer confidence. There would be **a** spin-off in the form of manufacture and sale of carpets, furniture, drapes and the like." Still the cry comes from Victoria which took up the demand made by the New South Wales Premier in 1976. Within three weeks that demand was rejected by the Prime Minister. People in the manufacturing industry and in other industries in New South Wales say that the way back to stable economy is through the housing and construction industries. The only people who will not heed that advice are the Prime Minister and his supporters. It is obvious that the Deputy Leader of the Opposition supports the cutbacks that have taken place in welfare housing. All he can bleat about is principles.

Mr McDonald: You have no policy.

Mr MULOCK: This Government does have a policy on housing.

Mr McDonald: I would like to see it espoused.

Mr MULOCK: It is not just a question of espousing it; it is **a** public document and it can be seen by the Deputy Leader of the Opposition or anyone else. When the Liberal Party brought forward its policy on housing, as it did just prior to the election, it did not stand up to examination. The Deputy Leader of the Opposition talks about 7 **000** houses completed in 1975–76.

Mr McDonald: That is correct.

Mr MULOCK: Of course it is, but you do not say how many were started in the previous year and what was the carry-over. That is the type of distortion practised by the honourable member for Byron when he talks about **$43,000** being the cost of constructing a home. As the Premier said, the honourable member for Byron would not be shadowy enough to have a shadow ministry. It is quite clear that this agreement was foisted upon the States by the Commonwealth. In most instances the States were relieved that there was not to be an increase in the interest rate so they grabbed the agreement. I spoke on behalf of New South Wales. I could see what was going on. I had to wait only a matter of a few months before the figures were published. The Deputy Leader of the Opposition talks about what happened in Adelaide and the allocation and he asks why did I not speak out. Of course, the allocation was not made in Adelaide. It was made when the federal Budget was brought down. There was no prior notice about what was going on.

New South Wales had no option but to join in with this legislation. It is Commonwealth–State legislation to give effect to an agreement that first of all was considered in the light of a bond rate being paid for welfare housing. That brought forward an obvious outcry and there was inflicted upon the States without option responsibility under the agreement which provided some additional pressure points but no matching commitment on the part of the Commonwealth which put forward the areas to be covered by the agreement. Until the Commonwealth matches the principles espoused in the agreement by sufficient funding, until the Treasurer realizes his responsibility and until the advisers of the federal Government realize that the way back to stimulating the economy of Australia is through the housing industry and the construction industry, we will continue to fall back. How can we go forward when there has not been an increase in Commonwealth funding for three years, and then only a 3 per cent increase and before that a 25 per cent cut in real terms? The Deputy Leader of the Opposition does not like what I am saying but he knows that it is true. I shall take him on any time he likes.

Mr BOYD (Byron) [11.1]: I am pleased to have the privilege of speaking to this bill. I shall speak of a select area in relation to my concern about building but before I do so I should like to say that I have some sympathy for the Minister. He is the third Minister to administer this portfolio in less than three years. It is a complex and worrying portfolio. I know he has picked up the threads from the two Ministers who, for reasons unbeknown to me, have been passed over by the Premier. I know that the Minister for Consumer Affairs, Minister for Housing and Minister for Co-operative Societies is a man of enormous sympathy, understanding and compassion. I have great respect for him. Given a chance he will do a good job as Minister for Housing. This portfolio requires administration by a man of compassion. It concerns people in need—people who want help and understanding. If there is any member on the Government side of the House who can fulfil this role I am sure it is this Minister.

If I have compassion for the Minister I have more compassion for the people whom I represent who need homes, especially those who need welfare houses. I have been at loggerheads with the former Minister for Housing because I said a thousand people in my electorate are waiting for Housing Commission units. The Minister said that I lie and distort and do not know what I am talking about. He said there were only 275 applications from my electorate, so how can a thousand people be involved? The Minister displays a deplorable lack of understanding if he cannot work out that a thousand people might be affected by 275 applications. It is a pragmatic fact that 7 068 homes were built in 1975–76. No fewer than 2 520 were built in country electorates.

In the golden year of 1976–77, when the Deputy Premier was responsible for housing in New South Wales, 3 420 homes were built of which a miserable 847 were built in the country. That does not compare well with the figures for the previous year. The Minister and the department put forward many excuses for this reduction. The Minister for Mineral Resources and Development took over from the Deputy Premier in the role of housing Minister and in his year of office 3 682 homes were built. Unfortunately, the Housing Commission has not yet produced its report for that year and these figures are taken from the Auditor-General's report which does not indicate how many homes were built in the country. I doubt that any more than 847 homes would have been built in country centres. Therefore country people—the people whom I represent—have had it pretty rough from this Labor Government.

Mr Sheahan: We got it rough from your Government, too.

Mr BOYD: It has been said that people have to wait only twelve months for welfare housing. Some of my constituents have been waiting five years and still do not have much prospect of getting such accommodation. That concerns me because they are decent, honest people, people with problems, people from broken homes. I am inclined to accept the Minister's statement that he is not to blame for that state of affairs. Perhaps others are to blame, but whoever is to blame, the problem exists, and it must be tackled by the Minister, by the Government, by me, by the Opposition, by all of us.

The fact is that irrespective of who is to blame, in 1976–77 and 1977–78 the Housing Commission in New South Wales built 6 110 houses compared with 7 068 in the previous year. In 1975–76 the gross cost of a house was $26,714. In 1976–77 it was $42,425. There are various reasons for that enormous increase, but whatever the facts may be, the need to build more homes exists, and it is our duty to meet that need.

In recent times the Government has put emphasis on the purchase of land by the Land Commission. I saw a figure recently suggesting that the commission had spent something like $25 million or $27 million in buying land throughout the State. That money has not been used productively. Government supporters say that they cannot

do all that they should be doing because they have had insufficient money from the Commonwealth for this purpose. Yet according to the report of the Auditor-General this year the Government earned a massive $74.3 million in interest on money that aws lying idle in interest-bearing deposits. That is nearly as much as Government supporters say they got from the Commonwealth. The State has something like $800 million in its coffers. Why not spend some of it to build houses for people who need them?

Reference has been made to the success of project building. I give the Minister full credit for what he is attempting to do, but I suggest that he is moving in the wrong direction. Project homes are a boon for city people, but only 19.3 per cent of the project homes built last year were built in the country. The rest were built in the metropolitan areas of Sydney, Newcastle and Wollongong. I am disappointed that that should be so. and I am sure that the Minister would be disappointed too. He is a man of compassion, and I hope that now that he has control of all aspects of housing in New South Wales he will do something more for the country people with the object of giving them a third of the project homes built in the future. The Minister accepts his responsibility to do something for all people in this State, irrespective of where they live.

Mr Sheahan: Why did the honourable member for Byron not tell his federal colleagues that?

Mr BOYD: I am saying that while the State Government has something like $800 million earning $74.3 million a year in interest, it cannot expect from the federal Government the sort of treatment for which it asks. The State should put some of that money into housing and in that way provide both accommodation and employment. Instead, the State Government has engaged in a synthetic operation trying to create jobs under its unemployment scheme. Those jobs involve doing such things as painting posts that are already full of white ants just to keep people occupied.

The honourable member for Burrinjuck interjects, but I ask him why on this matter he did not raise his voice in caucus as a representative of country people. Why did he not tell the Premier and the Minister for Consumer Affairs, Minister for Housing and Minister for Co-operative Societies that they should stop wasting money and get to the guts of the problem by dealing with the real housing needs of the people of this State? If he had done that, I would not have been speaking in the debate tonight. The results would have been apparent. If the Commonwealth Government gives $100 million, it will expect the State to do something useful with the money and not spend it in having fences repainted. Incidentally, I might say that the people of my electorate who want a home would be happy to do their own painting if they could get one. Let the Government get off its tail, stop whingeing about what the federal Government has not done and put to good use, to productive use, the assets of the State.

Mr EINFELD (Waverley), Minister for Consumer Affairs, Minister for Housing and Minister for Co-operative Societies [11.11], in reply: I am grateful to those honourable members who contributed to the debate. In particular I am grateful to my colleague the Minister for Mineral Resources and Development. He demolished the arguments of the Deputy Leader of the Opposition, who must have been so nervous, upset and miserable about what my colleague said that he left the Chamber. I do not blame him. If that sort of attack had been made on my veracity, if I had been proved so wrong in what I had said, I too would have left.

I am grateful to the honourable member for Byron for describing me as a man of compassion. I was delighted to hear him say that. I know that I am a man of compassion. I always feel deeply about the position of distressed persons. I represent

an electorate with a large number of tenants. Every Monday when I interview my constituents I hear of many distressing cases of persons who want Housing Commission accommodation. The present Government has been in office only since 1976, and could not be expected to solve all the problems in that time, but I acknowledge that generally speaking welfare housing ought to be a responsibility of government, and that government ought to be able to provide it for people in need. The fact is that New South Wales acting alone is not able to meet that need, for the federal Government controls the rate of spending on housing. The Whitlam Labor Government was in office in 1974–76, which was referred to by the honourable member for Byron. That was the period when the number of housing completions was high. The State was in a very much better position in those days.

I was astounded to hear that the Deputy Leader of the Opposition thought I could be excused. He cannot be excused. He is supposed to be an expert in housing development, but many people in New South Wales and Queensland are sorry that he is. I have no doubt that the shape of his policies will depend a great deal on whether he sells the units in which he is interested and which have been for sale for some time. The Deputy Leader of the Opposition told untruths. He said that at the meeting in Adelaide of the Commonwealth and State Ministers responsible for housing I did not protest against Commonwealth Government decisions on this matter. In fact, I was the first Minister called upon to speak after the federal Minister had spoken and I am sure that the federal Minister felt most uncomfortable as the recipient of my attack based on the deterioration in Commonwealth funds for housing.

Other Ministers at the meeting were absolutely disgusted. They were unanimous in expressing their disgust at the behaviour of the federal Minister. Even the Liberal Party Minister for Housing in Victoria was utterly disgusted. He thought the behaviour of the Commonwealth Minister was the worst he had ever seen. He said, "This is frightful behaviour." In the Victorian Parliament Mr Hayes said:

> In other words, our joint request of the Commonwealth Government, not for a "massive injection" of funds but rather for restoration of funds, which were lopped off in this year's distribution of loan funds, was known then. The Housing Ministers met with the Commonwealth Minister through Friday. We described to the Commonwealth Minister the state of our waiting lists and described the effect of the curtailment of loan funds on employment in the building industry and the building supplier trades. It was agreed between us, with the concurrence of the Commonwealth Minister. that we would prepare a joint submission in this month of November and supply it to Mr Groom and that he would submit it to his Federal Cabinet seeking restoration of funds lost in this year's allocation—a gross figure of $70 million to be distributed throughout the Commonwealth in the usual proportions.

We were asking for a gross figure of $70 million, not even a real shortage but a percentage shortage. The Minister treated it with disdain. Mr Hayes proceeded to describe how the federal Minister went away disdainfully and, having told the press that he would agree to consider our request for $70 million, he then issued a statement that had been prepared three days before condemning the State Ministers, including Mr Hayes and the Liberal Party Minister from Western Australia, and the Country Party Minister from Queensland. They were more insulted than the three Labor Ministers who did not expect to receive good treatment from a federal Minister of the Liberal Fraser Government. The Liberal and Country party Ministers were upset and miserable because their programmes would have to deteriorate like the New South Wales

programme had to deteriorate. Last year New South Wales received **$128** million and this year the mount was reduced to **$103** million—in real terms even less than that when inflation is taken into account. All States are in a sad and sorry situation.

Honourable members opposite exaggerate even when they are trying to make points. The Leader of the Opposition might inform the honourable member for Byron of what I am about to say, as he is a decent member, even if he does not live at Darling Point.

Mr Punch: It is a bit of a hard sell.

Mr SPEAKER: Order!

Mr EINFELD: Yes, it is, but come and see me some time. I live in the electorate of Vaucluse and I am represented by a very good member.

[*Interruption*]

Mr EINFELD: I used to before the boundaries were changed four times. Once the boundary was put through a hole in the middle of a house. My electorate was changed four times and I would have had to move four times. I could not keep up with Sir Eric Willis because he used to draw a different map every time. I told Judge Amsberg that we would call it Amsberg's Hole. When I asked him which electorate the fellow lived in, he said it all depended where the bedroom was. When I put my representations to him Judge Amsberg said that he hoped that he did not live to deal with another redistribution. I said that I hoped he did not live to do that either. Of **the 2 682** dwellings completed by the Housing Commission in 1977–78 **1** 020 were in country **areas.** That represents **38** per cent of the total.

[Interruption)

Mr SPEAKER: Order! It is **11.20** p.m. and everyone is becoming a little testy, or at least the Chair is becoming so. I have called the Leader of the Country Party to order twice today. I do not intend to tolerate interjections any longer.

Mr EINFELD: I reciprocate the honourable member for Byron's compassion for me. They may call him gelignite Jack, but I still like him. New South Wales is the only State in which over the past twelve months approvals for housing have risen. In the month of October housing approvals increased over the previous month by **12.8** per cent. The Government has a progressive policy in housing. The honourable member for Byron was kind enough to refer to that policy. Through co-operative building society funding **$55** million has been spent on the construction of more than **2 500** project homes and jobs have been provided for 4 **000** people. Builders from all over the State have been invited to submit proposals for the construction of project homes. Almost every builder who has made a submission that is acceptable from the point of view of value and employment has obtained a contract. If any district has not received a contract it is because no builder has made a submission. No politics are involved in this because non-Labor electorates have received as much project building as Labor electorates, if not more.

The honourable member for Kirribilli said his information was that I had not protested in Adelaide. His information must have come from the federal Minister who did not listen to any complaints but simply issued a statement that had been prepared three days before and had nothing to do with the discussions that took place. My criticism of him was stronger than criticism I have used of the member for Kirribilli, which has been at times fairly trenchant. The Government has a progressive policy in regard to housing but if the Commonwealth opts out of the welfare housing

field more people will be anxious to get homes and unable to get them. The blame for this must rest with the Commonwealth. The Government has made available through co-operative building societies $17.5 million of its own funds at a lime when the Government did not really have money to give. Last year $10 million was made available to the Housing Commission and this year a further $10 million was provided because the Government has a soul and a heart and has compassion for people who need help and support. I defy any member of Parliament, however bitter he might want to be, to suggest that the Government or anybody in public life does not have sympathy for people in need of homes.

The greatest area of need today might not be in welfare housing. The member for Kirribilli said it represented 10 per cent of our housing needs. In fact, it is 15 per cent but I should not expect him to be accurate. Thousands of people in New South Wales cannot find homes for rental. During its eleven years in office the Liberal–Country party Government did not worry one iota about them. The shortage of rental accommodation is scandalous, but it has nothing to do with the agreement that is being debated. The honourable member for Kirribilli who is trying to sell his home units would not be worried about ordinary wage earners who are seeking rental accommodation. They would not have the money to buy them. The Government is determined to ensure that people who need housing will have that need satisfied. The Liberal–Country party Government did not even recognize that there was a problem.

A survey taken recently by the Australian Real Estate Institute revealed that the rental accommodation available was not sufficient to satisfy one per cent of the demand for that type of accommodation. If one goes to Bondi, a salubrious suburb that was taken out of the old Bondi electorate by one of the map drawing experts of the Country Party, one will not find a flat unless one is willing to pay $65 to $70 a week for a three-bedroom flat—and then one has to share it with the mice and the cockroaches and the walls will either have the paper torn off or no paper on them at all. The fact is that there is a critical shortage of rental accommodation. The supply is nowhere near the demand. This Government will follow, as it has followed, an aggressive housing policy. My predecessor in office, who spoke earlier in the debate, did a magnificent job in the area of welfare housing.

The honourable member for Kirribilli asked about matching grants. We needed to find $42 million from the State's funds but we found $53 million. That is how we matched the federal Government's grant. But that did not put one cent extra into the housing allocation. We found that amount because of the compassion we have for the needs of the people. This Government is reluctant to sign an agreement that does not help in a real way. I give the honourable member for Byron credit for worrying about the people of whom he spoke. They have not enough homes in the electorate of Byron or any other electorate in this State. There is hardly a town in New South Wales without a permanent caravan park. One can be seen in every town one visits. People are living permanently in caravans. That is outrageous. Nobody would want to put up with that situation, except Mr Fraser and Mr Groom. They do not mind. They walk away and treat the problem with disdain. From Western Australia to Queensland they treated State Ministers for housing with disdain and reduced the allocation for welfare housing. At this stage, December 1978, no State Minister for housing knows what money he will get from the federal Government for housing in July 1979. The honourable member for Kirribilli criticizes the Government and asks about its construction programme. We do not know whether we will get one cent, one dollar, $50 or $103 million.

I suggest, Mr Speaker, that if you get a chance when you have finished your long, energetic and wearying day, having listened to so many trying interjections and speeches, you ask the honourable member for Kirribilli if he will get in touch with the Prime Minister and ask him if he supports the honourable member for Byron who wants to house people in his electorate who need welfare housing---or does he propose to deny them the ordinary birthright of a reasonable citizen, a home to live in with his family? The honourable member for Kirribilli and Mr Fraser are very good types; they should match together well. Day after day I have to write to people and tell them that no more funds are available to provide additional welfare housing, in the same way as the Minister who spoke earlier and his predecessor had to do. I remind the honourable member for Byron that I need no excuses. The former Government had two housing Ministers in one year, the former member for Cronulla and the former member for Willoughby. Neither of them is here today.

Recently the honourable member for Kirribilli said he would emasculate the rental bonds board—he would close it down. We gave half a million dollars the other day for project housing and will provide another half a million dollars for the same purpose in the near future to provide homes for the sort of people about whom the honourable member for Byron speaks so feelingly. Let there be no attitude of carping criticism when dealing with this ordinary, fundamental, basic, pnmary human need. The subject cannot be treated in a carping, critical way. We have been reluctant to agree to sign this agreement, which comes from people who are ungracious, unmerciful and uncharitable.

Motion agreed to.

Bill read a second time.

Third Reading

By leave, bill read a third time, on motion by Mr Einfeld.

BILL RETURNED

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

Public Hospitals (United Dental Hospital of Sydney) Amendment Bill (No. 2)

SPORTING INJURIES INSURANCE BILL

In Committee

Consideration of Legislative Council's amendments.

Schedule of the amendments referred to in Message of 13 ***December,*** 1978

No. 1.—Page 22, clause 26, line ***23. After*** "person" ***insert*** **",** not being his spouse".

No. 2—Page 22, clause 26, line 24. ***After*** "person" ***insert*** "as his wife".

No. 3.—Page 23, clause 26, line 2. ***After*** "person" ***insert*** ", not being her spouse".

No. 4.—Page 23, clause 26, line 3. ***After*** "person" ***insert*** "as her husband"

Mr WALKER (Georges River), Attorney-General and Minister of Justice [11.30]: I move:

That the Committee agree to the Legislative Council's amendments.

The honourable member for Ku-ring-gai identified some faulty drafting in the bill that was presented to this House. That faulty drafting has been amended. We thank the honourable member for Ku-ring-gai for his perspicacity and capacity in identifying it. We certainly support what he suggested in this House. That is why we support the amendment.

Mr MADDISON (Ku-ring-gai) [11.31]: I am not used to being patronized in such a charitable way by the Attorney-General and Minister of Justice, or by any other member of **the** Government, but I am pleased that the errors I pointed out were acknowledged and that they have been corrected, apparently along the lines that the Government originally intended. At the time that we were debating this proposed new section I pointed out that a dependent was defined rather narrowly; the definition did not take account of the possibility of a deceased sportsman or sportswoman having a dependent mother, father, sister or brother; and that we should not have closed off the definition in quite this way. However, I shall not argue that now. The Minister has put the record straight and I shall send my account in due course.

Motion agreed to.

Legislative Council's amendments agreed to.

Adoption of Report

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

UNIVERSITY AND UNIVERSITY COLLEGES (AMENDMENT) BILL (No. 2)

UNIVERSITY OF NEW ENGLAND (AMENDMENT) BILL (No. 2)

UNIVERSITY OF NEW SOUTH WALES (AMENDMENT) BILL (No. *2)*

UNIVERSITY OF NEWCASTLE (AMENDMENT) BILL (No. 2)

MACQUARIE UNIVERSITY (AMENDMENT) BILL (No. 2)

UNIVERSITY OF WOLLONGONG (AMENDMENT) BILL (No. 2)

Introduction

Mr BEDFORD (Fairfield), Minister for Education [11.331: I move:

That leave be given to bring in the following bills:

(i) A bill for an Act to amend the University and University Colleges Act, 1900, to make further provision with respect to by-laws relating to fees and charges; to enable the University to acquire land by resumption or appropriation; to validate certain matters; and for certain other purposes.

(ii) A bill for an Act to amend the University of New England Act, 1953, to make further provision with respect to by-laws relating to fees and charges; to provide for the election of a member of the

Council of the University by the full-time members of the non-academic staff of the University; to enable the University to acquire land by resumption or appropriation; and for certain other purposes.

(iii) A bill for an Act to amend the University of New South Wales Act, **1968,** to make further provision with respect to by-laws relating to fees and charges; to provide for the election of one member of the Council of the University by the full-time members of the non-academic staff of the University; to enable the University to acquire land by resumption or appropriation; and for certain other purposes.

(iv) A bill for an Act to amend the University of Newcastle Act, **1964,** to make further provision with respect to by-laws relating to fees and charges; to enable the University to acquire land by resumption or appropriation; and for certain other purposes.

(v) A bill for an Act to amend the Macquarie University Act, **1964,** to make further provision with respect to by-laws relating to fees and charges; to provide for the election of a member of the Council by the full-time members of the non-teaching staff of the University; to enable the University to acquire land by resumption or appropriation; and for certain other purposes.

(vi) A bill for an Act to amend the University of Wollongong Act, **1972,** to make further provision with respect to by-laws relating to fees and charges; to enable the University to acquire land by resumption or appropriation; and for certain other purposes.

In March the six bills were passed by this House in their present form, but they were not enacted because honourable members in another place sought an amendment that was unacceptable to this House. I shall refer to this again at the second reading stage. The first measure, the University and University Colleges (Amendment) Bill, deals with amendments of the University and University Colleges Act, **1900.** It is the first of a series of bills concerning each university within the State. It contains machinery provisions to enable certain categories of persons to participate in elections for the senate of the University of Sydney; to enable the University of Sydney to provide for the matriculation, admission and enrolment of students through its by-laws; to clarify the powers of the Senate with respect to the levying of charges; to improve the mechanisms by which land can be acquired for the university by resumption or appropriation; and to provide that various functions performed by the Governor will in future be performed by the Minister for Education. The opportunity is also being taken to make some minor revisions of the Act so that it will be more appropriate for current circumstances and practice.

The second measure, the University of New England (Amendment) Bill, extends to the University of New England the same provisions as for the University of Sydney regarding the power of its governing body to levy charges, to resume and appropriate land, and certain functions to be attended to by the Minister rather than the Governor. Provisions are also included to redefine membership of the body corporate of the university to remove ambiguities caused by the term undergraduate; for the governing body to grant exemption from membership of the body corporate and convocation on grounds of conscience; to enable the university to replace its professorial board with a more broadly constituted academic board; and to provide for the representation of the non-academic staff on the university council. Furthermore, some transitional provisions, which no longer have effect, will be repealed by way of statute law revision.

Mr Bedford]

The third measure, the University of New South Wales (Amendment) Bill, contains similar provisions to the bill covering the University of New England, other than that to the professorial board of that university. The fourth measure, the University of Newcastle (Amendment) Bill, is similar to the two previous measures. It differs only in that some specific provisions of those bills are not required. The fifth measure, the Macquarie University (Amendment) Bill, extends to Macquarie University the same provisions as those of previous bills regarding the definiton of, and exemption from membership of, the body corporate; representation of the non-academic staff on the University Council; the power of the council to levy charges; land resumption and appropriation; and functions to be performed by the Minister instead of the Governor.

The sixth measure, the University of Wollongong (Amendment) Bill, includes similar provisions to those in the bills I have already dealt with to amend the Acts of incorporation of the other universities. The machinery provisions relating to land resumption and appropriation will enable certain land on which the university is established to be vested in the university. The land concerned is at present vested in the Minister for Education. I shall explain the details of the provisions of these six bills at the second reading stage. I now formally seek leave to introduce the bills, and am confident that all honourable members will support them.

Mr DUNCAN (Lismore) [11.38]: The Opposition does not oppose the granting of the leave sought. It is apparent that the legislation is similar to that which was dealt with in this House in May. Owing to the lateness of the hour, I shall defer any other comment to the second reading stage, when the Opposition will indicate its attitude.

Motion agreed to.

Bills presented and read a first time together.

ALLOCATION OF TIME FOR DISCUSSION

Mr BEDFORD: On behalf of the Premier I give notice of business to be dealt with under Standing Order 175B: Bail Bill; Justices (Bail) Amendment Bill; Child Welfare (Bail) Amendment Bill; Supreme Court (Summary Jurisdiction) Bail (Amendment) Bill; Criminal Appeal (Bail) Amendment Bill; Crimes (Bail) Amendment Bill; Fines and Forfeited Recognizances (Bail) Amendment Bill, all remaining stages by 12.45 p.m., Thursday, 14th December, 1978.

ADJOURNMENT

Murwillumbah Rail Service

Mr BEDFORD (Fairfield), Minister for Education [11.40]: I move:

That this House do now adjourn.

Mr BOYD (Byron) [11.40]: I rise to speak on a matter of great importance and concern to my electorate. It deals with the rail link between Casino and Murwillumbah, which was constructed to provide communication and transport to the far northeastern corner of New South Wales. It has provided this service since the turn of the century. In 1973 a great change took place with the introduction of a new concept, the Gold Coast MotoRail, which has proved to be a great success. The whole concept of that rail link changed from the original intention to a new and exciting idea. The proposal was generally favourably accepted. It was a new approach, with a different tourist link to the great city of the Gold Coast and the southern suburbs of Brisbane.

The former Minister for Transport looked at the area and agreed that it would be an excellent site for a freight terminal to serve the Gold Coast and the southern suburbs of Brisbane. At that time the turnround of rail trucks at Clapham Junction was about thirty-six hours a vehicle. This was confirmed by the Minister for Transport in an answer given on 24th January to a question on notice. This compared with a turnround at the Murwillurnbah terminal of only eight hours, which represented a major saving. Certain problems were generated. Because of the success of the Moto-Rail, which was increasingly patronised, it wuld not run to scheduled times. In reply to a question asked of the Minister in December 1976, it was suggested that the train had been late on 129 occasions out of 183 journeys. That cannot be considered a good record. Since that time the service has become worse. I do not blame the Minister or the Public Transport Commission. The demand on this rail service has demonstrated the need for a second division of this train.

In recent times promises have been made that improvements would be carried out to meet the increased demand for this rail service. I have received promises that the railway station at Murwillumbah would be extended. That is overdue. Each year that has been asked for and promises made. Recently contracts were called for the platform extensions. Certain people submitted tenders in good faith. Notification has been received that because of the lack of money to carry on with the job, the tenders will not be accepted. That is a matter of concern. We were told also that staff barracks would be built at Murwillumbah. I understand there is some doubt whether tenders have been let for the staff barracks to house the hard-working staff who, after a long day's work, deserve some comfortable facilities at Murwillumbah. At present they spend considerable time in the town, with no facilities available to them. This is particularly uncomfortable in the summertime.

In reply to questions on notice, the Minister has informed me that the Murwillumbah line needs fencing. The general policy is that it is cheaper to pay for the stock that is killed on the line than to fence it. Today I heard the Minister described by the honourable member for Hurstville as a man of compassion. I ask him to show compassion for dumb animals. Valuable animals that belong to people who have bred and developed them have been killed on this unfenced line. I ask the Minister to do the decent thing and show compassion, by fencing the line and thus saving those animals.

The Minister could not only save the lives of animals but improve the performance of the train. No train driver would drive headlong into a group of cattle on a railway line and say, "To hell with the animals; my train must get through." There is also a danger to human life. We have had the shattering experience of the Granville train disaster. The Minister was quite vocal on that. I fear we may face a similar disaster in my area because of stock straying onto the railway line. We might have a major derailment and a lot of people could be killed unless the line is fenced. It is not good enough to say that the money is not available. Let us find the money and get the job done.

A host of statements have been made about the proposed new freight terminal. There is no doubt of the market potential; surveys that have been carried out suggest this. Also, it is needed to service the Gold Coast and the southern districts of Queensland. In this fast-growing area the population of my electorate has increased by 11 000 in the past five years and it is expected that it will increase by 22 000 in the next five years. The area will continue to grow irrespective of who is in government, and the stage of growth has been reached where it cannot be held back.

I assume that there has been conflict about the location of the freight terminal. The honourable member for Casino has said time and again that it will be in Casino and that $250,000 will be spent on it. My opponent at the last election said that the

freight terminal would be built not at Casino but at Murwillumbah. He said that the Minister had made a promise to that effect. Someone is telling lies. The people in the area want to know the truth about where the freight terminal will go. Will it be located in the obvious place, or will it be built somewhere else for political reasons?

The people of the district, who have developed the area on faith, want an assurance that the Minister will not close the Casino–Murwillumbah rail link. From time to time railway staff come to me and ask me to find out what will happen to the line. They want to know whether it will remain open or will be closed. I have promised them that I would ask the Minister about it at the first opportunity. I inform the Minister that the staff up there have worked hard for him. They work under difficult conditions and the telecommunications office is not very modern. They have a turnover of about $2 million a year out of one station. Further, I worry about the conditions under which they work.

When the president of the ACTU, Mr Bob Hawke, visited the area during the last election campaign he made political speeches in support of my opponent, who was never a worker. He is a bigger capitalist than I am. He is even a bigger one than the Minister for Lands, who is attempting to interject. Mr Hawke found time to stand up in the main street of Murwillumbah and to make speeches in support of a capitalist, but he did not have time to visit the railway station and see the working conditions of some of the workers who help to provide his income. That disappointed me.

I have asked the Minister on many occasions—and he has been asked by other people as well—to visit the electorate and have a look at the situation. Although he is now approaching the end of his third year in office, he has not yet visited the electorate. I ask him to do so and to have a look at the working conditions at Murwillumbah railway station. I ask him also to give an assurance that the rail link will not be closed and that the improvements that I have mentioned will be made at the earliest opportunity. I assure him that the staff up there work very hard for him and the Public Transport Commission. If he has no respect for me—although I hope he has some, for I have shown him a good deal of respect—I hope that he will come up to the electorate for his staff's sake and for the sake of other people in the electorate. After he has had a look at the problems that exist in the electorate, he should give the assurances that I seek, so that the people know where they stand and can look forward to the future with confidence.

Mr COX (Auburn), Minister for Transport [11.50]: The honourable member for Byron has raised about fifteen matters tonight. He rang my office today and intimated that he would be raising the question of transport facilities at Murwillumbah. Though he may expect me to give a detailed reply to the matters he has raised he will not be getting such a reply tonight. That is completely unfair of him. He asked whether I have respect for him. I have respect for the honourable member for Byron and for all other honourable members. I shall look at all the matters he has raised. In the autumn session of the Parliament a bill will be presented for a reorganization of the public transport system that will clearly identify the loss areas of the commission.

When I became Minister no information was available as to loss areas in the Public Transport Commission of New South Wales. It has taken eighteen months to identify them. About 90 per cent of that information is now available and by the autumn session more detail will be to hand. That information will be presented to the Parliament. The complete loss operations will be detailed for honourable members and they will have every opportunity to debate the matter. Much has been said about

public transport, and some inaccurate statements have been made about the profitability of some areas. Having had the benefit of some detailed surveys I recently presented the Government with that data and my observations on it, together with a plan for the complete reorganization of the Public Transport Commission.

I shall look into the matters raised by the honourable member for Byron. He implied that I have no respect for him, I assure him that I do. The fact that I have not visited his electorate does not indicate lack of respect for him personally. I have a heavy portfolio and I visit electorates as often as I can. I assure the honourable member that I shall visit his electorate when that is possible. I shall give the honourable member a detailed written reply on the other matters he has raised.

Motion agreed to.

House adjourned at 11.55 p.m.

QUESTIONS UPON NOTICE

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

TRAFFIC LIGHTS FOR CONCORD WEST

Mr McILWAINE asked the Minister for Transport—

When will traffic lights be installed at the intersection of Harrison Avenue and Killoola Street, Concord West?

Answer—

The intersection of Concord Road with Harrison Avenue and Killoola Street, Concord West, is a recognized site for the installation of traffic control signals. However, because of the large number of other sites already listed, it would not be practicable to indicate when the signals will be installed. Nevertheless, the matter is being kept under review.

PILFERING FROM MORISSET HOSPITAL

Mr MOORE asked the Minister for Health—

(1) Has the manager of Morisset hospital refused to institute a system of bag checks on employees in order to reduce pilfering of milk and other foodstuffs?

(2) Why is the contract for milk supply to the hospital required to be in crates of 1-litre cartons rather than a bulk supply?

(3) Will he urgently investigate such pilfering?

(4) Would an alteration of the contract base make such pilfering, particularly of milk, less easy?

Answer—

(1) No. However, he has recommended against the institution of a bag check because:

(a) it would be extremely difficult to effectively implement because the hospital is so extensive;

(b) of the difficulty of undertaking it without being discriminatory and this would almost certainly lead to industrial problems.

(2) The Health Commission has adopted this policy in an attempt to maintain a high level of hygiene.

(3) This has already been done. In the past issues have been on the basis of Health Commission ration scales. However, the system of supplying the wards is currently under review in order to ensure that no milk in excess of patient requirements is issued.

(4) An alteration of the contract has been considered but Wyong Dairy does not produce 2-litre containers and the use of 5-litre containers would cause serious problems in regard to refrigeration, storage and handling, and is therefore not considered to be a practical alternative.

MANDRAX

Mr MOORE asked the Minister for Health—

(1) What is the state of right to prescribe or utilize the drug Mandrax in each of the other Australian states or territories?

(2) Why has the drug not been prohibited in New South Wales?

Answer—

(1) The Australian Drug Evaluation Committee, in 1977, reviewed the use of this drug. Whilst the Committee had some reservations about its usefulness, it was not prepared to recommend its prohibition and suggested that Schedule 8 control be implemented.

With varying delays up to February of this year, all States except New South Wales moved methaqualone (mandrax) to Schedule 8.

At the April 1977 meeting of the New South Wales Poisons Advisory Committee it was agreed that some measure of control was needed and on Friday, 4 November 1977, additional controls on the use of methaqualone were introduced in this State.

The Committee took the view that transfer to Schedule 8 (drugs of addiction) may not be necessary if these measures effectively controlled the problem.

The additional controls provided are summarized as follows:

(1.1) Every person engaged in the supply or distribution (both wholesale and retail) must maintain a drug register in which are to be recorded the same particulars which are required for drugs of addiction. The same drug register may be used if one is already in use and a separate page allocated for each branch and strength of the preparations concerned.

(1.2) Full stock checks are required twice a year, as close as practicable to the last day of March and September, and the particulars of the stock on hand recorded in the register as for drugs of addiction. Similarly, a stock check is required when a person assumes control of a practice or business for a period of one month or more.

(1.3) The drug register referred to above must be retained for at least two years from the date of the last entry therein.

(1.4) No person, other than a person who has obtained possession of this substance on a prescription, may wilfully destroy the substance or allow it to be wilfully destroyed. As with drugs of addiction it may be destroyed only by a police officer or a person authorised by the Health Commission under Section 43 of the Poisons Act, 1966.

(1.5) Where a prescription is issued for this substance no other preparation may be included in the prescription.

(1.6) Where a prescription for this substance is required to be cancelled in accordance with the regulations, the prescription shall be retained by the person dispensing it and preserved for at least two years. In the case of a National Health Scheme or Repatriation Benefit prescription the duplicate must be retained for two years instead of the original.

(2) At the June 1978 meeting, the New South Wales Poisons Advisory Committee reviewed the matter in the light of reports concerning usage in New South Wales following the introduction of the special controls.

The Committee concluded that the additional controls appeared to be having the desired effect and that inspection and enforcement were the key components. It requested that the results of follow-up studies on usage be presented to the Committee.

ABBOTSFORD–GLADESVILLE BRIDGE

Mr MAHER asked the Minister for Local Government and Minister for **Roads**—

What is the estimated cost of the proposed bridge from Abbotsford Point to Bedlam Point, Gladesville, including all ancillary roadworks?

Answer—

The estimated cost of the proposed bridge from Abbotsford Point to Bedlam Point, Gladesville, including all ancillary roadworks is $20.9 million.

The estimated cost of constructing the proposed bridge, excluding approaches, is $13.3 million. The estimated cost of roadworks, including property acquisitions, for the ultimate scheme is $7.6 million.

These estimates are based on present day costs.

SALE OF AMMUNITION

Mr **MAHER** asked **the Premier**—

Will the Government restrict the sale of ammunition to persons holding pistol or shooters' licences?

Answer—

The Firearms and Dangerous Weapons Act prohibits the purchase of ammunition by or the sale of ammunition to persons under the age of eighteen years.

The question of whether any additional restrictions on the sale of ammunition should be introduced will be considered in conjunction with a review of the adequacy of the existing legislation which is currently being undertaken.

EMERGENCY TOWING ON BRIDGES

Mr **MAHER** asked the Minister for Local Government and Minister for **Roads—**

Could the Emergency Towing Service operating on Sydney Harbour Bridge be extended to:

(1) Glebe Island Bridge;

(2) Pyrmont Bridge;

(3) Iron Cove Bridge; and

(4) Gladesville Bridge?

Answer—

(1) The Department of Main Roads has a bridge operator on duty at Glebe Island who is able to contact the Department's Emergency Centre when the need arises. **A** tow truck is available at the Emergency Centre for use as required between **7.00** a.m. and 6.00 p.m.

I might mention that the provision of television surveillance of traffic on Glebe Island Bridge is at present under consideration and a decision on installation depends on the results of trials at present being carried out.

(2) Traffic on Pyrmont Bridge is under surveillance by three television cameras and operators at the Emergency Centre are able to deal with any breakdowns which occur on the bridge by directing a tow truck to the scene.

(3) and (4) There is insufficient staff attached to the Emergency Centre to provide a towing service on the Iron Cove and the Gladesville Bridges.

However, a free towing service has been introduced on Victoria Road between Huntleys Point Overbridge and Pyrmont Bridge Road. The service, for city-bound traffic, is operating for a trial period until 22nd December, **1978** in the morning peak period only, between ***6.30*** a.m. and **9.30** a.m., Monday to Friday.

The contractor, Advance Towing Service, will move, free of charge, disabled or damaged vehicles causing disruption to city-bound traffic only to the nearest point clear of Victoria Road.

The trial service includes the Gladesville, Iron Cove and Glebe Island Bridges.

HABERFIELD POLICE STATION

Mr MAHER asked the **Premier—**

(1) Why was the police station at Haberfield closed?

(2) What is the population of the area formerly covered by the station?

(3) Were residents consulted before the station was closed?

(4) How many robberies were reported in Haberfield annually from 1966 to 1977?

(5) Why were the police at Haberfield transferred to Ashfield station and not to Fivedock?

(6) What is the distance between the former Haberfield police station and the stations at (i) Five Dock and (ii) Ashfield?

Answer—

The Commissioner of Police has informed me:

(1) Haberfield Police Station was operated on a part-time basis and, as the volume of work in the area is light, it was considered the closure of the Station and the transfer of the Police strength to Ashfield Police Station would result in an improved service to the community within the Petersham, Ashfield, Haberfield area by better utilization of available police and equipment resources on a full-time basis.

(2) The Ashfield Municipal Council has no record of the number of inhabitants in Haberfield. However the Commonwealth Electoral Office records show that 4 706 electors were enrolled as at 27th October, 1978.

(3) No.

(4) The information sought is not maintained in the form requested and, in the circumstances, it is regretted that it is not practicable to answer this part of the question. Haberfield Police Station was not a detective station and crimes of this nature were dealt with at Ashfield.

(5) Ashfield is in the same Division as Haberfield whereas Five Dock is not. Upon closure of a police station it is normal departmental procedure for the police strength to be incorporated within the same division.

(6) By motor vehicle using the most direct and practicable route—

(i) 2.1 kilometres

(ii) **2.2 kilometres**

SCHOOL DENTAL SERVICE

Mr MAHER asked the Minister for Health—

When did the School Dental Service last visit each State and non-State school within the Drummoyne electorate?

Answer—

The last dental examinations of children at State and non-State schools within the Drummoyne electorate were carried out on 20 February 1973.

At that stage the School Dental Service was labouring with **ratios** of one operator to some 40,000 school children within the State—an impossible task if a satisfactory programme was to be developed based on the triad of dental health education. preventive dentistry and clinical services.

In 1973 the Federal Government advanced funds to assist the States in the development of their School Dental Services. At long last it became possible to plan for an effective programme to achieve and maintain maximum dental health for children.

Since 1973 the main thrust in New South Wales has been in the development of Dental Therapist Training Schools to provide the staff necessary for the expanding field service.

To provide clinical facilities for the staff graduating from the training schools a clinic building programme has been underway to the extent that there are now 60 dental clinics established in school grounds and 25 mobile clinics visiting schools. A further 27 fixed clinics and 20 mobile clinics are currently under construction.

In the Inner Metropolitan Health Region in which the Drummoyne electorate is situated clinics have been constructed at Rozelle and Canterbury and Clempton Park is almost complete. A mobile clinic is under construction and will be commencing treatment in the Five Dock–Drummoyne area in the first school term of 1979.

Whilst no clinics have as yet been constructed in the Drummoyne environs, children from these schools may attend any of the above school clinics.

The task of providing clinics at all the larger schools in New South Wales is formidable and has not been made any easier by the cutbacks in Federal funding. Despite this, the number of children under active treatment was 88 368 in 1977–78 or 13.9 per cent of the State's infant and primary school-child population compared with 9.56 per cent in 1976–77, whilst preventive services have reached as high as 75 per cent in several Health Regions.

Every effort will be made to offer the benefits of preventive programmes, dental health education and clinical services to the children of Drummoyne, and indeed to all children in this State as rapidly as funds will permit.

BYRON ELECTORATE ROADS

Mr BOYD asked the Minister for Local Government and Minister for Roads—

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—

Insofar as the Department of Main Roads is concerned, the following works are either in hand or proposed for early commencement:

Pacific Highway

Reconstruction north of Bangalow to McLeods Shoot.

Deviation and new railway overbridge at Tyagarah.

New concrete structure to replace old timber structure at Everitts Creek.

Channelisation and widening of Alma Street intersection at Murwillumbah.

Construction of a deviation at Condong Village.

Reconstruction of Highway including provision of dual carriageways from Sextons Hill to Boyds Bay.

Reconstruction and strengthening of pavement on various lengths.

In addition, Byron Shire Council is continuing with the reconstruction and bitumen surfacing of Trunk Road No. 65 between Lismore and Bangalow while Tweed Shire Council is undertaking similar work on Main Road No. 142 between Murwillumbah and Nimbin.

Further works on classified roads within the Electorate will proceed in future years as required and when funds permit having regard to relative needs throughout the State generally.

In connection with the long term development of the area, the Department has planned a new route of the Highway to by-pass the Central Business District of Tweed Heads. However, construction is not proposed in the near future as improvements planned for the existing route will cater adequately for normal traffic for some years.

ASHFIELD SCHOOL OF ARTS

Mr WHELAN asked the Premier—

(1) Who are the trustees of the Ashfield School of Arts?

(2) What are their addresses?

(3) When were they appointed?

(4) What assets are held by the trustees?

(5) Under what statute or regulation does this school of arts operate?

(6) What is the method of election and replacement of the trustees?

Answer—

(1) The trustees to the Ashfield School of Arts are as follows:

Messrs: Thomas Gavan Douglas Marshall
Lawrence Armitage Lovell
Ray Vincent Westacott
William Edward Clarkson.

(2) The addresses of trustees of schools of art are not required to be recorded by the Division of Cultural Activities, Premier's Department, being the relevant body administering the regulations of Trustees of Schools of Arts Enabling Act, 1902. As there is no provision set out in the aforesaid Act, the only means by which these addresses may be obtained is through written communication or given voluntarily by the trustees.

In regard to the Ashfield School of Arts, the only address recorded is that of Mr Thomas Gavan Douglas Marshall. His address is:

Messrs T. G. D. Marshall, Landers and Co.,
Solicitors,
25 Holden Street,
ASHFIELD. N.S.W. 2131.

(3) By ***Government Gazette*** No. ***48*** of 13th March, 1953, the appointments of:

Messrs: Thomas Gavan Douglas Marshall
Lawrence Armitage Lovell

were effective.

By ***Government Gazette*** No. ***84*** of 12th July, 1968, the appointments of:

Messrs: Ray Vincent Westacott
William Edward Clarkson

were effective.

(4) Under the provisions of the Trustees of Schools of Arts Enabling Act, 1902, records of assets are not required to be kept by the body administering the regulations.

(5) The schools of arts are bound by the Trustees of Schools of Arts Enabling Act, 1902.

(6) The Trustees of Schools of Arts Enabling Act, 1902, requires, in cases where it is intended to fill a vacancy on a school of arts, mechanics institute, et cetera, trust, that the office of the trustee be declared vacant. Such vacancy of a trustee's office may be declared on the grounds specified in section 14 (1) of the said Act, namely, resignation, death, bankruptcy, insanity or if for any other reason it is not desirable that the trustee should continue in the administration of the trust.

For this purpose the Act provides that a ***meeting*** of *members* ***to declare vacant the*** *office* ***of the*** *trustee(s)* must be specifically convened by advertisement in two (2) separate issues of a newspaper circulating in the district. ***Both*** advertisements must allow at least fourteen days' notice of the date of the meeting.

At the meeting a resolution declaring the office(s) of such trustee(s) vacant must be duly passed and carried and a copy of such resolution should be forwarded to the Division of Cultural Activities, Premier's Department, being the relevant administration body of the said Act, thereupon—

A second meeting of members should then be convened in exactly the same way as the first for the purpose of electing new trustee(s).

Copies of the resolutions duly passed and carried should be signed by the chairman of the meetings and forwarded to the Division of Cultural Activities, Premier's Department, together with copies of ***all*** newspapers containing the advertisements.

REPORTS OF CRIME

Mr WHELAN asked the Premier—

(1) Would he list the area each police station serves and the number of:

(a) offences against the person;

(b) motoring offences;

(c) sexual offences;

(d) property offences and estimates given of values involved;

(e) drug offences;

(f) other coded offences;

reported for each station for the last five years?

(2) Would he list convictions obtained for (a) to (f) inclusive, above?

(3) Would he disaggregate, where possible, the level of crime as set out in Apendix A to the 1975 Report of the New South Wales Police Department?

Answer—

I understand that there are 469 police stations in New South Wales and the Commissioner of Police has informed me that a breakdown of the total figures would involve considerable time and manpower.

In the circumstances I regret that it is not practicable to provide the information sought.

GOVERNMENT OFFICE BUILDING FOR TUMUT

Mr SHEAHAN asked the Premier—

(1) When will the proposed minor Government Office Building be built in Tumut?

(2) What is its priority of construction?

(3) Which towns enjoy higher priority?

(4) Why do these towns rank higher than Tumut?

Answer—

The Government's priorities in regard to the construction of country office blocks involve the building of such blocks at Griffith, Newcastle and Wollongong, in that order. The planning and commencement of the buildings in those towns is dependent on whether any change takes place in local conditions, the availability of funds, the Government's overall capital works programme, and the competing needs for the construction of other public buildings elsewhere in the State.

However, although these particular office blocks are of high priority to the Government, the funds allocated for capital works this financial year will not permit any new works to be undertaken to the public buildings programme. In the circumstances, I em unable to make any firm commitment in regard to the question of building a State office block at Tumut.

With this situation in mind, the Public ,Service Board is presently examining the possibility of leasing suitable accommodation at Tumut as an alternative. The main possibility at the moment is that the Tumut River Council is proposing to erect an office building within the commercial zone in Capper Street between Wynyard and Merrivale Streets and the board's chief accommodation officer will shortly be having discussions with the county clerk to determine whether this building might be suitable for accommodating State public servants.

PUBLIC SERVICE FOREIGN LANGUAGE PUBLICATIONS

Mr MOORE asked the Premier—

(1) What publications of his department are in demand by members of the ethnic communities of New South Wales?

(2) Which of these publications, if any, are published in languages other than English?

(3) Why are the remainder not published in ethnic languages?

(4) What ethnic languages are used for which publications?

Answer—

(1) (a) Community Interpreter and Information Service leaflet;
(b) Preface and Summary of the Ethnic Affairs Commission Report;
(c) Leaflets titled, "Trade Unions" and "Workers' Compensation"; and
(d) The Migrant Assistance Directory.

(2) The publications listed in (a), (b) and (c).

(3) The Migrant Assistance Directory is a referral manual compiled for use by people in all helping professions to assist them in advising non-English speaking people of the assistance available from community services. People having a use for the manual are fluent in English.

(4) The leaflet on the Community Interpreter and Information Service contains messages in Arabic, Greek, Italian, Serbo-Croatian, Spanish and Turkish. The Preface and Summary of the Ethnic Affairs Commission's Report was produced in Arabic, Dutch, German, Greek, Italian, Macedonia, Maltese, Polish, Portuguese, Russian, Serbo-Croatian, Spanish and Turkish.

The leaflets, "Trade Unions" and Workers' Compensation" were produced in Arabic, Greek, Italian, Serbo-Croatian, Spanish and Turkish.

TWEED HEADS BY-PASS

Mr BOYD asked the Minister for Local Government and Minister for Roads—

(1) Has the Tweed Heads by-pass proposal been deferred indefinitely?

(2) If so, what extra provisions are required to improve existing facilities, caused by this deferment?

Answer—

(1) No. However, a commencement date for the Tweed Heads By-Pass has not yet been determined and having regard to the limited funds available for rural arterial road works throughout the State, it is unlikely that the work will be undertaken for some years.

(2) To provide for traffic using the existing route of the Pacific Highway, reconstruction including the provision of dual carriageways will be undertaken between Sextons Hill and Boyds Bay.

WASTE RECYCLING

Mr MOORE asked the Minister for Local Government and Minister for Roads—

(1) What arrangements are being made in his department, and in statutory authorities or instrumentalities under his control, for the recycling of waste materials such as paper, metals and glass?

(2) If no arrangements for recycling exist, will he implement or investigate the implementation of the recycling of waste materials?

Answer—

(1) Insofar as the Department of Main Roads is concerned, the Department does not generally recycle waste materials such as used tyres, metal off-cuts, paper, glass and the like. However, arrangements are made, as far as practicable, for all usable waste materials to be disposed of at auction or by annual contract.

(2) The Department does not have the facilities for recycling waste materials and the arrangements outlined in (1) above are considered to be sufficient for its purposes.

MATERNITY LEAVE

Mr MOORE asked the Minister for **Local** Government and Minister for Roads—

(1) What was the cost of maternity leave in his depastment, or statutory corporations or authorities under his control, in 1977 and from 1 January to 30 June, 1978?

(2) What were the total hours of leave in respect of these employees?

(3) How rnany such employees resigned or retired within one month of the end of the leave period?

(4) What sum was paid for maternity leave for—

(a) a first;

(b) a second; and

(c) a third

child in each year?

Answer—

(1) Insofar as the Department of Main Roads is concerned, the cost of maternity leave in 1977 was $10,712.09 while for the period 1st January, 1978, to 30th June, 1978, the cost was $3,829.84.

(2) A total of 4 823 hours maternity leave was granted for the foregoing periods.

(3) Eight employees resigned within one month of the end of the leave period.

(4) (a) As in **(1)** above.

(b) Nil.

(c) Nil.

DEPARTMENT OF MAIN ROADS AUDITS

Mr **MOORE** asked the Minister for **Local** Government and Minister for **Roads**—

(1) What is the name of each statutory authority, corporation, or undertaking for which he has responsibility?

(2) What funds appropriated to any of these bodies were appropriated to each during—

(a) 1976–1977;

(b) 1977–1978; and

(c) 1978–1979?

(3) Who audits the accounts of each of the bodies?

(4) Under which Act of Parliament was each body established and in what year?

(5) When was the most recent review or inquiry into each body carried out?

(6) Was the report of such review or inquiry made available to the Parliament?

(7) By whom was any such inquiry or review carried out?

Answer—

(1) One of the Authorities under my management and control is the Department of Main Roads which is administered by the Commissioner for Main Roads.

(2) The total funds received by the Department from all sources were:

(a) 1976–77—$324.5M

(b) 1977–1978—$382M

(c) 1978–1979—$465M (estimated).

(3) The Auditor-General. A separate internal audit is also undertaken by the Department.

(4) "The Commissioner for Main Roads" is a statutory corporation established in 1932 under the Transport (Division of Functions) Act. The Transport (Division of Functions) Act, in effect, abolished the former Main Roads Board which had been created by the Main Roads Act in 1924.

(5) 1978.

(6) No.

(7) W. D. Scott & Company on behalf of the Review of N.S.W. Government Administration.

SCHOOL BUS ROUTES

Mr SCHIPP asked the Minister for **Transport**—

(1) Are buses used on school bus routes required to be fitted with special warning devices, such as flashing lights, to indicate children are embarking or disembarking?

(2) Are motorists restricted as to the speed at which they can pass stationary school buses en route?

(3) Are changes to the traffic laws proposed to increase the safety of children using school buses?

Answer—

(1) No.

(2) No.

(3) This is under consideration. An interim report from, the Department of Motor Transport's Traffic Accident Research Unit relating to the use of distinctive signs and flashing lights on buses used solely for the carriage of school children is being evaluated.

BUILDERS' LICENSING BOARD

Mr DEGEN asked the Minister for Consumer Affairs, Minister for Housing and Minister for Co-operative Societies—

Does the Builders Licensing Board have any plans to establish a regional office south of the harbour?

Answer—

The Builders Licensing Board has considered the question of the further regionalization of their activities. It has been decided that a suitable site would be in the Hurstville area, subject to the availability of staff.

At the present time, stringent staff ceilings have by necessity been imposed by the Public Service Board as a direct result of the financial stringencies placed on all State Governments by the Corntnonwealth. It is, therefore, impossible at this time to advise Mr Degen of when it is likely that the Board will be in a position to open this office.

ROAD WIDENING FOR BELROSE

Mr HEALEY asked the Minister for Local Government and Minister for Roads—

(1) When will work begin on the widening of Forest Way, Belrose, as announced by the Department of Main Roads?

(2) When will plans be announced for widening of this road to Mona Vale Road?

Answer—

The widening of Forest Way is a relatively low priority work in relation to other outstanding works within the Warringah Shire and is unlikely to be commenced within the next three to four years.

There is no record of the Department of Main Roads making an announcement that work will begin on the road before that time.