

Legislative Assembly

Wednesday, 7 April, 1982

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

Mr Speaker offered the Prayer.

BILLS RETURNED

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

Transport Authorities (Amendment) Bill
Government Railways (Amendment) Bill
Transport (Amendment) Bill
Miscellaneous Acts (Financial Accommodation) Amendment Bill
Saint Vincent's Hospital (Amendment) Bill
Legal Services Commission (Amendment) Bill
District Court (Amendment) Bill
Courts of Petty Sessions (Civil Claims) Amendment Bill
Building and Construction Industry Long Service Payments (Amendment) Bill
Adoption of Children (Amendment) Bill
Supreme Court (Adoption of Children) Amendment Bill
Dried Fruits (Amendment) Bill

BILLS RETURNED

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

Medical Practitioners (Amendment) Bill
New South Wales State Cancer Council (Amendment) Bill

PETITIONS

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

Sydney Harbour Bridge Footway

The Petition of citizens of New South Wales respectfully sheweth:

That there is a great deal of opposition to the proposal for an extra traffic lane on the Sydney Harbour Bridge, and that it would be a waste of public funds badly needed for more pressing uses.

Your Petitioners therefore humbly pray that the proposal for the extra traffic lane on the Sydney Harbour Bridge be abandoned.

Petition, lodged by Mr Mack, received.

Shopping Centre for Erina

The humble Petition of the citizens of New South Wales respectfully sheweth:

In view of Gosford city council's repeated refusal to allow Grace Bros to build a regional shopping centre at Erina; and, that such a proposal would involve the developers in the improvement of roads and bridges; and that the New South Wales Land Commission has acquired land for a major housing development at Erina; and that the planning of the whole area is now under review;

We, the undersigned Petitioners, do humbly pray that your honourable House will act to approve a regional shopping centre, including Grace Bros, with adequate ground level parking in its plans for the development of the Erina residential area, whilst seeking from the Land Commission and other developers a contribution towards associated road-works and a bridge across Erina Creek.

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

Petition, lodged by Mr McGowan, received.

Vehicle Registration Fees

The Petition of pensioners of all classes qualified for fringe benefits, and other interested citizens, respectfully sheweth:

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

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

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

Petitions, lodged by Mr Brading, Mr Brewer, Mr Duncan, Mr Fisher, Mr Singleton and Mr West, received.

Marihuana

The Petition of citizens and others subject to the legislation of the State of New South Wales respectfully sheweth:

The inclusion of the plant genus cannabis, herein called marihuana, within the schedule of the Poisons Act, 1966, as a drug of addiction is contrary to all scientific knowledge and evidence, as it is neither physically addictive nor poisonous.

The present legislation has not only failed to restrict usage but has served to provide an enormous blackmarket potential for profit, crime and corruption; assist the techniques of heroin distribution and proliferation; divert police resources away from the protection of people and property; undermine the credibility of justice, the law and law enforcement; cause an unnecessary and detrimental division among the citizens

of this State, including a widening of the generation gap; cause detriment to the lives of citizens of this State far beyond what would be caused by the substance itself.

In so doing it is an infringement upon the rights of citizens of this State to make an informed choice as to their recreational influence.

Your Petitioners therefore humbly pray that your honourable House:

Take immediate steps to remove the penalties under the Poisons Act for the use, possession and private cultivation of marihuana in all its forms; provide for the removal of all criminal records of those already convicted of marihuana related offences; follow the recommendations of the Senate Committee on Social Welfare to enact cannabis legislation which recognizes the significant differences between opiate narcotics and cannabis; and institute a government committee to investigate the medical and commercial uses of marihuana.

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

Petition, lodged by Mr O'Connell, received.

Liquor Licence Fees

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

That we, the undersigned citizens, object to any proposed increase in liquor licence fees.

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

Petition, lodged by Mr Armstrong, received.

Community Services Funding

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

That the 1981–82 Budget allocations to the Department of Youth and Community Services for provision of funding to community-based organizations are the same in money terms as those allocations were in 1980–81.

That this represents a cut of 10 per cent in real terms.

That since both federal and State Governments are withdrawing from direct service provision in the human services field, the demand on non-government organizations is increasing greatly and the funds available to the community services sector should be increased rather than decreased.

That immediate supplementation from Treasury is needed to ensure that community services in New South Wales can maintain their levels of operation.

That the 1982–83 State Budget must provide for funding for community groups at levels at least equal to those of 1980–81 in real terms, in order that community service organizations are not forced to close and cease their services to the people of New South Wales.

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

Petition, lodged by Mr Petersen, received.

Youth Services Funding

The Petition of young people and citizens of the Fairfield area respectfully sheweth:

That youth needs in the Fairfield area are not being addressed, due to inadequate State Government funding priorities and commitments.

Your Petitioners therefore humbly pray that your honourable House request:

That funding commitments for youth services in the Fairfield area be increased to a level which begins to meet the needs of young people. Also, that priorities be altered so that western Sydney areas such as Fairfield are no longer disadvantaged. And that encouragement be given to Fairfield city council to take responsibility for planning youth needs, in consultation with young people, for the Fairfield city area as part of a State Government commitment.

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

Petition, lodged by Mrs Crosio, received.

QUESTIONS WITHOUT NOTICE

HEALTH SERVICES FUNDING

Mr BRERETON: Yesterday, the honourable member for Byron asked me a question in relation to the United Hospitals Auxiliary. He asked whether \$1 million was contributed to the health services of this State by the auxiliary, and whether there had been a proposal to relocate the head office of the organization, by when, and for what purpose. I undertook to make inquiries and to supply the honourable member with the answer. I now inform him that in 1980-81 the United Hospitals Auxiliary, which is a body of volunteers who raise funds for the hospital system, raised \$1.39 million. The Ministerial task force report into the staffing and administration of the Health Commission delivered to me on 19th January recommended the deletion of two public service positions servicing the auxiliary. Those two persons are the organizer and the secretary, whose salaries are paid by the Health Commission in what is, in effect, a donation to the auxiliary by the State Government. The task force proposed that the salary funds be paid directly to the auxiliary in the form of an annual grant.

The task force informed me that the proposed auxiliary would be pleased to be able to employ its own staff. It was proposed that the rights and privileges of the two persons involved would be protected as they would retain their public service status. However, the auxiliary would no longer be offered accommodation in the central office of the commission. This would be in keeping with its new-found independence from the Health Commission. At the same time, the proposal is in keeping with the main aim of the task force report, which is to streamline administrative procedures and remove any services from the Health Commission not having a direct bearing on the administration of health care services in New South Wales. Finally, I inform the honourable member that the recommendations contained in the task force review are currently the subject of intensive consultation and negotiation with all parties involved. The United Hospitals Auxiliary has responded to the task force proposals, objecting to the relocation of auxiliary staff, of which at present there is only one. I shall make no decision on this matter until all views have been carefully assessed.

ELECTRICITY COMMISSION

Mr DOWD: My question, which is without notice, is addressed to the Premier and Minister for Mineral Resources. On several occasions has he said that the Government was considering a full-scale inquiry into the Electricity Commission? In view of the information contained in the 1977 management audit report, the 1980 Newton report, and the 1982 report of Dr Howard Dick, will he establish a full and open public inquiry, having the powers of a Royal commission, into the conduct and administration of the Electricity Commission of New South Wales? Will he ensure that the terms of reference require that evidence be given to the inquiry on the Government's involvement in Electricity Commission management by the Minister for Energy and his predecessor, whom the Premier sacked for incompetence?

Mr WRAN: That question asked by the Leader of the Opposition contained a number of queries. It is most curious that not one of them would bring an extra watt of electric power to the people of New South Wales. Such are the questions that are raised by the Opposition. First I should like to correct the Leader of the Opposition who endeavoured to injure one of my colleagues by making a reference to sacking from a portfolio. The real position is that at the last elections the Government gained a record majority. A number of new Ministers were brought into the Cabinet when portfolios were distributed.

Mr Dowd: Some did not come back.

Mr WRAN: Unlike the members of other political parties, members of the Labor Party treat each other with respect. They do not try to plunge daggers in each other's backs. I reject what the Leader of the Opposition said on that score.

[Interruption]

Mr SPEAKER: Order! I call the honourable member for Ku-ring-gai to order.

Mr WRAN: The Leader of the Opposition referred to a 1977 report. He has a copy of it and has peddled it round, though it was given to him in confidence out of respect for the integrity of relationship between the Premier and the Leader of the Opposition. He has shown it to a number of people as if it were almost a free publication. He knows, as well as I do, that there is nothing in that document that reflects upon the conduct of the Government or any member of it. As for the Newton report, Mr Newton has come up with a solution that would save electricity: he would simply charge a price for it that no one could afford to pay. If the answer of Opposition members to the energy problems facing Australia is merely to charge a price for electrical energy that no one could afford, it shows that their minds are as barren on that topic as on any other. I am a little surprised that the honourable gentleman should raise this question today, for he is well aware that either today or tomorrow the House will have before it a measure to reconstitute the Electricity Commission of New South Wales. The reconstituted commission will have as a statutory responsibility, the task of examining the structure of the Electricity Commission and an obligation to report back to the Government within six months on its constitution.

Mr Dowd: Will that produce more electricity?

Mr WRAN: Unlike the Leader of the Opposition and others who sit with him, we on the Government side are concerned with the present and the future. I do not think the public is interested in headline hunting events of the past. The Government is making an effort to ensure that supplies of power will be available into the future. The Government will not be sidetracked in that endeavour. It will not have the engineers

and authoritative staff of the Electricity Commission sidetracked at a time when every effort is being made to overcome the great difficulties in which the commission finds itself.

NORTH BROKEN HILL LIMITED

Mr BECKROGE: I wish to direct my question without notice to the Minister for Industrial Relations and Minister for Technology. Is the Minister aware that North Broken Hill Limited, a large employer in the Broken Hill area, has announced a reorganization of its mining operations? Is the Minister aware, also, of the hardship that retrenchments will have on those concerned, and the depressing effect it will have on the whole community?

Mr HILLS: As a result of financial difficulties North Broken Hill Limited has been conferring with employees and the Barrier Industrial Council about staff reductions. Officers of the Department of Industrial Relations who have been in touch with the parties have ascertained that 120 people may be declared redundant. In the negotiations that are proceeding between the Barrier Industrial Council, the unions and North Broken Hill Limited, it is hoped everything will be done to minimize the effect of the decision taken by the company and ensure a minimum of disturbance.

Because of the location of Broken Hill and the importance of operations of North Broken Hill Limited in that area, the dismissal of 120 workers would have an indirect effect upon other businesses in the district. It is hoped that officers of the Department of Industrial Relations, in conjunction with officers of other government departments may be able to overcome some of the effects of the dismissals. I assure the honourable member for Broken Hill that contact will be maintained almost daily with the bodies concerned to determine, when the setdowns become effective, what action can be taken by the company and others in Broken Hill to find alternative employment for the employees in question.

COAL EXPORT QUOTAS

Mr FISHER: My question without notice is addressed to the Minister for Transport. Is the Minister aware that in the past few days coal export quotas have been set for all collieries operating out of Newcastle? Is the Minister aware, also, that these quotas are such that a number of companies will not be able to meet their oversea contracts, and some unemployment will be caused in the coalmining industry? Is the Minister aware that coal export capacity would be increased by up to 2 million tonnes a year if trains of 42 waggon cars were used at Port Waratah? As the State Rail Authority is not introducing trains drawing 42 waggons, is unemployment being caused? What action will the Minister do to upgrade available rolling-stock?

Mr COX: Yesterday this question was discussed with officers of the State Rail Authority and the Treasury. I am examining the possibility of operating forty-two waggon trains from the Newcastle area. As to the other part of the honourable member's question, the decision in relation to the quantity of coal going out from Newcastle was made by the Joint Coal Board. The Government is anxious that as much coal as possible is exported from New South Wales. Measures to achieve that end will be initiated by the State Rail Authority.

CONTRIBUTORY FUNERAL FUNDS

Mr CHRISTIE: I direct my question without notice to the Minister for Consumer Affairs and Minister for Roads. Will the Minister advise the House about the portability of benefits offered by contributory funeral funds and whether contributors are entitled to a funeral service outside the metropolitan area? Will the Minister advise me of the obligation of funeral funds in this regard?

Mr WHELAN: I thank the honourable member for Seven Hills for raising a matter of significant public importance. Some years ago funds were set up by some funeral directors and benefits were applied to the cost of a contributor's funeral conducted by the funeral director operating the fund. Such funds, which are essentially local in origin and operation, were never developed to the position of paying a cash funeral benefit irrespective of where the contributor died. However, I am informed that where the contributor dies outside the service area of the fund most funds do make a cash payment of approximately \$150 to the next of kin.

The honourable member for Seven Hills might recall that in 1979 this Government enacted the Funeral Funds Act which provides for a cash payment in certain cases if a funeral service is not carried out by the funeral director designated by the fund. That Act resulted from the report of the Prices Commission following its inquiry into the funeral industry in 1977. The intention of the Government in introducing the Act was to prohibit the continued operation of unsatisfactory funeral funds. The Act in effect prohibits a fund from operating unless it is registered and meets the requirements of the Act. To date no funds have sought registration and it appears unlikely that any will do so in the foreseeable future. Accordingly, the Government has sought to help many thousands of contributors who would be significant losers if existing funds ceased to operate. To this end it has sought an amendment of the Funeral Funds Act to ensure that wherever possible existing contractual obligations will be met by the funds.

The honourable member for Seven Hills has consulted with me specifically in relation to the fund conducted by the Russell Kinsella group of companies. Regrettably the Registrar of Funeral Funds was unable to satisfy himself that three companies in the Russell Kinsella group would be able to meet their future contractual obligations, and refused to endorse their continued operation. I am awaiting the report of the liquidator to determine whether any money will be available that may be paid to persons who contributed to that group of companies.

HOTEL WATER RATES

Mr RAMSAY: I direct my question without notice to the Minister for Local Government and Minister for Lands, representing in this House the Minister for Energy and Minister for Water Resources. Is the Minister aware that people in the hotel industry are extremely concerned that water supply authorities rate hotels much higher than other retail outlets? In view of the discriminatory water rates charged for hotels, which cost the industry many thousands of dollars annually, will he call upon the responsible Minister to evaluate the present charges with a view to setting up a more equitable water rate?

Mr GORDON: I thank the honourable member for Wollongong for his continued interest in all sections of the community in matters relating to local government and lands. The way in which the Metropolitan Water Sewerage and Drainage Board shall rate is specifically laid down by the Act of Parliament governing its operations. This provides that for non-residential properties, including both hotels and clubs, rates

shall be levied on assessed annual values, which are based on rental values as determined by the Valuer-General of New South Wales. Any variation in rates levied on hotels, bottle shops and clubs does not stem from any differential rating system of the board but from differences in valuations determined by the Valuer-General. It is generally regarded that rating on a property valuation basis is the most equitable system of charging for water, sewerage and drainage services and this view was supported by the 1967 Royal Commission of Inquiry into Rating, Valuation and Local Government Finance. Assessed annual values of non-residential properties reflect their income or profit potential and best reflect the benefit of having the board's services available. Many different rating systems have been investigated over the years but none has been found more equitable for non-residential classifications than a rating system based on assessed annual values, provided the valuations are realistic and up to date. The Valuer-General's frequent revaluations of all districts in the board's area of operations at a common base rate achieves this aim. The Minister for Water Resources has advised me that he is aware of the representations by the Australian Hotels Association to the Metropolitan Water Sewerage and Drainage Board and the Valuer-General's Department. The Government is reviewing the matter.

LEICHHARDT COUNCIL

Mr SCHIPP: My question without notice is addressed to the Minister for Local Government and Minister for Lands. Was Mr Reagan's resignation from the position of town clerk accepted last night by Leichhardt council? Does Mr Reagan's action follow the departure of a number of other senior staff? Has the council a public record of malpractice and intimidation among its aldermen, and violence at its meetings, which have resulted in approaches to the Minister requesting him to dismiss the council and appoint an administrator? In view of the reasons for Mr Reagan's resignation, will the Minister now appoint an administrator?

Mr GORDON: I was not aware of the resignation of Mr Reagan from the Leichhardt council. When the allegations of the honourable member about the appointment of an administrator are supported by fact they will be carefully investigated by me and by the Government. Neither I nor the Government would recommend lightly that any council be dismissed—and certainly would not do so on the uncorroborated statement of the honourable member for Wagga Wagga.

NEWCASTLE-STOCKTON FERRY SERVICE

Mr WADE: My question without notice is directed to the Minister for Transport. Does the Minister recall certain assurances he gave to me and a deputation of people from Newcastle that the Stockton-Newcastle ferry service would be placed under the mantle of the Urban Transit Authority for the proper control of fares and timetables? Is he aware that the service will not operate on Good Friday or on Easter Sunday or Easter Monday? As this will present major inconvenience to my constituents, will the Minister direct the ferry management to maintain a regular service?

Mr COX: I have had discussions recently with the honourable member for Newcastle because of his concern over the operation of the Stockton ferry. I pointed out to the honourable member that arrangements would be made for the operation of that ferry to come under the control of the State Transport Co-ordination Act. Regulations under that Act are about to be gazetted. When that is done timetables and fares will have to be approved by the Commissioner for Transport. Today I shall check with the commissioner to ascertain what progress is being made with the compilation of the

regulations. I assure the honourable member for Newcastle that I am aware of his concern over the operation of the Stockton ferry. It has been a matter of great concern to residents in that area. I, too, am concerned. I inform the honourable member that I shall take whatever action is possible to ensure that an adequate service is provided by the operator.

POLLUTION FROM OUTDOOR ADVERTISING

Mr BANNON: I direct my question without notice to the Minister for Planning and Environment. Is the Minister aware of the continuing concern of local government over pollution problems created by outdoor advertising, and in particular the practice of fly-posting? Did the outdoor advertising committee make recommendations to the Government about this problem? If so, what steps are being taken to implement the recommendations of the committee?

Mr BEDFORD: I thank the honourable member for Rockdale for his question. A number of other honourable members have raised this matter with me, as it appears that there are increasing problems in some parts of the metropolitan area. The Government is aware of the nuisance and pollution posed by varied forms of outdoor advertising. In 1976, in addressing the problem, the Government established a committee to review policy in relation to the matter. That committee comprised representatives of government departments, local government and industry. The committee reported to the Government and made a total of twenty-eight recommendations, which were circulated to local government for comment.

I take the opportunity to condense those recommendations into major groups, as they will be of interest to all honourable members. The major recommendations were first, that all forms of outdoor advertising visible from a public place should be subject to control generally by local government. Second, that local government be given adequate powers of enforcement in relation to the control of outdoor advertising. Third, that appeals against council decisions will be to the Land and Environment Court. Fourth, that the controls should be embodied in one Act. Finally, that a committee of review be established to assist in the preparation of any new legislation and to monitor its effect.

In response, local government was again approached canvassing twenty-eight recommendations of the general trust and at present pursuant to section 22 of the Act a committee of the Department of Environment and Planning is reviewing ways and means by which legislation might be introduced. So far, the committee has looked at the necessity first, to prepare a State environmental planning policy, which appears to be an option with some limitations; second, to amend ordinance 55, which is the legislative instrument controlling outdoor advertising, and this appears to provide only short-term and cosmetic relief; third, to amend the Environmental Planning and Assessment Act to give more control—regulations under the Act would then replace ordinance 55 and cover detailed requirements; and fourth, to introduce a new Act relating specifically to outdoor advertising, and the committee is meeting specifically to consider this matter. I have asked the committee to report to me by the end of May. I shall inform the House in due course what action the Government proposes to implement.

CONVEYANCING COSTS

Mr J. H. BROWN: My question is directed to the Premier and Minister for Mineral Resources. At the opening of the recent Drummoyne by-election did the Premier state that conveyancing valuations would be made available to home purchasers

through a centralized service provided by the State Bank at considerably reduced cost? Later did the Premier have second thoughts on the matter and amend this statement? Will the Premier inform the House of the present position?

Mr WRAN: In response to the second part of the honourable member's question, I inform the House that I did not have second thoughts. I am surprised that the honourable member for Oxley, who has a long association with building societies, should belittle the Government endeavours, through the new State building society, to provide cheaper conveyancing and reduced fees for borrowers. I am disgusted that the honourable member should knock a proposal that will provide an incentive to home buyers in this State. If the honourable member for Oxley were as interested in the people who borrow money as he is in obtaining his director's fees, he would know something about this matter.

[*Interruption*]

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

Mr WRAN: One becomes a little tired of listening to the pillars of wisdom who are associated with building societies and have practically lived off them and yet they have the cheek to criticize the Government for trying to reduce home buyers' costs. I ask the honourable member for Oxley, how many building societies with which he was associated took money from the public by way of mortgage insurance premium knowing that 99 per cent of all they took would go into their own pockets—not his pocket, the building societies' pockets? I am shocked that an honourable member associated with the building society movement would knock a step taken in the right direction by the Government in an attempt to reduce costs to home buyers in New South Wales.

HEALTH POLICY

Mr O'CONNELL: My question without notice is directed to the Minister for Health. On a number of occasions has the Minister said that the main thrust of the Government's health policy is the provision of much needed services to the developing areas on the fringe of the Sydney metropolitan area, even at the expense of the inner city areas? How does the Minister reconcile that attitude with the capital works programme, which provides as its major item an expenditure of \$14 million on the Royal Prince Alfred Hospital and \$3.8 million for a new hospital at Coonabarabran? As the population of the Central Coast is increasing by between 10 000 and 12 000 a year, what plans does the Minister have to develop facilities at Gosford to meet the demand created by this growth?

Mr BRERETON: In response to the question of the honourable member for Peats, I assure him and the House that the Government's policy is to distribute resources to areas in greatest need.

Dr Metherell: Particularly to Mr Rhoades.

Mr SPEAKER: I call the honourable member for Davidson to order.

Mr BRERETON: For that reason and for the information of the honourable member for Peats, who has asked questions on this matter previously, I have had a look at the availability of resources in the northern metropolitan region of the Health Commission. The northern metropolitan region is much better resourced than any other region. It is better serviced than the Illawarra or western metropolitan regions. There are

five distinct areas on the northern metropolitan region. The area represented by the honourable member for Peats runs second only to the lower North Shore in respect of the availability of hospital beds. Three areas within the northern metropolitan region are worse off than the area represented by the honourable member for Peats. That does not mean to say that the central coast does not have specific needs. The Government is doing its best to cater for those needs in times of financial difficulty. For that reason recently I visited the central coast and reviewed the situation at the Wyong Hospital. At present my department is considering the provision of services needed by the local community, which matter has been brought to my attention by the workers at the Vales Point Power Station.

In regard to the recently announced capital works programme, the honourable member for Peats instanced two projects, first the project at the Royal Prince Alfred Hospital. I confirm that that project represents the largest item in the capital works programme. It is an ongoing project. The Royal Prince Alfred Hospital is one of the Government's high priority hospitals. That project was commenced several years ago and is almost complete. On completion it will provide magnificent facilities. I am pleased to be able to include the Coonabarabran hospital in the capital works programme. Country areas should not be deprived of facilities. I assure the honourable member that the needs of the Central Coast will receive continued consideration. Should the needs of that area be shown to be greater than those of other regions. I shall do everything possible to allocate resources to that area.

PUBLIC SERVICE SALARIES

Mr GREINER: I direct my question without notice to the Treasurer. Did the Full Bench of the State Industrial Commission today hand down an award increase of between 7 per cent and 10 per cent to 160 000 State public servants? Is that increase in addition to the 4.3 per cent rise granted in December last? Will the new increase be backdated to 1st January? What is the estimated cost of the increase? How does the Government intend to fund the increase, in view of the Government's inability through budgetary constraints, to pay the 4.3 per cent increase awarded in December?

Mr BOOTH: The figures to which the honourable member for Ku-ring-gai referred are correct. Today the Industrial Commission of New South Wales handed down a decision following the hearing of an application by the Public Service Association. Assuming the average increase to be about 8 per cent, the cost to the Budget will be about \$150 million a year. For the remaining part of this year approximately \$75 million will be required. It is possible that payment of the salary increases to the groups concerned, once the necessary advice by the Public Service Board is received by the departments concerned, will be paid in the normal process.

MILPERRA COLLEGE OF ADVANCED EDUCATION

Mr MOCHALSKI: I ask the Minister for Education whether the Commonwealth Government has arranged funding for Milperra College of Advanced Education only until the end of 1982 and insisted that the college be consolidated with some other institution by the end of the year. Will the Minister give an indication of the future of the college?

Mr MULOCK: Previously in this House I have referred to amalgamations that have been forced by the Commonwealth on the University of Newcastle and the Newcastle College of Advanced Education, and the University of New England and Armidale College of Advanced Education. As I have said before in this House, the

Government does not in any way support the Commonwealth's proposal that Milperra college must consolidate with some other institution. The college has more than 800 students and 100 staff members. Since it was established more than seven years ago the college has shown itself to be a valuable and valued institution. It is a community institution with importance going beyond its immediate locality.

A considerable effort has been made by the college in conjunction with the Higher Education Board to diversify courses available at the college. Apart from courses in teacher education, it offers courses in social welfare and multicultural education. In particular the college is noted for having introduced an enclave system to assist Aborigines to undertake its courses. In objecting to any forced amalgamation of the Milperra college, the New South Wales Government has emphasized the strategic importance of the Milperra campus for the future provision of higher education for the rapidly developing southwestern region of Sydney. Also it has emphasized the irrationality of trying to link the college with another institution, in the absence of any economic or educational grounds to support a forced amalgamation.

Earlier in my answer to this question the Leader of the Opposition indicated by nodding his head that he agreed with my views about amalgamation. I suggest that Opposition members should join the State Government in asking the federal Government to justify, on either educational or economic grounds, the basis for its seeking the amalgamation of this college with another institution. Unfortunately, in spite of approaches made by the State Government, the Commonwealth has persisted in its demand. To avoid uncertainty for the college throughout 1981–82, before Christmas last year I established a committee which was to report to me on the advantages and disadvantages of the various options that are open to the Government in determining the future of the college. I placed the committee under the chairmanship of an independent person, Mr J. J. Pratt, C.B.E. The committee contains council, staff and student representation from the Milperra College of Advanced Education, Nepean College of Advanced Education and Sydney College of Advanced Education.

The committee has been asked to detail the advantages and disadvantages of possible courses of action so that the Government will be in a position to make a proper and well-informed decision about the future development of the college. I reiterate that the Commonwealth is responsible for the funding of higher education in Australia. Though the federal Government has said that funds will not be available at the end of 1982, this Government does not support the forced amalgamation of colleges of advanced education or similar institutions.

Mr Smith: What about councils?

Mr MULLOCK: The level of intelligence of the honourable member for Pittwater is demonstrated by the fact that he is not able to work out the difference between the amalgamation of councils at the local government level and the amalgamation of universities and colleges of advanced education. Different principles are involved. It will be noted by honourable members that the honourable member for Pittwater has been told by the Leader of the Opposition to be quiet. So he should be. If the honourable member for Pittwater believes there is a similarity in the amalgamation of councils and the amalgamation of universities and colleges of advanced education, he would do best to be quiet about the issue. The amalgamation to which I am referring goes much deeper than that. I take it that the Leader of the Opposition agrees that there should be some economic or educational reason to justify this type of approach to amalgamations.

Mr Dowd: That is right.

Mr MULOCK: As we have some common ground, I repeat that the Leader of the Opposition should join the Government in entreating his colleagues in Canberra that the amalgamation of the Milperra College of Advanced Education with another institution should not take place. He should emphasize also that the University of Newcastle should not be amalgamated with the Newcastle College of Advanced Education. The Leader of the Opposition indicates that he is doubtful about that. I assume the Opposition is in favour of that amalgamation. The other matter he should raise with his federal colleagues is that the Armidale College of Advanced Education should not be amalgamated with the University of New England. I note the silence of Opposition members on that matter; so one out of three at least shows some support for the Government's stand.

BLOOD TRANSFUSION SERVICE

Mr MILLER: Will the Minister for Health inform the House of the circumstances surrounding the employment of Mr Philip Rhoades with the Blood Transfusion Service? I ask this question because yesterday in this House the Minister's name was mentioned in relation to this matter.

Mr BRERETON: I note that the Opposition member who raised this matter in the House yesterday declined to raise it today but asked a question without notice on another subject. The question asked by the honourable member for Bligh gives me an opportunity to set to rest the suspicious mind of the honourable member for Ku-ring-gai about the employment of Mr Rhoades. I am sure that the honourable member for Ku-ring-gai and all other honourable members opposite support the need for extensive medical and scientific research into the diseases that might afflict us. On many occasions I have heard the honourable member for Vacluse speak on radio programmes about this aspect. I was gratified to learn yesterday during the debate on the State Cancer Council (Amendment) Bill that the Opposition actually opposed cancer; that came through loud and clear in that debate. One can hope only that members opposite might act on my suggestion to pressure their federal colleagues to provide funds for medical research programmes. The matter raised by the honourable member is a direct result of the shortsighted attitude of the Commonwealth Government—

[*Interruption*]

Mr SPEAKER: Order!

Mr BRERETON: I can inform the House that Mr Rhoades is completing the final six months of a Master's degree course in science at the University of New South Wales. Until last December he was employed at the Blood Transfusion Service as a scientific officer, with funds provided through a National Health and Medical Research Council grant to Dr J. Margollis. The grant was for the purpose of developing an improved method of producing a substance used in the treatment of haemophilia. The project is the subject of Mr Rhoades' Master's course. In December the National Health and Medical Research Council ceased its grant, though it remained for Mr Rhoades to document the development of the new process for the purposes of his course. But, they had cut off his funds. The director of the blood bank told me that it would be beneficial for Mr Rhoades to complete his project while still at the bank and stated that he would have no objection to Mr Rhoades' remaining at the blood bank if funds could be made available.

I am of the view that no research is of value unless it is properly documented. I felt that funds should be made available for the purpose, amounting to slightly more than \$10,000 for six months. I resent the suggestion by honourable members opposite of political motives on my part because my view differed from that of the chairman of the Health Commission. I received representations from a member of this House in respect of Mr Rhoades. Those representations were from the honourable member who asked the question. In the six months that I have been Minister I have received numerous representations from honourable members on both sides of the House asking me to intercede and assist their constituents, especially those who are doing valuable work. The fact that someone is a member of the Labor Party will never debar him from being fairly treated. Yesterday in a question without notice the honourable member for Ku-ring-gai suggested that the blood bank is starved for funds. That is untrue. Recently the State Government announced a capital works programme in which \$600,000 was allocated to the blood bank. That was the biggest single allocation for a minor capital works programme. Last Monday I went to Parramatta and donated blood for posterity.

[*Interruption*]

Mr SPEAKER: Order! I call the honourable member for Ku-ring-gai to order.

Mr BRERETON: At the request of the blood bank, supplementation of funds to meet award increases is receiving consideration. However, I stress that all organizations providing health services must make a determined effort to live within their budgets. I do not need to remind honourable members opposite that that is a direct result of the policies pursued by their federal colleagues.

LEGAL PRACTITIONERS

Mr PETERSEN: My question, which is addressed to the Attorney-General, Minister of Justice and Minister for Aboriginal Affairs, concerns the reports, tabled recently, of the Law Reform Commission on the legal profession and, in particular, their recommendations that the public be made aware of particulars of charges of professional misconduct in cases such as that involving Mr Barrie O'Keefe, Q.C., Mayor of Mosman, who some years ago was fined a large amount of money. Will the Minister advise me whether similar charges against Sir Arthur George relating to the misappropriation of \$1 million will be made public?

Mr WALKER: I have an arrangement with the Law Society that if any solicitors are charged with misappropriation or misconduct, I am informed. I can only say that I have received no such communication in respect of Sir Arthur George. I have received in the mail, and doubtless other honourable members have also, a rather scurrilous and libellous document called "Lauderer" which sets out details of alleged charges. I do not know whether the document is accurate. I shall ask the Law Society for information and give the honourable member for Illawarra a lengthier reply later.

PENSIONER BENEFITS

Mr WEST: I ask the Minister for Youth and Community Services whether his department provides free spectacles to pensioners who qualify under a means test of having savings not exceeding \$500. Do most age pensioners, as a matter of pride, save for the purpose of meeting their funeral costs? Do many age pensioners, who are persons of limited independence, cling fiercely to that principle? Will the Minister increase the means test limit to a more reasonable level of \$1,000, which is more closely related to present funeral costs?

Mr K. J. STEWART: The honourable member for Orange is aware that this is a perennial question. Many pensioners save money and place it in the bank to enable them to meet their funeral expenses. I assure the honourable member and the House that the honourable member's question involves a matter that receives budgetary consideration from time to time with a view to correcting any anomaly that might exist.

PUBLIC SAFETY AND ESSENTIAL SERVICES

Mr SMITH: My question without notice is addressed to the Minister for Police and Minister for Services. Has the Minister for Energy or the Electricity Commission advised the Minister of the distinct possibility of a complete shutdown of the electricity generation system and the disastrous consequences that such a shutdown may have, as happened in New York in 1977? What action has he taken to prepare plans for the police and the State Emergency Services to ensure public safety and the continuation of essential services? If he has taken no action, will he assure the House that he will consult the Minister for Energy, Minister for Water Resources and Vice-President of the Executive Council and advise the public of plans to be implemented?

Mr ANDERSON: The answer to the first part of the question is, no.

Mr Dowd: We thought that.

Mr ANDERSON: I am surprised that the Leader of the Opposition can think. As to the second part of the question, the police force and the State Emergency Services will continue to do the job they have been doing up to this day, that is, to serve the people of this State in the best possible way in any emergency that might arise. They will not fail in that endeavour. They have never failed in the past.

HARRY S. BAGGS

Mr WALKER: Yesterday the honourable member for Hawkesbury asked me a question about the ownership of a business known as Harry S. Baggs and any reference by the Woodward Royal Commission on Drugs to persons associated with that business. I have asked the Corporate Affairs Commission to investigate fully all the allegations in the honourable member's question. It will be some months before I can give a detailed answer to the House. In view of the gravity of the questions put by the honourable member I take this opportunity to place before the House what facts I have managed to discover in the brief time available to me.

My preliminary inquiries show that the several companies in the Harry S. Bagg's Group are Harry S. Bagg Liquidation Warehouse Proprietary Limited, Harry S. Bagg (Liverpool) Proprietary Limited, Harry S. Bagg (Penrith) Proprietary Limited, Harry S. Bagg Club Suppliers Proprietary Limited and Harry S. Bagg (Gosford) Proprietary Limited. My preliminary perusal of the annual returns of officers and shareholders of the above companies reveals two names that appear in the report of the Royal Commission into Drug Trafficking of October 1979. The major shareholder of the group is James Richard White of 38 Wunulla Road, Point

Piper. I am advised that this is the same James Richard White who is mentioned by the Royal Commission at page 867 of his report dealing with "The Sinclair Group" in the following terms:

James Richard White was born in Sydney on 16th September, 1947. He has convictions for stealing, illegally using a motor vehicle, false pretences, being a suspected person, break, enter and steal and other minor matters. He last appeared at the Sydney District Court on 29th August, 1974, charged with larceny and was bound over to be of good behaviour for two years. In 1973 he was sentenced to three years' imprisonment in Manchester, England, for theft. At one stage he was known to be a "professional shoplifter". He has no drug related convictions, but is believed to be one of the persons who attended the meeting at "BL's" home at Sydenham in September, 1975.

In relation to "BL" the commissioner said on page 853 of the report:

A man I have identified by the letters "BL" because of charges pending against him, was born in 1944, and was said to organize couriers to travel to Bangkok to bring heroin back to Sydney. He then arranged for sale and distribution of the heroin. "BL" has a long record of criminal offences, commencing from 1959. He has been convicted of being in possession of housebreaking implements, attempted break and enter, common assault, break and enter with intent, break enter and steal, and a series of convictions for stealing. In 1967, he failed to appear on a number of charges, including possession of explosives, carrying an unlicensed pistol and rape. Warrants were issued and, in 1968, he was sentenced to twelve years' hard labour, with a non-parole period of seven years.

His appeal against that conviction and sentence was dismissed. After serving seven years of his sentence, he was released on parole. He is well known to police as an assailant, gunman and stand-over man. He was released from prison on 14th March, 1975, and was on parole to 13th June, 1980. His parole, however, was recently revoked because he was in breach of a condition of the parole and he is now returned to prison. He is currently under remand on a charge of goods in custody relating to money found by police, allegedly the proceeds of heroin sales. On 3rd November last, a further charge of supplying heroin was preferred against him at Central Court of Petty Sessions. Bail was refused. He has a number of aliases, including John Garvie, James Patrick Garvey, Robert John Hastie, Paul Anthony Barry and Douglas Keith Richmond. He is a known associate of a number of criminals, including "BW", Anthony Eustace Anderson, Kenneth Derley, Neville William Biber, James White, Victor Thomas Spink.

The same chapter 32 of the report mentions a Neville William Biber. On pages 864 and 865 of the report the Royal Commissioner states:

Neville William Biber was born in Sydney on 19th November, 1933. He has been convicted for deserting his ship and receiving and in 1974 he was convicted of consorting with habitual criminals and was bound over to be of good behaviour for two years. He has no convictions for drug related offences. Because of the allegations that have been made against him in the information supplied to me by the Crime Intelligence Unit, it is important to state his actual criminal history:

4th February, 1964—Desert ship—Rising of the court.

30th May, 1973—Receiving—\$100 or 20 days' hard labour.

27th February, 1974—Consort with habitual criminals—Proved, discharged upon entering into recognizance, self, in the sum of \$600, to be of good behaviour for two years.

30th November, 1977—Prescribed concentration of alcohol—Sentence deferred on defendant entering into recognizance to be of good behaviour for two years.

Negligent driving—\$100 or 20 days.

Fail to stop—\$100 or 20 days.

False information—two charges—each \$20 or 4 days.

Not transfer registration—\$10 or 48 hours.

Biber has, if I accept the evidence of the entries in the records maintained by the Crime Intelligence Unit, from time to time consorted with known criminals such as "BQ", Kenneth Derley, "BL", "BN" and others. When questioned on 21st October, 1978, in relation to his very apparent wealth, he stated that he had been "dodging the tax man for years". I am satisfied that the evidence given by the witness Smith and the mere fact of Biber's association with "BL" is sufficient to warrant an adverse criticism of him.

In the company records of Harry S. Baggs Club Suppliers Pty Ltd, is a director Frances Biber, whose address is given as 5 Boronia Street, Redfern. This address given by Frances Biber is the same address as the Harry S. Baggs Warehouse. It is also the registered address of Terrys Imports. Fanhaven Proprietary Limited is registered as conducting business under the name of Terrys Imports. One of the Directors of Fanhaven Pty Ltd is James Richard White. Today I have been advised of a business card purporting to be that of Neville William Biber. The company name on the card is given as Terrys Imports. The address on the card is 5 Boronia Street, Redfern. The phone numbers on the business card I am advised correspond to the numbers of Harry S. Baggs' premises in Redfern.

Given this preliminary inquiry it is reasonable to conclude that there is a significant connection between Harry S. Baggs Liquidation Warehouse Pty Ltd and persons adversely mentioned in "The Sinclair Group", Chapter 32 of the Royal Commission into Drug Trafficking Volume 2, namely, James Richard White and Neville William Biber. With regard to Dr McCoy's book which, incidentally, is correctly entitled *Drug Traffic—Narcotics and Organised Crime in Australia*, at page 331 he refers to Neville Biber in a section entitled "Our Boys in Bangkok". McCoy described Biber as a wealthy criminal and pirate cassette manufacturer. McCoy alleges that Biber employed Kenneth Derley as a drug courier making local deliveries. McCoy also alleges that Biber employed "BL" as a courier in the Sydney drug trade. As to the third part of the question, the advertising policies of Radio 2KY are a matter for the board of that company and the ethical standards of that company are such that I am sure they would have no association with persons involved in drug trafficking.

Later,

Mr WALKER: Mr Speaker, I wish to clarify briefly a matter referred to in my answer to the question posed yesterday by the Deputy Leader of the Opposition and answered by me earlier today. The Frances Biber referred to in my answer is the wife of Neville Biber, also referred to in my answer.

PARLIAMENTARY COMMITTEES ENABLING BILL
GOVERNMENT INSURANCE (AMENDMENT) BILL
STATUTORY AND OTHER OFFICES REMUNERATION
(GOVERNMENT INSURANCE OFFICE) AMENDMENT BILL
ENERGY AUTHORITY (RECONSTITUTION) AMENDMENT BILL
STATUTORY AND OTHER OFFICES REMUNERATION
(ENERGY AUTHORITY) AMENDMENT BILL
ELECTRICITY COMMISSION (AMENDMENT) BILL
STATUTORY AND OTHER OFFICES REMUNERATION
(ELECTRICITY COMMISSION) AMENDMENT BILL
TRUSTEE COMPANIES (AMENDMENT) BILL
THE COMMERCIAL BANK OF AUSTRALIA LIMITED (MERGER) BILL
BANK OF NEW SOUTH WALES (CHANGE OF NAME) BILL
THE COMMERCIAL BANKING COMPANY OF SYDNEY LIMITED
(MERGER) BILL
COMMERCIAL ARBITRATION BILL
LEGAL PRACTITIONERS (ARBITRATION) AMENDMENT BILL
MISCELLANEOUS ACTS (ARBITRATION) AMENDMENT BILL

Urgency

Mr WALKER (Georges River), Attorney-General, Minister of Justice and Minister for Aboriginal Affairs [3.6]: I move:

That it is a matter of urgent necessity that the Parliamentary Committees Enabling Bill; Government Insurance (Amendment) Bill; Statutory and Other Offices Remuneration (Government Insurance Office) Amendment Bill; Energy Authority (Reconstitution) Amendment Bill; Statutory and Other Offices Remuneration (Energy Authority) Amendment Bill; Electricity Commission (Amendment) Bill; Statutory and Other Offices Remuneration (Electricity Commission) Amendment Bill; Trustee Companies (Amendment) Bill; The Commercial Bank of Australia Limited (Merger) Bill; Bank of New South Wales (Change of Name) Bill and The Commercial Banking Company of Sydney Limited (Merger) Bill be brought in and passed through all their stages in one day, and that the Commercial Arbitration Bill; Legal Practitioners (Arbitration) Amendment Bill and Miscellaneous Acts (Arbitration) Amendment Bill be brought in and proceeded with up to and including the Minister's second reading speech.

Mr Dowd: On a point of order. The motion refers to documents, not bills. I submit that it is not competent for the Attorney-General, Minister of Justice and Minister for Aboriginal Affairs to move a motion dealing with bills that do not exist. He mentioned the names of bills in respect of which no notice has been given. He

cannot possibly deal in one motion with bills that are before the House and bills that are not before it. Surely the procedures of this House ought to be treated with some respect when a motion of substance is moved. The Attorney-General could bundle twenty bills together if he chose to do so and if it were the wish of the House that he do so. I submit that this is not a proper procedure as printed copies have not been received for some bills referred to in the motion. The motion is incompetent and ought to be ruled out of order.

Mr Walker: On the point of order. I first learned of this type of motion when I sat at the feet of the Hon. Sir Eric Willis. I recall, after I had entered the Parliament, his moving a similar motion to put through a bill to amend the Parliamentary Elections and Electorates Act. It concerned a redistribution of electoral boundaries. On many occasions since then motions similar to it have been moved. Though I recall points of order being taken from time to time, no point of order ever succeeded. I submit that this procedure is perfectly in order and it is the usual practice in this House.

Mr SPEAKER: Order! The point raised by the Leader of the Opposition was that some of the bills referred to by the Attorney-General are not before the House, not having been introduced yet. If the motion is agreed to the Attorney-General seeks to have those bills brought in and passed through all their stages today. I am sure that when leave is given to introduce the bills, copies of them will be made available to members.

Mr Fischer: On a point of order. The motion that the Attorney-General, Minister of Justice and Minister for Aboriginal Affairs has moved is quite lengthy. It relates to possibly a dozen or more bills. The only copy of the motion available to this side of the House has just been handed to me by the Leader of the Opposition. It is the first time I have seen it.

I notice that it relates to fifteen different items of legislation. Copies of the motion should have been circulated to all members so that they would all know the measures covered by this urgency motion. I ask you, Mr Speaker, to rule that a motion like this one should not be moved until copies of it are distributed to members.

Mr SPEAKER: Order! The point taken by the honourable member for Murray is that the motion is very lengthy and that copies should have been circulated to members. This has not been a practice of the House. Ordinarily, copies of an urgency motion are made available to both sides of the House and also to the Chair. I agree that the motion is lengthy. I invite the attention of the honourable member for Murray to *Votes and Proceedings* of 16th September, 1980. On that day the Attorney-General moved that it was a matter of urgent necessity that the Supply Bill be brought in and passed through all its stages on the one day, and also that a number of bills be brought in and proceeded with up to the Minister's second reading speech. The Attorney-General then listed the titles of six bills. I do not uphold the point of order taken by the honourable member for Murray.

Mr DOWD (Lane Cove), Leader of the Opposition [3.12]: In the history of the Parliament I doubt that there has ever been a more competent manager of Government business than the Leader of the House.

Mr Walker: I agree.

Mr DOWD: I had not finished what I was about to say. I was saying that never has there been a more competent Leader of the House, that is, never one more competent at ignoring the procedure of the Parliament. He shows absolute competence in making sure that the House wastes time during the first weeks of a session with

adjournments at 6 p.m. or 9 p.m. when there is not enough legislation available to keep the House busy. In the final week of a session many bills are bundled in for urgent consideration by members. But today the Attorney-General, Minister of Justice and Minister for Aboriginal Affairs, the Leader of the House, has excelled himself.

Mr Walker: Many of them are cognate bills.

Mr DOWD: The Attorney-General's idea of a cognate bill does not accord with the ordinary meaning of the word cognate. Even without a motion like this, Opposition members would accept some bills as requiring urgent debate, and they would not oppose their being dealt with separately and in a proper fashion. I have already said to the Attorney-General, the Leader of the House, that the Opposition would like to cooperate as much as possible so that the business of the House can be managed properly.

The bill dealing with the change of name of the Bank of New South Wales caused some embarrassment to that bank but the Government managed to get that bill through the Parliament only because it pushed it through with a bundle of other measures. The Premier and Minister for Mineral Resources put his political future on the line at that time. The change of name has not been popular. It is an absolute disgrace that on the last day of the session members should be asked to debate a number of bills of considerable consequence. Some are described by the Leader of the House as cognate bills. Some bills are certainly of considerable consequence. The Attorney-General knows that he will get them through with little debate simply because he is doing what he excels at doing, namely, bundling bills through in large numbers so that lengthy debate may be precluded. He thinks he is being smart. He should realize that in the Westminster tradition, to which most members of this place subscribe, for they have been proud that it used to be followed in this place, it is an absolute disgrace that the Parliament should be treated with contempt. We on this side accept that the Parliamentary Committees Enabling Bill ought to be dealt with urgently simply because the Minister was incompetent and could not get it dealt with by the House over the past day or two.

This State is about to enter the blackest winter New South Wales has ever had, simply because of the Government's incompetence in ensuring adequate generation of electricity. The Government proposes to restructure the Energy Authority and the Electricity Commission. When something goes wrong they will then have someone else to blame other than the Minister for Energy who, after the last election, was sacked for being incompetent.

Mr Hills: That is not very nice.

Mr DOWD: It is not nice for the people of New South Wales either, for this winter there will not be enough electricity for them. The Government proposes to restructure the Electricity Commission. I should like to quote what the Premier said earlier today, for it should apply to that restructuring. Even though I rarely like to quote things he says, as usually they are wrong, I shall borrow his remark that the restructuring "is not going to generate one more watt of electricity". It is a disgrace that the Government should bundle all these bills through on the last day of the Parliamentary session. It is a cosmetic exercise, to take the heat off the Government. Members shall be required to debate today a number of bills sight unseen. The Government has not even extended to the public the courtesy of announcing the proposed restructuring of the Electricity Commission. All that members know is what they have learned today in the House in an answer to a question without notice. The Premier and Minister for Mineral Resources said that the Electricity Commission, after restructuring, would have to investigate itself to find what is wrong with it. We all know how public that inquiry will be.

This urgency motion deals with measures that we on this side consider to be urgent and ought to be dealt with, but they should not have been bundled in with a lot of other bills so that the smart little Attorney-General can say that the Opposition did not oppose any of them. He thinks he is smart in treating legislation in this way. The people of New South Wales will judge him on his performance in this place. He knows that by pushing bills through as proposed, little publicity will be afforded them and the public will not learn about their detail. He thinks he is very clever in doing that. The people of New South Wales will look at his record as **Leader of the House sooner than** he thinks. They will judge him and find him wanting. Members of the Opposition believe in the traditions of the Westminster system. Parliament ought not to be treated in this fashion. Bills should not be bundled through the House. The bills referred to in the urgency motion require mature consideration before being debated.

The dingalings of the Labor Party do not care whether or not they read bills. They will support the urgency motion and tell their constituents that they did not study the bills because they did not need to do so. If members on the Government benches value their positions as members of Parliament, they should pay particular attention to the attitude of their constituents on measures like those included in the urgency motion.

Mr McIlwaine: The Leader of the Opposition should not talk such nonsense.

Mr DOWD: The name of the honourable member for Ryde is as forgettable to me as his constituency is to him. He will rue the day that he supported the transmission of legislation through this Parliament without adequate debate. He does not have a copy of the bills even to read them.

Mr McIlwaine: Nonsense.

Mr DOWD: The honourable member for Ryde says I am speaking nonsense. Does that mean he has had copies of the bills? Members of Parliament are entitled to have a copy of a bill so that they can read it. This is supposed to be the democratic freedom of information government. It may not matter to backbenchers on the Government side, like the one who is asleep, whether or not he reads the bills that come to this place. It is more than probable that that member does not even know what the motion is about. Nevertheless, when he wakes up I am sure he will support the Government.

[*Interruption*]

Mr McCarthy: This Parliament is the democratic heart of the State.

Mr DOWD: The honourable member for Northern Tablelands should not mention the word democracy. He should know about the stacking of members in the inner city branches of the Labor Party where the Minister for Industrial Relations and Minister for Technology wanted the branch members who were trying to knock him off to be cleaned out. If the Government had any real feeling for democracy, that is the area where it should concentrate its attention. I do not know whether I want the Minister for Industrial Relations and Minister for Technology to lose preselection for the next elections for I do not know whether that would confer the greatest benefit on the community. It would be better for the Opposition to have him remain in the House. We on this side oppose the motion.

Question of urgency put.

The House divided.

Ayes, 64

Mr Akister	Mr Face	Mr Neilly
Mr Anderson	Mr Ferguson	Mr O'Connell
Mr Aquilina	Mr Gabb	Mr Paciullo
Mr Bannon	Mr Gordon	Mr Page
Mr Beckroge	Mr Haigh	Mr Petersen
Mr Bedford	Mr Hillis	Mr Quinn
Mr Booth	Mr Hunter	Mr Ramsay
Mr Bowman	Mr Jackson	Mr Robb
Mr Brading	Mr Johnson	Mr Rogan
Mr Cahill	Mr Jones	Mr Ryan
Mr Cavalier	Mr Keane	Mr Sheahan
Mr Christie	Mr Knight	Mr K. J. Stewart
Mr Cleary	Mr Knott	Mr Walker
Mr R. J. Clough	Mr Knowles	Mr Walsh
Mr Cox	Mr McCarthy	Mr Webster
Mr Crabtree	Mr McGowan	Mr Whelan
Mrs Crosio	Mr McIlwaine	Mr Wilde
Mr Day	Mr Mair	Mr Wran
Mr Debus	Mr Miller	
Mr Degen	Mr Mochalski	<i>Tellers,</i>
Mr Durick	Mr H. F. Moore	Mr Flaherty
Mr Egan	Mr Mulock	Mr Wade

Noes, 26

Mr Armstrong	Mr Fisher	Mr Pickard
Mr Boyd	Mrs Foot	Mr Punch
Mr Brewer	Mr Greiner	Mr Schipp
Mr Brown	Mr Hatton	Mr Singleton
Mr Caterson	Mr Mack	Mr Smith
Mr J. A. Clough	Dr Metherell	Mr West
Mr Collins	Mr Murray	<i>Tellers,</i>
Mr Dowd	Mr Park	Mr Fischer
Mr Duncan	Mr Peacocke	Mr T. J. Moore

Question so resolved in the affirmative.

Motion of urgency agreed to.

Suspension of Standing Orders

Suspension of so much of the Standing Orders as would preclude the Parliamentary Committees Enabling Bill; Government Insurance (Amendment) Bill; Statutory and Other Offices Remuneration (Government Insurance Office) Amendment Bill; Energy Authority (Reconstitution) Amendment Bill; Statutory and Other Offices Remuneration (Energy Authority) Amendment Bill; Electricity Commission (Amendment) Bill; Statutory and Other Offices Remuneration (Electricity Commission) Amendment Bill; Trustee Companies (Amendment) Bill; The Commercial Bank of Australia Limited (Merger) Bill; Bank of New South Wales (Change of Name) Bill and The Commercial Banking Company of Sydney Limited (Merger) Bill being brought in and passed through all their stages in one day, and the Commercial Arbitration Bill; Legal Practitioners (Arbitration) Amendment Bill; Miscellaneous Acts (Arbitration) Amendment Bill being brought in and proceeded with up to and including the Minister's second reading speech, agreed to on motion by Mr Walker.

PARLIAMENTARY COMMITTEES ENABLING BILL

Introduction

Motion (by Mr Walker on behalf of Mr Wran) agreed to:

That leave be given to bring in a bill for an Act to enable certain Committees of the Legislative Council and Legislative Assembly to function during the prorogation of Parliament and during the second session of the forty-seventh Parliament.

Bill presented and read a first time.

Second Reading

Mr WALKER (Georges River), Attorney-General, Minister of Justice and Minister for Aboriginal Affairs [3.31]: I move:

That this bill be now read a second time.

It is the Government's intention, at the conclusion of the present sittings, to prorogue Parliament and to re-open with a new session later in the year. As honourable members know, certain parliamentary committees lapse upon prorogation. The purpose of this bill therefore, is to ensure that these committees continue in existence during prorogation and the next session of Parliament.

Three committees are referred to in the bill. The Joint Committee upon the Western Division of New South Wales is performing a most commendable task in relation to that area of the State. It is important that the committee have the power to carry on its work during the parliamentary recess. The Legislative Council Committee of Subordinate Legislation was appointed to consider new and amended regulations, rules, by-laws and ordinances that are periodically tabled and are subject to disallowance by either or both Houses of Parliament. Were that committee not included in the bill, it would be faced with an accumulation of subordinate legislation at the commencement of the new session to be examined within the time provided for disallowance.

The Standing Orders and Procedures Committee of the Legislative Assembly has been included in the bill, as it is considered desirable that it be empowered to meet during the recess. The Joint Standing Committee upon Road Safety in New South Wales has not been mentioned in the bill as, having been constituted pursuant to the recent amendment of standing orders relating to standing committees, its life is unaffected by prorogation. The bill is in similar terms to those passed in recent years for these purposes. I commend the bill.

Mr FISCHER (Murray) [3.32]: The Opposition supports this bill which will enable a number of committees to work during the recess of the Parliament. I take the opportunity to once and for all destroy the myth that honourable members on both sides of the House do no work during the parliamentary recess. Nothing could be further from the truth. If people studied the programme of diaries of a random selection of honourable members on both sides of the House, particularly Country Party members who have to service large electorates, it would be found that their work is heavier during the parliamentary recess than when the House is sitting. When the House is sitting honourable members know that they will be at Parliament House on Tuesdays, Wednesdays and Thursdays.

The committee of which the honourable member for Liverpool is the chairman and of which I am a member, the Joint Standing Committee upon Road Safety, has adopted a sitting programme during the recess that will require the committee to sit on Tuesday, Wednesday and Thursday every second week for much of the recess. That is in response to the committee's undertaking to review comprehensively road safety measures. The name of the committee has been changed slightly from the suggestion I put forward that it be called SCORS—standing committee on road safety—and it will be known as the Stay Safe Committee, which is the proper name for the committee so that it can have a high profile in dealing with road safety in this State. It is a good time to launch that name because this is the week preceding Easter and doubtless New South Wales will face a heavy road toll during the Easter weekend. It is hoped that motorists in this State will take care during the next week in order to avoid the road toll becoming even greater than in former years.

The bill refers to those committees with no provision to continue sitting during the course of the recess. It is necessary for the bill to be passed to enable those committees to continue. The first committee is the Subordinate Legislation Committee, which is a committee of the upper House. That committee is looking at the tabling of regulations and reports and other provisions in line with the provisions of Acts previously passed by the Parliament and the failure of those regulations and reports to be brought back to the Parliament in accordance with the Act. This is an important committee. I hope it will be active during the recess.

The second committee covered by the bill relates to the Standing Orders and Procedure Committee. That committee should fulfil its role in the Parliament. That committee might review the hours of sitting of the Legislative Assembly. Recently in Canberra the House of Representatives altered its hours of sitting to commence at 1.45 p.m. on Tuesday and Wednesday. On a free vote the Senate has adopted markedly different sitting hours. It will not sit on Tuesday nights. That will enable committee work and other work to be done in order to reduce the number of occasions on which the Parliament has to sit late. I suggest that during the recess the standing orders committee should receive a reference and be active in considering changes to the sitting hours of this Parliament. The committee should look at the possibility of a 2 p.m. start on a Tuesday and Wednesday and a 10 a.m. commencement on a Thursday, with a 4.30 p.m. adjournment on Thursday. That would be a step in the right direction in providing regular, efficient operation of this Parliament in a constructive and cost-free way.

The other committee covered by this bill is the Joint Committee upon the Western Division of New South Wales. That committee is about to proceed on a tour of much of the western part of the State. The purpose of the tour is to make members of the committee familiar with the area. A number of the members of the committee have not previously been in those parts of the State. I am glad that the committee will be going to the Mungo National Park, the Walls of China, Balranald, Wentworth and to many other parts of the State. It is important that this work be performed during the recess. Subsequently the committee will undertake a more detailed tour of the western part of the State and will take formal evidence at Balranald council chambers, Wentworth council chambers, Bourke, Broken Hill and at other places. There is much concern in the Western Division that the committee is being used as a precursor of radical changes to the Western Lands Commission. There is even a suggestion that the chairman of the committee will be hand-picked by the Premier to be the chairman of a western lands authority. The chairman of the committee is the Hon. Marie Fisher, who is unrelated to me.

Mr Fisher: Or to me.

Mr FISCHER: The chairman of the committee is not related to the honourable member for Upper Hunter either. Those rumours are being heard in the Western Division. The sooner the committee makes direct contact with people in the western division, the better. In that way some honourable members, such as the honourable member for Manly, will come to realize that the whole of the Western Division cannot be closed from farmers or wheat-growing activities and the whole of it turned into a national park. I concede that national parks play a role in the western division, the Mungo National Park in particular, the World Heritage Willandra Lake district and the Walls of China, are all magnificent parts of the Western Division which should be expanded as national parks. The Opposition supports the bill. It is hoped that those committees covered by the bill will use the recess period constructively.

The fourth committee not covered by the bill, the joint committee on road safety, will be active during the recess. I say again that often the recess period is a busier time for honourable members on both sides of the House than when the House is sitting. That applies especially when one represents an electorate such as Murray, which extends from near Wagga Wagga to the Victorian border and the South Australian border, and has thirty-one centres with a population of more than 1 000 people which must be adequately serviced. The public image of members of Parliament using recesses for all sorts of purposes other than work related to their jobs as parliamentarians is completely wrong. The public should be aware of the amount of work that is done by honourable members during times when the House is not sitting and members are available in their electorates. I support the measure.

Mr SCHIPP (Wagga Wagga) [3.41]: I support the opening and closing remarks of the honourable member for Murray in regard to the workload of honourable members during recesses of the House. It will take members of the joint committee on the Western Division of the State more than forty days to familiarize themselves with the western lands area. They will take evidence in many country areas as well as in Sydney. It is a heavy demand for members of the committee to be away from their electorates and home environment for long periods. The constituency should take that into account and be sympathetic towards the six members of this House and four members of the other place who will serve on that committee. I understand what it is like to be away from home, as I attend this place for long periods. People seem to have some way of knowing when an honourable member returns to his electorate. They know when one is back in town, and the telephone runs hot.

The Joint Committee that will inquire into the Western Division of New South Wales will have two sessions of nine days each in country centres as well as several sessions of four or five days. Initially the programme called for honourable members to be away for two periods of one week each but it was considered that much more could be accomplished if members of the committee did not return home on weekends but instead stayed away for nine days on two occasions. The committee has generated much interest. I understand that already 150 submissions have been received. The committee was established to conduct a review of the huge Western Division of New South Wales, the first such review in more than three-quarters of a century. It is right and proper that the committee should sit during the recess of the House and get on with the job of showing people that the Parliament is determined to achieve results. The Liberal Party supports the measure to extend the workings of the three committees referred to in the measure.

Motion agreed to.

Bill read a second time.

Third Reading

Mr WALKER (Georges River), Attorney-General, Minister of Justice and Minister for Aboriginal Affairs [3.43]: I move:

That this bill be now read a third time.

Mr Fischer: On a point of order. Though the Opposition parties agreed that there would be no Committee stage of this bill, the Minister should ask the leave of the House to read the bill a third time.

Mr T. J. Moore: On the point of order. Standing Order 256 requires that when the bill does not go to the Committee stage leave of the House must be sought for the third reading.

Mr Walker: On the point of order. The House has suspended the standing orders to which they have referred. It is perfectly proper to move the third reading.

Mr SPEAKER: Order! The Attorney-General has answered the point of order taken by the honourable member for Murray and the honourable member for Gordon. There is no need to repeat the answer.

Motion agreed to.

Bill read a third time.

GOVERNMENT INSURANCE (AMENDMENT) BILL

STATUTORY AND OTHER OFFICES REMUNERATION (GOVERNMENT INSURANCE OFFICE) AMENDMENT BILL

Introduction

Motion (by Mr Booth) agreed to:

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

- (i) A bill for an Act to amend the Government Insurance Act, 1927, to reconstitute the Government Insurance Office of New South Wales Board, and for other purposes.
- (ii) A bill for an Act to amend the Statutory and Other Offices Remuneration Act, 1975, consequent on and in connection with the enactment of the Government Insurance (Amendment) Act, 1982.

Second Reading

Mr BOOTH (Wallsend), Treasurer [3.45]: I move:

That these bills be now read a second time.

The principal bill is to provide for the reconstitution of the Government Insurance Office of New South Wales Board. The Statutory and Other Offices Remuneration (Government Insurance Office) Amendment Bill is cognate with that bill and relates to the fixing of the remuneration of the managing director and the deputy managing

director of the board. The present board of the Government Insurance Office comprises five members, of whom three are full-time and two are part-time. One of the full-time members is chairman. The terms of appointment of the current members will expire on 16th September, 1982. The reconstitution of the board along those lines was incorporated in legislation passed by the Parliament in 1978 and was in fact modelled on the then Rural Bank Board of five commissioners, two of whom were part-time and three were full-time, including the president.

As honourable members will recall, last year legislation was passed restructuring the Rural Bank as the State Bank of New South Wales with the object among other things, of bringing the management structure of the bank into line with the Commonwealth Banking Corporation and the private banks so that there would be a clear separation of functions between the board and its chief executive officer. The legislation provided for a board of seven directors, two of whom are full-time and five are part-time. As with the State Bank in banking generally, the Government Insurance Office plays a significant role in the insurance field. This will be recognized when it is mentioned that last financial year income earned by the office rose by \$88 million to reach \$645 million, an increase of just over 15 per cent. In the same period, its total assets rose by \$241 million or 16 per cent, to a record level of almost \$1.8 billion. In excess of 4 million policies were in force at that time. I am sure honourable members will agree that this is a most impressive record and is a tribute to the present management of the office which has been responsible for these achievements under the existing board structure.

The Government considers that the time is opportune to reconstitute the board, along the lines of the State Bank, so that it, too, is more aligned with the constitution of the boards of leading insurance companies. The main bill will do that by providing for a new board of seven directors, two of whom will be full-time and five part-time. The board will have the responsibility to determine the policy of the Government Insurance Office and to control its affairs overall. Its task will be to ensure that the role of the Government Insurance Office is to provide the best insurance for the people of New South Wales. The two full-time members will be the managing director and the deputy managing director. The managing director will be responsible to the board for the management of the office and will be assisted in this by the deputy managing director. The necessary delegations to achieve that have been included in the bill. They will be appointed by the Governor for terms not exceeding seven years and are eligible for reappointment, subject to retirement at age 65 years.

The Statutory and Other Offices Remuneration (Government Insurance) Amendment Bill provides for their remuneration to be determined by the Statutory and Other Offices Remuneration Tribunal. The other five members of the board will be part-time and, as with the State Bank, one of these will be elected by the employees of the Government Insurance Office. The elected director will serve for a term of three years and will be eligible for re-election. The remaining four part-time directors will be appointed by the Governor for terms not exceeding five years, with eligibility for reappointment. One of these directors will be chairman of the board. The background of these appointees is expected to be such that they will bring to the board a degree of experience and qualifications that will enable them to make a worthwhile contribution to the progress of the Government Insurance Office. The bill contains the usual provisions relating to title and commencing dates. The board will be reconstituted from a date to be proclaimed, while provisions relating to accounts commence from 1st July, 1982. To assist honourable members I table a summarized explanation of the various clauses of the Government Insurance (Amendment) Bill. I commend the bill.

Government Insurance (Amendment) Bill

Clause 1 specifies the short title of the Bill.

Clause 2 defines commencement dates for the amendments.

Clause 3 indicates that the Government Insurance Act, 1927, is referred to in the Bill as the Principal Act.

Clause 4 specifies that the amending Bill contains Schedules 1, 2, 3 and 4.

Clause 5 specifies that the Principal Act is amended by Schedules 1, 2 and 3.

Clause 6 specifies that Schedule 4 has effect to the savings, transition and other provisions.

Schedule 1 (Amendments to the Principal Act relating to the Constitution and Procedure of the Board):

Item 1 authorizes the Board to determine the policy and to control the affairs of the Office.

Item 2 provides that 7 directors shall be appointed by the Governor.

Item 3 specifies the delegation powers of the Board to the Managing Director and the Deputy Managing Director.

Item 4 specifies that the Managing Director shall be responsible for the management of the Office and sets out the functions of the Deputy Managing Director.

Item 5 substitutes the following Schedules 2 and 3 for Schedules 2 and 3 of the Principal Act.

Schedule 2:

Clause 1. Interpretation.

Clause 2 provides that of the directors two shall be full-time, four nominated by the Minister and one elected.

Clause 3 outlines the procedures for the election of the director by the Office of the Electoral Commissioner and provides that all employees of the GIO subject to the Public Service Act (working full-time) shall be eligible to vote. An employee is to be nominated by at least two persons employees of the Office and is required to be a member of a trade union (specified).

Clause 4 provides that of the part-time directors one shall be appointed Chairman.

Clause 5 provides that of the full-time directors one shall be appointed Managing Director and the other Deputy Managing Director.

Clause 6 provides that the Governor may appoint a person to act in the office of a director, other than the Chairman, during the illness or absence of the director.

Clause 7 specifies that the terms of office of the full-time directors shall not exceed 7 years, the part-time directors five years and the elected director three years.

Clause 8 provides that on expiration of term of office a director is eligible for reappointment.

Clause 9 specifies that a full-time director shall devote the whole of his time to the duties of his office. Provision is also made for the payment of remuneration and travelling expenses.

Clause 10 specifies the fees and travelling expenses to be paid to part-time directors.

Clause 11 sets out the conditions for vacation of office.

Clause 12 defines the effect of certain other Acts, including the Public Service Act, on the appointment of a director.

Clause 13 provides for the preservation of rights of a full-time director who was previously a public servant, a teacher, a contributor to the superannuation scheme, an officer of a statutory body or a person for whom provision was made to retain any rights.

Clause 14 provides that a full-time director who ceases to hold office and who was immediately before his appointment a public servant, a teacher or an officer of a statutory body shall be entitled to be appointed to a position not lower in classification than that position held prior to appointment as a full-time director.

Clause 15 provides for the declaration of statutory bodies by proclamation.

Schedule 3 provides for procedures in relation to meetings of the Board, i.e. the general procedure, Quorum, Presiding Director, Voting and Minutes. Schedule 2 (Minor and Consequential Amendments to the Principal Act): Schedule 3 (Amendment to Principal Act relating to Accounts Audit and Annual Reports):

- (a) provides that the Office shall cause to be kept proper accounts and records in relation to all of its operations. The statement of accounts is to be provided to the Auditor-General within four months of the close of the financial year for certification and to the Parliament within six months, duly certified.
- (b) specifies that the accounts and records of financial transactions and assets shall be inspected and audited by the Auditor-General.
- (c) provides that a report of the work and activities of the office shall be forwarded to the Minister not later than 31 December of each year, to be laid before both Houses of Parliament.

Schedule 4 (Savings, Transitional and Other Provisions):

Provides that members holding office immediately before the appointed day shall cease to hold office and be eligible for appointment as a Director of the Board. It is specified that a person is not entitled to remuneration or compensation if he ceases to hold office on the appointed day but the Minister may determine a payment of such compensation, if any, out of the funds of the office.

In addition, provision is made for appointment to positions in the Public Service at certain classifications and salary levels for those full-time members of the old Board who have not attained the age of 60 years and are not appointed full-time directors of the new Board.

The Governor may make regulations containing other provisions of a savings or transitional nature consequent on the enactment of this Act.

Mr GREINER (Ku-ring-gai) [3.50]: I do not propose to berate the Minister or the Government at length about the farcical nature of this procedure. The reconstitution of the board of the Government Insurance Office is not an urgent matter. It is ludicrous for the Government to choose to ram these bills through the House

without notice and without the printed bills being available. The ludicrousness of that situation is so obvious that I shall not belabour the House on the matter. If the Government were serious about reforming the Government Insurance Office it should start by studying the report of the Campbell committee inquiry on the Australian financial system. I am aware that the Minister has appointed a committee to examine the State Government's responsibility, but the pattern with committees set up by the Treasurer is that they take an inordinately long time to reach a conclusion and neither the Parliament nor the public are favoured with being given the information.

Far more fundamental than reconstituting the board is the question of competitive neutrality for the Government Insurance Office. That issue is important. It is fundamental to the way the State Government feels the Government Insurance Office should operate. The Government ought to make it clear to the people of New South Wales and to the insurance industry whether it accepts the concept of competitive neutrality and whether it proposes to introduce legislation to achieve that goal. That is far more fundamental and useful than reconstitution of the board, which will have little impact on the operations of the Government Insurance Office.

My second point is that the Government ought to instruct the new board, as a matter of priority, to spell out the monopoly activities or the activities of the Government Insurance Office that are not conducted on a commercial basis. For example, it is obvious that the compulsory third party insurance account ought to be separated from other activities of the Government Insurance Office. The shareholders—the people of New South Wales—ought to be allowed to see what the Government is doing in terms of its ownership of an insurance company and the areas of business in which it has decided, for whatever the reason may be, that it is appropriate for the Government Insurance Office to act in other than a commercial manner by charging non-commercial insurance premiums. There are clearly areas where that may be appropriate, but the onus is on the Government to have them delineated. It should explain to the public which areas of activity are substantially other than commercial.

Finally, the Government ought to instruct the new board that it does not have the power to compel government departments, statutory authorities or institutions dealing with Government departments or statutory authorities to place their insurance business with the Government Insurance Office. That policy has been implemented by the Government with respect to the State Bank, on which this legislation is modelled. It is a totally inappropriate policy. In areas where the Government Insurance Office is competing with a private insurance company it ought to operate at arm's length, not with any tacit, implicit or other type of persuasion to coerce organizations to place their insurance business with the Government Insurance Office. The Government Insurance Office should operate on a commercial basis. The Opposition has had no opportunity to give the bills serious consideration. As a mark of its objection the Opposition proposes to divide on the second reading of the bill.

Mr BOYD (Byron) [3.55]: The Country Party also registers its disgust over the way these bills are being hurried through the House. One should have thought that particulars about matters of this importance, dealing with important principles, would have been made available to honourable member so that the issues could be discussed with members of the industry. It is a travesty of the democratic concept and the Westminster system for honourable members to be subjected to that type of treatment in the New South Wales Parliament. Doubtless, as the business of the House proceeds, other bills that honourable members have not seen will be debated. It is ludicrous that honourable members should be expected to debate intelligently legislation that they have not had the opportunity to study.

From my reading of the front page of the bill—that is all I have had time to read—it is obvious that the proposal is designed to reconstitute the board of the Government Insurance Office. A part-time chairman and two full-time directors who will be the managing director and deputy managing director, are to be appointed. The part-time director will be elected by employees of the Government Insurance Office. There will be three other part-time directors. Because of the secrecy about these proposals one must assume that another little shelter is being prepared to be filled by persons who will not occupy seats in this House in the future. I envisage that the board will have appointed to it person of that ilk. That is the only reason one can find for the way the bill is being handled in this House.

It is obvious that the Government does not want the public to be aware of its proposals. The reason is that a little shelter is being prepared as a part-time job for a defeated member of the Labor Party at some time in the future. It is a tragedy that that sort of thing should happen. Boards should have on them men of ability who can contribute to a particular area. If the Government Insurance Office is to function as it should, on a competitive basis with other insurance companies, it should have on it men of ability, not old party hacks who have failed in this place and need a haven to which they can retire so that they can live with the dignity they feel they should have.

The election of a part-time director of a board by employees of the Government Insurance Office is a fundamental change. It is a fairly new approach. One might say it is a major step towards worker participation. The principle of worker participation has not yet been sorted out to everyone's satisfaction. One could argue strongly against worker involvement in the control of companies. Honourable members should have had the opportunity to consider that principle. I wonder whether the person appointed will have the ability to help in directing the future of an insurance office that is becoming extremely large. I hope that commonsense will prevail and that the democratic process will provide safeguards to ensure that the person appointed to the board is able to make that sort of contribution. There appears to be nothing in the legislation to implement such a safeguard. The principle bill contains twenty-eight pages and has with it a subsidiary bill. That subsidiary bill should be examined as to its effect on the parent legislation. That is the least honourable members can do before passing the legislation.

I shall tell honourable members of some of my experiences, as a member of Parliament, with the Government Insurance Office. When a constituent comes into a member's office with a problem about an insurance company, almost invariably it crosses one's mind that it will concern the Government Insurance Office. Certainly, in 90 per cent of the cases I have that related to insurance company problems, the activities of the Government Insurance Office were directly involved. That should not be so. I should like to have the opportunity to bring some of those people to this House so that they could support the point I am making that the Government Insurance Office acts without sympathy for those in need, particularly those involved in third party claims. Some third party claims have not been concluded after seven or eight years. I remember hearing of one that went on for ten years.

Third party claims are often difficult to deal with but that does not alter the fact that we should like to see a humane approach taken to the needs of those people. My experience with the Government Insurance Office has not been the same as with other insurance companies. Some show what might be called the milk of human kindness in their dealings with claimants. It is to be hoped that the hard attitude so constantly taken by the Government Insurance Office towards third party claimants is altered by the board that is to be constituted under this legislation. I challenge the Minister to let this measure lie on the table so that other members may bring similar matters

to the attention of the House. I have alluded to some examples only briefly but I have tried to get the message across that the administration of the Government Insurance Office should be tidied up so that it serves the people who, after all, own it.

Question—That these bills be now read a second time—put.

The House divided.

Ayes, 62

Mr Akister	Mr Egan	Mr Mulock
Mr Anderson	Mr Face	Mr Neilly
Mr Aquilina	Mr Gabb	Mr O'Connell
Mr Bannon	Mr Gordon	Mr Paciullo
Mr Beckroge	Mr Haigh	Mr Page
Mr Bedford	Mr Hills	Mr Petersen
Mr Booth	Mr Hunter	Mr Quinn
Mr Bowman	Mr Jackson	Mr Ramsay
Mr Brading	Mr Johnson	Mr Robb
Mr Cahill	Mr Jones	Mr Rogan
Mr Cavalier	Mr Keane	Mr Ryan
Mr Christie	Mr Knight	Mr Sheahan
Mr Cleary	Mr Knott	Mr K. J. Stewart
Mr R. J. Clough	Mr Knowles	Mr Walker
Mr Cox	Mr McCarthy	Mr Walsh
Mr Crabtree	Mr McGowan	Mr Webster
Mrs Crosio	Mr McIlwaine	Mr Whelan
Mr Day	Mr Mair	Mr Wilde
Mr Debus	Mr Miller	<i>Tellers,</i>
Mr Degen	Mr Mochalski	Mr Flaherty
Mr Durick	Mr H. F. Moore	Mr Wade

Noes, 25

Mr Armstrong	Mr Fisher	Mr Pickard
Mr Boyd	Mrs Foot	Mr Punch
Mr Brewer	Mr Greiner	Mr Singleton
Mr J. H. Brown	Mr Hatton	Mr Smith
Mr Caterson	Mr Mack	Mr West
Mr J. A. Clough	Dr Metherell	<i>Tellers,</i>
Mr Collins	Mr Murray	Mr Fischer
Mr Dowd	Mr Park	Mr T. J. Moore
Mr Duncan	Mr Peacocke	

Question resolved in the affirmative.

Motion agreed to.

Bills read a second time.

In Committee

The CHAIRMAN: Order! The Committee will deal first with the Government Insurance (Amendment) Bill.

Schedule 1

[Amendments to the Principal Act Relating to the Constitution and Procedure of the Board]

Mr T. J. MOORE (Gordon) [4.11]: I move:

That at page 9, all words on lines 4 to 9 be left out.

The first schedule to the bill, among other things, deals with the method of election of a worker director, so called, to the board of the Government Insurance Office. Sub-clause (5) (c) of clause 3 in schedule 1 requires that the worker director be a member of a trade union. Therefore, any employee of the Government Insurance Office who is not a member of a trade union is not eligible for election to the board of the Government Insurance Office. That is a deplorable situation. Though I believe that responsible unionism has a legitimate place in the community, employees should not be compelled, by some qualification necessary to hold office, to be members of a union. The Opposition opposes that provision of the bill.

Mr BOOTH (Wallsend), Treasurer [4.12]: The Government does not accept the Opposition's amendment.

Question—That the words stand—put.

The Committee divided.

Ayes, 61

Mr Akister
Mr Anderson
Mr Aquilina
Mr Bannon
Mr Beckroge
Mr Bedford
Mr Booth
Mr Bowman
Mr Brading
Mr Cavalier
Mr Christie
Mr Cleary
Mr R. J. Clough
Mr Cox
Mr Crabtree
Mrs Crosio
Mr Day
Mr Debus
Mr Degen
Mr Durick
Mr Egan

Mr Face
Mr Gabb
Mr Gordon
Mr Haigh
Mr Hills
Mr Hunter
Mr Jackson
Mr Johnson
Mr Jones
Mr Keane
Mr Knight
Mr Knott
Mr Knowles
Mr McCarthy
Mr McGowan
Mr McIlwaine
Mr Mair
Mr Miller
Mr Mochalski
Mr H. F. Moore
Mr Mulock

Mr Neilly
Mr O'Connell
Mr Paciullo
Mr Page
Mr Petersen
Mr Quinn
Mr Ramsay
Mr Robb
Mr Rogan
Mr Ryan
Mr Sheahan
Mr K. J. Stewart
Mr Walker
Mr Walsh
Mr Webster
Mr Whelan
Mr Wilde

Tellers,
Mr Flaherty
Mr Wade

Noes, 27

Mr Armstrong
Mr Boyd
Mr Brewer
Mr J. H. Brown
Mr Caterson
Mr J. A. Clough
Mr Collins
Mr Dowd
Mr Duncan
Mr Fisher

Mrs Foot
Mr Greiner
Mr Hatton
Mr Mack
Dr Metherell
Mr Murray
Mr Park
Mr Peacocke
Mr Pickard
Mr Punch

Mr Rozzoli
Mr Schipp
Mr Singleton
Mr Smith
Mr West

Tellers,
Mr Fischer
Mr T. J. Moore

Amendment negatived.

Schedule agreed to.

Schedule 3

[Amendment to the Principal Act Relating to Accounts, Audit and Annual Reports]

Mr GREINER (Ku-ring-gai) [4.14]: I move:

At page 24, line 29, the words "31st December" be left out and there be inserted in lieu thereof the words "31st October".

The Opposition is consistent in its view that government departments, government instrumentalities and statutory authorities ought to observe the same level of reporting, both in terms of the quality and timing of the report as any public company operating in the private sector. It is patently absurd to suggest to this House that the Government Insurance Office is incapable of producing its annual report within four months of the end of the financial year to which the annual report refers. There is no plausible reason for the Government Insurance Office being granted an extra two months when companies of comparable size and complexity are able to produce their annual reports within four months. That is the reason for the moving of this amendment. The Opposition shall continue to move these amendments in all cases dealing with statutory authorities until the Government accepts the principle that its authorities should meet the same standards of reporting as any public company must observe.

Amendment negatived.

Schedule agreed to.

Adoption of Report

Bills reported from Committee without amendment, and report adopted on motion by Mr Walker.

Third Reading

Bills read a third time, on motion by Mr Walker.

ELECTRICITY COMMISSION (AMENDMENT) BILL STATUTORY AND OTHER OFFICES REMUNERATION (ELECTRICITY COMMISSION) AMENDMENT BILL

Introduction

Mr WALKER (Georges River), Attorney-General, Minister of Justice and Minister for Aboriginal Affairs, on behalf of Mr Booth [4.23]: I move:

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

- (i) A Bill for an Act to amend the Electricity Commission Act, 1950, with respect to the membership and procedure of The Electricity Commission of New South Wales, and for other purposes.
- (ii) A Bill for an Act to amend the Statutory and Other Offices Remuneration Act, 1975, consequent on and in connection with the enactment of the Electricity Commission (Amendment) Act, 1982.

Question—That leave be given—put.

The House divided.

Ayes, 59

Mr Akister	Mr Face	Mr Neilly
Mr Anderson	Mr Gabb	Mr O'Connell
Mr Aquilina	Mr Gordon	Mr Paciullo
Mr Bannon	Mr Haigh	Mr Page
Mr Beckroge	Mr Hills	Mr Petersen
Mr Bedford	Mr Hunter	Mr Quinn
Mr Bowman	Mr Jackson	Mr Ramsay
Mr Brading	Mr Johnson	Mr Robb
Mr Cahill	Mr Jones	Mr Rogan
Mr Cavalier	Mr Keane	Mr Ryan
Mr Christie	Mr Knight	Mr Sheahan
Mr Cleary	Mr Knott	Mr K. J. Stewart
Mr R. J. Clough	Mr Knowles	Mr Walker
Mr Cox	Mr McCarthy	Mr Walsh
Mrs Crosio	Mr McGowan	Mr Webster
Mr Day	Mr McIlwaine	Mr Whelan
Mr Debus	Mr Miller	Mr Wilde
Mr Degen	Mr Mochalski	<i>Tellers,</i>
Mr Durick	Mr H. F. Moore	Mr Flaherty
Mr Egan	Mr Mulock	Mr Wade

Noes, 27

Mr Armstrong	Mrs Foot	Mr Rozzoli
Mr Boyd	Mr Greiner	Mr Schipp
Mr Brewer	Mr Hatton	Mr Singleton
Mr J. H. Brown	Mr Mack	Mr Smith
Mr Caterson	Dr Metherell	Mr West
Mr J. A. Clough	Mr Murray	
Mr Collins	Mr Park	
Mr Dowd	Mr Peacocke	<i>Tellers,</i>
Mr Duncan	Mr Pickard	Mr Fischer
Mr Fisher	Mr Punch	Mr T. J. Moore

Question so resolved in the affirmative.

Motion agreed to.

Bills presented and read a first time.

Second Reading

Mr WALKER (Georges River), Attorney-General, Minister of Justice and Minister for Aboriginal Affairs [4.33]: I move:

That these bills be now read a second time.

The principal object of the Electricity Commission (Amendment) Bill is to vary the membership of the Electricity Commission of New South Wales so that it will perform better in the public interest. There is no denying the recent problems

encountered by the commission in generating an adequate supply of electricity. As the Premier said last week when he announced the Government's intention to reconstitute the commission:

The important thing is that we should learn all the lessons we can . . . and for our part, the Government is determined to do just that.

This proposed legislation looks to the future by establishing a commission which, from an organizational viewpoint will be better placed to plan and control the affairs of the commission as a very large undertaking. As I shall explain in a moment, early in the life of the new commission, the Government will be insisting upon the receipt of a report from the commission detailing its strategy for improving its overall performance. At the moment under the provisions of the Electricity Commission Act, 1950, the commission is constituted by two full-time commissioners, the chairman and vice-chairman, and three part-time commissioners. The chairman is also the chief executive officer of the commission.

There are two main disadvantages with the present structure. First, by virtue of the overall composition of the commission, there is insufficient scope for the three part-time commissioners to play a major role in the work of the commission. Second, since the one person is both chairman and chief executive officer of the commission, in practice, these two roles tend to become confused. This confusion detracts from the importance of both those offices. It detracts also from the effectiveness of the commission as a governing body, because policy and management become unnecessarily mixed. The commission can spend its time on non-essential management matters rather than on policy, and critically examining the performance of the commission in all its activities.

The new structure for the commission set out in the legislation will go a long way towards overcoming these problems. Under the provisions of the bill, the commission shall consist of not less than five and not more than seven commissioners. Of those commissioners one shall be the general manager of the commission, and one shall be elected by the employees of the commission. Of the remaining commissioners, not less than three and not more than five shall be appointed as part-time commissioners. One of those part-time commissioners shall be appointed chairman. It is the Government's view that the optimum size of commissions or boards of statutory authorities is from five to seven persons. This view is reflected in the legislation before the House. On a board or commission of this size, each person is expected to pull his weight, using to the best advantage his expertise, knowledge and other talents that equipped him for appointment.

A number of advantages will accompany the changed structure of the commission. There will be a division of power between the chairman and the general manager. The chairman will provide leadership to the commission in planning for the future and in monitoring its performance. He will be expected to ensure that he and his fellow commissioners concentrate on their prime responsibility—the efficiency of the commission. The general manager will be the chief executive of the commission. His task will be to head up the management of the organization. Overall responsibility will rest with him in all areas of management—technology and engineering, general operations, administration and industrial relations. The general manager will, of course, be subject to direction by the commission.

Under this arrangement, the Minister will be able to look for advice from both the chairman as spokesman of the commission and the general manager. I shall have more to say about the incidents of office of commissioners in a moment. Let me return to the report that I mentioned previously the commission will be required to

Mr Walker]

furnish to the Minister. The fact that this requirementt has been written into the legislation exemplifies the Government's seriousness of purpose. The report must be furnished within six months of the establishment of the new membership of the commission. Its main thrust shall be recommendations for organizational, administrative and other changes which in the judgment of the commission are necessary in the public interest for the purpose of improving the financial management, industrial relations and the operating activities of the commission.

No doubt, in the preparation of the report, past and present performance of the commission will be examined, but the report will be prepared by the commission itself. There will be no scope for the commission to walk away from the report when it is made. The report will be closely examined by the Government. I now wish to comment further on the new provisions relating to the membership of the commission. Those provisions are found in schedule 1 to the bill. Most, ultimately, will find their way into a schedule to the principal Act.

First, it should be noted that the provisions reflect a general desire on the part of the Government to introduce a measure of uniformity into the provisions applicable to statutory offices. This concern of Government is evidenced in legislation recently presented to Parliament, or shortly to be presented, relating to the constitution of the State Bank of New South Wales, the Government Insurance Office and the Energy Authority of New South Wales. In a sense, the provisions are unexceptional. However, I shall refer specifically to some of them. The general manager of the commission shall be appointed for a maximum term of seven years, the part-time commissioners for a maximum term of five years, and the elected commissioner for a term of three years. The varying terms of office are designed to permit each designated officeholder adequate time to make a substantial contribution to the commission. It is important, of course, that the elected commissioner not grow remote from the members of staff of the commission who have elected him or her. Neither the general manager nor the elected commissioners can be over the age of 65 years. An age limit of 70 years for part-time commissioners is designed to facilitate the Government's responsibility of selecting the best possible people for office.

Provisions relating to *ad hoc* disclosure of interests by commissioners in relation to matters that may come before the commission have been included in the bill. These provisions drawn upon those applicable to members of the board of the Government Insurance Office under the Government Insurance Act. In view of the extensive contracting by the commission, it has been considered imperative to include these provisions. I have referred to schedule 1 to the bill. Schedule 2 contains minor and consequential amendments to the principal Act. These amendments do not warrant special mention. Passing reference might be made to the amendments that will dispense with the reference to the staff of the commission as servants. Schedule 3 will introduce standard provisions relating to accounts, audit and annual reports. These provisions will assist in the sound financial management of the commission. They will apply to the commission for the financial year commencing 1st July, 1982. They should also have the effect of permitting greater public awareness of the activities of the commission. Schedule 4 contains fairly standard provisions of a savings or transitional nature. Special attention has been paid to ensuring the continuity of the commission.

Finally, the cognate bill will make necessary amendments to the Statutory and Other Offices Remuneration Act by omitting reference in schedule 2, part 1 to chairman and vice-chairman of the Electricity Commission of New South Wales and by inserting a reference to general manager of the Electricity Commission of New South Wales. I am confident that this legislation will prove to be very much in the public interest. I commend the bills. I table a summary of the provisions of the principal bill.

Electricity Commission (Amendment) Bill, 1982

Clause 1. Short title.

Clause 2. Differential commencement of provisions of Bill as described below.

Clause 3. Reference to Electricity Commission Act, 1950, as Principal Act.

Clause 4. Bill contains 4 Schedules as described below.

Clause 5. Principal Act is amended in manner set forth in Schedules 1, 2 and 3.

Clause 6. Schedule 4 (Savings and Transitional Provisions) has effect.

Clause 7. Commission to report and make recommendations to the Minister within 6 months after its appointment for the improvement of the financial management, industrial relations and operating activities of the Commission.

Schedule 1. Amendments to the principal Act relating to the membership and procedure of the commission.

(Commences on a day to be appointed "appointed day".)

Clause 1 inserts section 5A and section 5B.

Section 5A. Commission consists of 5–7 commissioners. Provision is made for filling of vacancies. Schedules 6 and 7, described below, have effect.

Section 5B. Delegation by the Commissioner and authorization by the General Manager.

Clause 2 inserts section 6A and section 6B.

Section 6A. General Manager is chief executive officer of the Commission subject to direction by the Commission.

Section 6B. Disclosure of interests by commissioners.

Clause 3 inserts Schedules 6 and 7.

Schedule 6. Provisions relating to the Membership of the Commission.

Clause 1. Interpretation.

Clause 2. Composition of Commission: General Manager, 3–5 part-time commissioners and an elected (part-time) commissioner. Age limits for commissioners: 65 years for General Manager and elected commissioner, 70 years for part-time commissioners. States the circumstances in which a vacancy in office of a part-time commissioner need not be filled.

Clause 3. Elected commissioner. Elected commissioner must be employed by Commission and member of a prescribed union. Provision is made in relation to failure of an election and a vacancy in office of an elected commissioner.

Clause 4. One part-time commissioner shall be appointed Chairman by the Governor.

Clause 5. Acting commissioners.

Clause 6. Terms of Office: General Manager—maximum 7 years, part-time commissioners—maximum 5 years, elected commissioner—3 years.

Clause 7. Commissioners may be re-appointed.

Clause 8. Office of General Manager is full-time.

Mr Walker]

Clause 9. Minister determines remuneration of part-time commissioners.

Clause 10. Vacation of office of commissioner.

Clause 11. Public Service Act, 1979, does not apply to commissioners.

Clause 12. Preservation of rights of General Manager previously public servant, etc.

Clause 13. General Manager is entitled to re-appointment to former employment in certain cases.

Clause 14. Declaration of statutory bodies for the purposes of Clause 12 and Clause 13.

Schedule 7. Provisions relating to the procedure of the Commission.

Clause 1. General procedure determined by Commission, subject to Schedule 7.

Clause 2. Quorum.

Clause 3. Presiding commissioner.

Clause 4. Voting.

Clause 5. Minutes.

Schedule 2. Minor and Consequential Amendments to the principal Act. (Commences on appointed day.)

Clause 1 amends s. 2 which divides the Act into Parts and Schedules.

Clause 2. amends s. 3, the Interpretation section.

Clause 3. omits s. 5 (1) (b)–(i) and s. 5 (2)–(10) which relate to the constitution of the Commission.

Clause 4 amends s. 6 (3) which relates to the common seal, omits s. 6 (4) and (5) which relate to the procedure of the Commission, amends s. 6 (6) which relates to invalidation of proceedings of the Commission and omits s. 7 (6) which refers to surcharge of commissioners.

Clause 5 substitutes “General Manager” for “Chairman” in s. 11 which relates to contracts and substitutes “General Manager” for “Chairman” in s. 36 (1) (b) which relates to the Committee of Review.

Clause 6–13 substitute “employee” for “servant” in various sections.

Clause 14 amends s. 88 to permit by-laws to be made with respect to the custody and use of the common seal of the Commission.

Clause 15 amends s. 90 which relates to regulations and by-laws.

Clause 16 substitutes “General Manager” for “Chairman” in s. 93 which relates to authentication of documents.

Clause 17 substitutes “employee” for “servant” in s. 97 which relates to proof in legal proceedings.

Clause 18 omits s. 99 which relates to delegation. (See new s. 5B.)

Schedule 3. Amendments to the principal Act relating to accounts, audit and annual reports.

(Commences on 1st July, 1982.)

Clause 1 amends section 2 which divides the Act into parts and schedules.

Clause 2 substitutes a new Division 3—Accounts, audit and annual reports.

Section 53. Accounts of Commission, together with Auditor General's certificate, to be presented to Minister within 6 months of end of each financial year.

Section 54. Audit of accounts of Commission by Auditor-General.

Section 55. Annual report for each year ended 30th June to be forwarded to Minister before end of that calendar year. The Minister shall table the report in Parliament as soon as possible.

Schedule 4. Savings, transitional and other provisions.
(Commences on date of assent.)

Clause 1. Interpretation.

Clause 2. Commissioners holding office immediately before the appointed day cease to hold office on the appointed day. The Minister may pay compensation to former commissioners for loss of office. A person who, immediately before the appointed day, held office as Chairman or Vice-Chairman is entitled to appointment to former employment or to some position in the service of the Government in certain cases.

Clause 3. For the purpose of enabling the Commission to be constituted on or after the appointed day, appointments, etc., may be made before the appointed day.

Clause 4. The body corporate "Electricity Commission of New South Wales" continues in law.

Clause 5. The Commission is deemed to be properly established pending appointment of elected commissioner.

Clause 6. The Minister shall call the first meeting of the Commission after the appointed day.

Clause 7. Delegations made under section 99 (omitted by Schedule 3) continued in force.

Clause 8. Employees, etc., of the Commission deemed to be employees of the Commission after the appointed day.

Clause 9. Existing provisions of Principal Act relating to accounts, audit and annual reports apply to year ending 30th June, 1982. New provisions (see Schedule 3) apply to all subsequent years.

Clause 10. The Governor may make regulations containing provisions of a savings or transitional nature.

Mr DOWD (Lane Cove), Leader of the Opposition [4.42]: One often hears the expression "deck chairs on the *Titanic*". Never have I seen bills more aptly described than the bills under consideration. Because of the Government's incompetence, this State is about to face the greatest crisis in its history in energy generation. But the Government has decided to put up a smokescreen and rearrange the Electricity Commission of New South Wales. The appointment of more part-time commissioners will broaden the range of persons who can contribute to solving the problems of the commission, provided that they are given a chance to do something of their

own volition without interference by the Government. The management of the Electricity Commission of New South Wales has been interfered with at every level of decision-making by this Government from the time it came to office. The industrial relations record of the commission is a scandal. This afternoon the Treasurer could not be bothered coming into the House to introduce the bill but left the Attorney-General, Minister of Justice and Minister for Aboriginal Affairs to try to find out what the legislation is all about. That exemplifies the way the Government is trying to exculpate itself of the appalling situation that New South Wales is in.

The management, administration, and control of the Electricity Commission has been interfered with by the Government at every stage. With great glee, when the Government came to office, it found hollow logs. It found a hollow log in the Electricity Commission, disposed of the money, and now it has no money to carry out the development that this State needs. The business community in this State and persons in other States may consider investing in New South Wales, but all the Government can come up with is deck chairs on the *Titanic*. The Government is rearranging the Electricity Commission so that it will have more people to blame. That is unbelievable at a time when there should be an inquiry into the Government's incompetence and its interference with the Electricity Commission and the power generation system.

I was ultimately allowed to inspect one of the State's generators. This Government is the most secretive since Governor Bligh about these matters. I, a member of Parliament, had to fight to get the approval of the Minister for Energy to visit Liddell power station. It is obvious that some of the employees at the power station know more than the Minister for Energy. He misled this Parliament on several occasions about what is amiss in the Electricity Commission. I learned that the Government will blame anybody for the blackouts that are about to occur. Honourable members, who must vote on this legislation, should understand the extent of the crisis that may occur because of the Government's maladministration.

What is a system shut-down in respect of which proper reserve provision is made by an electricity authority if it is properly managed? The bills will do nothing to improve management. They will simply supply more scapegoats for the Government to blame. The Government has blamed the unions, the public, the Electricity Commission, Electricity Commission employees and the former Government. It has even blamed the Government before the former Government. Why was the Electricity Commission established in the first place? It was because of the shambles left by the previous Labor Government. It did not take that Government long after gaining power to mess up the Electricity Commission. It took six years, about the same length of time as it took the last Labor Government to destroy New South Wales's capacity to cope with electricity generation.

Between 1953 and 1977 electricity consumption in this State increased unbelievably in comparison with the increase in other parts of the world. It rose from a peak capacity of 300 megawatts to 6 000 megawatts and then last year it reached 8 011 megawatts peak capacity. Electricity consumption grew out of all proportion. As the reports of the Electricity Commission show, last year the increase was 12 per cent. An increase of that size represents about 1 000 megawatts, or half of the capacity of Liddell power station. What provision did the commission make for such an increase? It published a report entitled "Position Paper Draft Number 5", dealing with what it intended to do, but it has done nothing. All that has happened is that the Government is to rearrange the commissioners and appoint two part-time commissioners so that there will be more people to blame. I shall tell honourable members

what a system shut-down is, as described by a person who knows more about it than the Attorney-General, Minister of Justice and Minister for Aboriginal Affairs. The Attorney-General could not generate sufficient wattage to illuminate an electric light bulb. This is what one expert has said about system shut-down:

In reality, the difficulty of guaranteeing sufficient spinning reserve is exacerbated by the chronic unreliability of all the SEC's generating plant. Under these circumstances safeguarding the system requires spinning reserve to have its own spinning reserve.

There is no spinning reserve in the system. The Attorney-General, who has a blank expression on his face, would not have a clue what that means. For six years he sat in Cabinet while decisions were made not to spend money to install more capacity.

Mr Walker: It takes ten years to complete a power station.

Mr DOWD: If that is so, why in February 1977, when the Premier and Minister for Mineral Resources was given a report, did he not act to do something about installed capacity? He gave me a management audit report which has not been copied and issued as he said; he misled the House on that. He lied to the House when he said that the report had been distributed to 10 000 people. It has not been distributed to anyone.

Mr Walker: It was distributed to the Leader of the Opposition.

Mr DOWD: It was handed to me. It was not distributed to anyone. If the Minister had the guts he would produce someone from the Government side of the House to say that he had been given a copy.

Mr Walker: The Leader of the Opposition has been given a copy.

Mr DOWD: That is correct. I challenge the Government to bring forward anyone who has been given a copy of the report. The Government tells lies about it but it has not got the guts to do that. Since last year the electricity grid has been running with no reserves. The State has damaged and faulty equipment that is not properly maintained because for six years the Wran Government refrained from carrying out normal summer maintenance to make sure that these massive machines operate properly.

What did the Dick report say? People should know something about that. It is certain that the Attorney-General would not know anything about it. The Attorney-General thinks what I am saying is funny. He will not laugh when his constituents in Georges River find out what his stewardship has been like during the time he has been a Minister of the Crown, and when blackouts occur.

Mr Walker: Blackouts occurred during the term in office of the Liberal Party-Country Party Government.

Mr DOWD: Yes, that is right, but that was because of trade union industrial problems. The previous Government had installed sufficient capacity to generate electricity in accordance with the needs of the community. Industrial problems caused those blackouts, and the Minister knows that. That Government made proper provision to meet the electricity needs of the community. The Newton report was produced and the Premier and Minister for Mineral Resources, instead of putting it to the Parliament, kept it to himself. Today he said he gave one copy to me and that I broke his confidence by making it public. That was a false allegation.

Mr Walker: The Premier said that the Leader of the Opposition had published it far and wide.

Mr DOWD: Let us see what it says. It is a management audit report and on page 7 it said that if no plant was retired by 1985–86 16 per cent of the total installed capacity would be plant over twenty-five years old and that would be 50 per cent of the commission's planned reserve margin. Old machines need to be maintained and used properly, and taken off stream when necessary. Under this Government machines like that have been used until they have broken down. We have had a report about the three units at Liddell but the Attorney-General, Minister of Justice and Minister for Aboriginal Affairs would not have a clue about that.

Mr Walker: The Leader of the Opposition would be surprised.

Mr DOWD: Yes, I would be very surprised. The Stokes report, which I have read, deals with the part of the machines that broke down. The Treasurer has joined us. I am happy to see that. He may know something about this matter. Those machines have gas driers. They use hydrogen as an inert gas. The gas driers had broken on units 2, 3 and 4. Consequently, there was a build up of moisture content and inevitably the arcing occurred, and the system broke down when it found the weak point in the machines. It was elementary maintenance that failed.

It was the interference of this Government in the running of the Electricity Commission that ran that system into the ground and ensured that power generation would break down. Any attempt to blame a company for a design fault, or to blame anyone else for the incompetence of the Government, is a sham that the people will recognize. In 1977 the Government was told that if the load growth was less than anticipated by the commission, the commission would be faced with a complex management issue of reconciling the need for a particular reserve margin, underemployment of design and construction staff, and the effective retiring of old plant. That report gives a warning, and I shall give that warning to this House because the Government has been secretive and apparently regards the information as solely its own. When I was given that document by the Premier, I respected his confidence. If I am to be accused by the Premier of breaking that confidence, I shall let some of its contents be made public so he can get some of his words back.

The Electricity Commission was told in 1977 that if the rate of growth was greater than that being used for planning purposes by the commission, that is 7 per cent rather than 6 per cent, the reserve margin available in 1981 would be reduced to a figure that, in the commission's view, would reflect the absolute minimum considered desirable for a reliable supply to be maintained. The commission drew attention to the much more serious impact on the community of an energy deficiency as compared with a deficiency of peak load capacity. The Government knows that, and has known it for five years. The Government has been told so in every report that came forward. When the Ombudsman makes his report shortly we shall know a little more about the management techniques of the Electricity Commission. No doubt, all sorts of attempts will be made to blame the commission but they would be only a cosmetic smoke screen.

The Wran Government has been in office for six years. It has run down the installed capacity and will be judged accordingly. It seeks to do everything to put blame on other people for the power shortage but it is responsible, as the Government of New South Wales, for that shortage. The report also stated that the commission claimed a need to allow for a somewhat higher reserve figure in a plan extending some seven years into the future, which means it still has two years to go. This was so that it could provide a reasonable degree of assurance that the reserve margin that actually would emerge in any future year would be adequate to meet the operations and contingencies of that year. The Government was told five years ago. It did not need the report to be told that.

If the Newton report of March 1980 had been made available to the public, people would have known the reasons for the power shortage. The tariff policies of this Government inevitably created the problem that faces the State now. It encouraged the use of electricity at the same time as it permitted the generating capacity to run down. The energy resources of this State were depleted and that has affected the underpinning of all commercial and industrial development. The Wran Government will be remembered in history as the most incompetent Government ever in managing the affairs of this State. It has destroyed the State's installed electricity capacity and its ability to keep industry coming to this State. One need have regard only to the number of industries that have gone off-shore instead of coming here. The figure has risen steadily.

The Electricity Commission is a secretive organization. In Victoria the position is just the same. There is nothing new about that. Officers of the commission are scared of their masters, as no doubt they should be, because this Government is a vindictive government and will take care of any employee who, out of a sense of duty, supplies information to the public. God help such an employee. Employees who came out a couple of days ago with information have been assured by the Minister in the other place that they will be looked after. They certainly will be looked after. This Government has a long memory. It does not like its employees to tell the truth.

This commission will be set up to solve problems that would have been solved if the commission had not had its independence and administration interfered with by the Government. The great geniuses on the Government side of the House think they know how to run the Electricity Commission. They cannot even run the inner-city branches of the Labor Party. How can they run one of the State's biggest businesses?

Elcom is the second biggest business in the State, with nearly 10 000 employees and an income close to \$800 million even though for the year ended July 1981 net revenue resulted in a deficit of \$2.3 million. How would anyone know the true position about that, bearing in mind the accounting ability of this Government? They do not know where the money is. Every time a member of this House asks the Treasurer a question he runs around and gets his little army of public servants to find what is needed. He does not know where to get information. We understand that he did not want to take the portfolio of Treasurer. He was quite happy where he was as Minister for Sport and Recreation in the former Government. In that portfolio he did a good job and was well respected. It is a pity that he lost that reputation when he became Treasurer. It is a job that he does not understand.

It is a pity that the Treasurer's reputation should suffer because of his lack of understanding of the Treasury portfolio. What did this Government do at a time when the installed capacity was running down and the State was using Snowy River reserves beyond the terms of the agreement, borrowing this year to pay for next year and running the debt on? The Government came up with the brilliant scheme of inviting industry into New South Wales. Honourable members will recall the Premier's words: "We have unlimited reserves of coal; we have unlimited reserves of energy". He made that statement at a time when, if he had read the correct documents, he would have known that the State was headed on a power crisis collision course for 1981. That is what happened, because since then the State has survived by luck more than anything else; by courtesy of the Victorian Government in supplying New South Wales with electricity; by courtesy of the federal Government in allowing New South Wales to draw additional power from the Snowy scheme. In this State we have survived only because of the assistance of those two governments. There have been only a few zoning restrictions and power blackouts.

Mr Dowd]

What do zonings mean? They mean that the retailers in this State are in a disgraceful position because in effect their stores are closed throughout those periods, for customers do not go into them. That is why retailers in this State are in a serious situation, and the position for them will worsen before the end of winter. What did the Government then do? It invited aluminium smelter companies into the State. Those companies use a lot of electricity. They now face the problem that they have invested millions of dollars in this State on the assurance of the Premier and Minister for Mineral Resources that the State had unlimited capacity. Those companies know now, like everyone else, that the State does not have unlimited power generating capacity. There will be a power crisis in the Hunter Valley, and throughout the whole electricity grid, because there is not enough installed capacity to handle the load. At the same time as it ran down the installed capacity, the Government encouraged domestic and commercial consumers to use more electricity.

A Labor Party branch could be run better than the Government manages its electricity supply undertakings. There must be some sort of mechanism to achieve a balance. The demand for power should have some relationship to the ability to supply it. Knowingly and deliberately the Government took a certain course of action. That is an absolute disgrace and the Wran Government will be remembered for it. In March 1980 Mr J. J. Newton carried out an investigation of and published a report on the Electricity Commission, dealing in particular with tariff structures. This morning, when answering a question without notice, the Premier made the brilliant statement that the scheme proposed in the Newton report would result in the community paying more for electricity.

A peculiarity of subsidizing charges is that if, for example, electricity charges are subsidized people feel that they are being encouraged to use more. At a time when it had run down the relative installed capacity the Government encouraged the bulk users of electricity to use more power. That is what one would do if one had ample capacity; it is what one would do if one had a margin of 30 to 40 per cent. The Government discovered that it could encourage consumers to use more electricity by granting them bulk tariffs. As well, the Government subsidized domestic consumers. Everybody is in favour of cheaper electricity, provided that it does not create power blackouts and it does not destroy the State's capacity to maintain electricity supplies to the business and domestic consumers of New South Wales.

The Opposition will oppose this bill not because it says that there should not be part-time commissioners and not because it says that concept is necessarily any worse than the one that preceded it. The Opposition will oppose the bill because it provides more scapegoats for the Government. It provides more opportunities for government interference because there will be more people for the Government to consult and to blame. The measure will not result in one extra watt of electricity being generated in this State. It will do nothing at all to produce the additional electricity that is required. It will prevent the proper measures that ought to be recommended following a public inquiry. If the Premier had any fortitude, he would set up an inquiry to examine ministerial interference with the Electricity Commission and to examine what Mr Joe Riordan did in interfering with the proper industrial relations record of this State. He was known as helicopter Joe. He may be likened to Mr Tony Vinson when he was head of the Department of Corrective Services. Every time a problem arose he would seek to solve it and, in so doing, interfered with the proper management of a major industrial undertaking like electricity generation.

The policy of the Opposition will be to permit private enterprise to operate electricity generation. No matter who was responsible for it there would be no way in the world that they could do it worse than this Government. In a major exercise like

power generation, involving 10 000 employees, there must be proper command structures and authority given to the general manager. Could employees respect any general manager who has no authority because of continual interference by his political bosses? The main finding of the Newton report of March 1980 was contained in the second paragraph of it. That was two years ago, before the power blackouts. One wonders whether the Minister for Energy, then the Hon. P. D. Hills, wanted the Government to have problems of this nature. All honourable members know of the establishment of left and right of the Labor Party. They have all seen the viciousness of their questioning in both Houses of Parliament because the left and right are getting their numbers together.

Mr Akister: What about your numbers problem?

Mr DOWD: When I have problems of the extent of the divisions within the Labor Party, I shall start to worry. The Liberal Party does not have any problems of that sort. It does not have a left and right. It does not have vicious attacks on its members. Members of the Labor Party come to me all the time to tell me of its problems. They say, "Why don't you knock off so and so? Why don't you bring up that about that right-winger and say something about Frank Walker and what is happening in his branches?" How can the Government presume to have any management potential when it cannot manage its own party? The Newton report of 1980 contains this statement:

A continuation of the present tariff forms is incompatible with concerns about economic efficiency of resource services.

The Government was told of that two years ago. Anybody who knows anything about electricity generation would be aware of experience overseas that if a bulk tariff is available and the domestic peak demand is lower than consumption, a higher installed capacity is needed in the morning and evening peak periods. The Newton report told the Government two years ago that if it adopted a scheme similar to that used in France and in other European countries, and based the tariff on the peak load period, it could determine the need for an installed capacity. One can run down the need to provide the amount of money that that report said ought to be spent. In 1977 the amount required was \$2.8 billion to increase power output to approximately the 2 500 megawatts needed. But that was five years ago. The amount of money needed by the Government to build the installed capacity mentioned in the *Daily Telegraph* on Saturday last is not available. The Government will go to the next meeting of the Loan Council and blame the federal Government for not allowing it to borrow more money, money which it cannot service in any event, to bring in all of the extra capacity it needs. The Premier wants to go to Canberra; he would not do so until he has resolved the problem of power supply. He will have to wait a long time. So will the people of New South Wales. They will have to wait at least five years before any attempt will be made to increase installed capacity to meet demand. That will happen because the public of this State will realize that they cannot rely on this Government to produce enough electricity to meet needs. They will seek out other forms of energy.

In the Newton report the Government was told that the major factor affecting the price of electricity was the reversal of the cost of production. In seeking to conserve energy, the Government did the wrong thing. Now it will bring forward a services policy. It will attempt to make citizens feel guilty if they shower for more than three minutes or use power to cook a casserole. How absurd that a government should suggest to people how they should live their lives. The Government is incompetent, and it will be judged on that incompetence. The Newton report stated, also, that significant increases in power-operating expenses had been encountered by the

Electricity Commission following the installation of large generators. Unfortunately the Government continued to bring big generators into use. A major problem for the State is that if one of the big generators goes out of service the power reserve is inadequate. Inevitably, that leads to industrial problems of great magnitude. Surely the Government could have learned from the experience of other countries in the use of power generators. The Government has learnt nothing and has done nothing to generate the power that is needed. The Newton report contains this statement:

The fundamental changes in the pattern of electricity use and the revised costs picture alone are sufficient to call for a major re-analyzing of electricity pricing.

The Government was advised to do it. It will have to do so at some stage. Not even the Government can hide the fact that eventually, because of power rationing and other restrictions of the use of electricity, it will destroy the State's reputation. It will have to introduce an inversion of tariffs. For example, it will have to impose higher charges on domestic consumers during peak demand periods. That will be the only way that demand will ever bear any relationship to the Government's capacity to provide some sort of proper margin. It has been the experience in the United States of America, the United Kingdom and Scandinavia that the charge for electricity should be related to the cost of producing it. How elementary; charge people for what it costs to produce power. It is an absolute disgrace that this Government discredited that report when it was published. The Premier discredited it again this morning. Also, he discredited the management audit report. He has not yet discredited the Dr Howard Dick report but he will get round to it. Also, the Government will resort to the use of personal vilification by attacking certain people. Government members will use the Parliament to do that whenever they can. Their purpose will be to undermine those persons. That is the way the Government operates.

The Sydney County Council was so concerned about the situation that it sent out documents called draft paper No. 5. Having made so many attempts to understand what the Government was doing, the county council produced a paper to make everybody feel guilty about using electricity. It pointed out that it was as yet an inadequate document to teach people how to conserve electricity. But the Government was going to do something about power conservation. It has done nothing. An advertising campaign costing \$1 million has been launched. It is a disgraceful apology for the major power generation problems created in the State because of the Government's incompetence. The Newton report said:

In stimulating the growth in domestic demand by offering insupportably low domestic tariffs, the electricity authorities were increasing their demand charges and affecting their system load factors in such a way as to raise rather than lower average costs.

When the *Financial Review* raised the matter the responsible Minister said that he had not read that in the report. The Government then attacked the *Financial Review* rather than confess to its incompetence. The report went on:

Using 1971 data, the magnitude of the internal cross-subsidy to residential customers is estimated . . . to be \$43 million annually. On current world prices this would be approximately \$100 million annually.

The Government knows nothing about the generation of electricity, except that it will rearrange the chairs of the commissioners and try to find other scapegoats. The report continued:

The subsidy received by the domestic sector has subsequently led to:
an uneconomic growth of system load;

- a much higher than necessary level of capital in the generation, transmission and distribution areas which in turn has increased supply industry cost pressures;
- an increase in the average price of goods and services which, taken alone, would be a burden in excess of the apparent benefit given to domestic customers;
- a possible decrease in the competitiveness of commerce in New South Wales (relative to other States) with longer term employment consequences;
- a distortion of the price relativities with other energy forms.

Every other form of power is affected. The Government treated the Australian Gas Light Company badly by introducing a bill, in breach of undertakings given, and that bill had to be amended in the upper House. Recently that company has learnt a lot about the Government. Persons involved in local government have not found the undertakings of the Government to be worth much either. The Newton report was produced in 1980 and in respect of electricity pricing policies it states:

. . . present electricity pricing policies and tariffs are not capable of addressing the problems confronting the supply industry and have, in fact, been major contributors to these problems. The need is therefore seen for immediate reform.

Draft No. 5, a paper on conservation, is the Government's latest brilliant contribution, except for those of the responsible Ministers. The draft contains this statement:

Bulk electricity sales by the Commission have risen at a rate of about 7.5 per cent per annum over the last 20 years.

Maximum demand (or peak power demand) has also risen sharply at between 6 per cent and 7 per cent per annum over the period.

That is exactly as advertised in the 1977 report with which the Government was presented. The draft continued:

Demand has risen particularly rapidly over the last year with the maximum system demand in 1980–81 of 8011 MW exceeding the 1979–80 level by about 12 per cent.

The Government then brought in this draft document designed to reduce electricity consumption by about 6 per cent, or about 500 megawatts, or the output of one of the Liddell units. That could not be regarded as a policy. Then the Government blamed the Electricity Commission, by inference, by rearranging the commissioners. This had nothing to do with solving the problem. In January, Mr Rainbird, the general manager of the Sydney County Council, informed consumers by letter:

Disregarding for the moment the Electricity Commission's anticipated inability to meet the demand for electrical power and energy in 1982—

What a thing for the commission to have to admit.

—which is essentially a short-term problem,—

Mr Rainbird will learn something about that over the next few years.

—there is no justification for any proposal or inference that the public should be asked or expected to tolerate lower standards of comfort and convenience than those now accepted as normal in advanced countries by curtailing their use of electricity on the grounds of energy conservation.

Mr Dowd]

Why should the public have to pay for the inconvenience of the popularity measures of this Government when it will not allocate the funds to build up the generating capacity of this State? Of the draft document Mr Rainbird said:

There seems to be little purpose in attempting to comment on the document point by point.

This was the position in January 1982. One would hope that by that time the Government had read the document, but knowing the attitude of the present Minister one would not know if that were so. The letter continued:

It still contains many inconsistencies and contradictions. Due probably to the fact that it was drafted in haste it was not soundly conceived from the outset and no amount of editing will make it a credible or creditable policy statement. Even the title "Electricity Conservation Policy" is not credible given the State's coal resources. It would be better entitled "Electricity Development Policy" which has a positive rather than a negative, defeatist connotation.

The Government says not to knock New South Wales. The people of New South Wales are entitled to know the truth about the State's capacity to generate electricity. If the Government had any courage, it would set up the inquiry that some time ago it said it would. New South Wales has the worst industrial relations record of any State in the Commonwealth. I do not say that based on published figures because the Government controls the figures that go into the system. It makes sure that the number of persons on strike as against those stood down reflects a certain proportion. One need look merely at the armada of ships standing off the coastline to realize how poor is the Wran Government's industrial relations policy. Unfortunately for the people the Government permitted its own public relations officer, Joe Riordan, to interfere at every stage in management decisions. The public will pay the price for it.

For a while the Government tried to blame Liddell as the sole cause for the electricity run-down in this State. That is nonsense. There is no way that it can be proved that the fault in the generators there was in their design. There were weaknesses and it was inevitable that the generators would crack under pressure but they did not run down the whole power generation system. The use of inferior coal in the boilers will cause them to wear out because of the sandblasting effect on them. The Government has operated the electricity generating system like an old car: it has failed to maintain the generators; it has run them into the ground and then wonders why they develop faults. One does not need to be an engineer to work that out. The Minister for Energy is so lacking in intestinal fortitude that he would not allow the Hon. E. P. Pickering into Liddell. He did not want an engineer to ask the right sort of questions and discover the real problems there. What a disgraceful way for a State to conduct an electricity generation system.

During the next few years the public of this State will judge the Government on the power blackouts it has created. This legislation will do nothing to dissuade public opinion that the Government is at fault. The Premier, having run out of people to blame, has set up this smokescreen. The Premier has failed to institute a system whereby the Electricity Commission may achieve its aims. The proposed measures will not solve the problems of government interference. They will not place the blame where it should lie and will not replace any faulty equipment. The public of New South Wales is not aware of how badly run-down is the State's electricity system. However, the public will understand the blackouts, the demand for energy and the fact that demand for installed capacity exceeds supply. What the public will not understand is that the replacement of the damaged equipment is beyond the financial capacity of the Government.

The Treasurer must know something about treasury matters. Therefore, he should know something about the cost of replacing electrical generating equipment and where the money for it will come from. It does not come out of thin air. If the Government intends to replace equipment at an immense cost, the funds will have to come from somewhere, and the capital has to be serviced. The capacity of the generating equipment will never cope with the State's requirements. Under the present Government the State has lost six years that can never be replaced. The people of New South Wales will find that business will turn away from this State, and they can blame the Government for it. That will be to the Government's undying shame. The sort of thing the Government has done was typified by the gas turbines that were introduced. That was an expensive way to increase generating capacity.

One of the intellectuals on the treasury benches has asked whether the Opposition wants to have power blackouts. The Opposition wants a government that knows what it is doing, one that will not make a decision similar to the one made by the Government last year to buy the new 25 megawatt generators. The Electricity Commission can run only four of them but the Government has ordered twelve. There is not enough natural gas to feed into them all. That is a disgraceful way to run an electricity undertaking. The cost will have to be met by consumers and it will eat further into capital reserves. The Minister for Industrial Relations and Minister for Technology must have been listening to my contribution.

Mr Hills: It was not very enlightening.

Mr DOWD: What concerns me about the Minister for Industrial Relations is that he has received report after report. Either he has not read them or, having read them, he did not understand them. If he understood them, he must have ignored them. It is time people started to work out where the blame lies for the present electricity crisis. I can understand why the former Minister for Energy would not want to help the Premier and Minister for Mineral Resources. Honourable members are aware of the magnitude of the hate that exists between the two of them. They have good cause to hate one another. Having sacked the former Minister for Energy, the Government should now sack the present Minister for Energy. Time and again the Minister for Energy and Minister for Water Resources has misled the Legislative Council. When he is forced into a corner he says that he has been given information by his officers. At one time the State had a system of ministerial responsibility. That system exists in most civilized countries, but not in New South Wales.

Mr Hills: That is not so.

Mr DOWD: Is the Minister for Industrial Relations admitting that he was sacked because of his incompetence?

Mr Hills: Who was sacked?

Mr DOWD: The Minister for Industrial Relations held the energy portfolio for a long time; now look at the disgraceful position of the State's electricity supplies.

Mr Hills: I did a lot better as Leader of the Opposition than the honourable member for Lane Cove is doing.

Mr DOWD: I am aware how long the Minister remained in that position. The way the Minister administered the energy portfolio helped the former coalition Government immensely, but it has not helped the people of New South Wales. He has a disgraceful record. If the Minister knew what he was doing at that time, he should now resign from the Parliament because of what he has done to the people of New South

Wales. The Minister for Energy and Minister for Water Resources should resign also because of the disgraceful way in which he has administered the energy portfolio. He blames the former Government, the unions or anyone else.

The commissioners are being made scapegoats for the Government's incompetence. This smokescreen is designed to shift the blame from the Government. Industrial disputes in New South Wales are the worst in the history of the Commonwealth. They have been created knowingly by the Government, which has made disputes inevitable in the Hunter Valley. It has entered into agreements, making sure that there is a leapfrog situation with the electrical trade unions and other unions. A leave reserve provision in the contracts that have been set up with the unions ensures every union member can get more money at the expense of the Government. They know that they have the Government with its back to the wall, with no reserves. There should be a complete inquiry into mismanagement by the Government. We will not get the real facts from the Government. The Government even got the Treasurer to supply some information. He read from a piece of paper he had been given but it was obvious that he was wishing he knew whether the information was true. I know he would not deliberately mislead the House. I have some respect for the Treasurer. He hopes he will not be found out, because he will have to accept some responsibility for the mismanagement of the State.

The Premier has said that the buck stops on his desk. It is still there, no matter how hard he might try to exculpate himself by trying to blame someone else. The public knows that the Wran Government is the greatest failure of all time in the management of Government affairs. The public will find out the hard way. They are starting to realize that things are not right in the State. This proposed legislation will do nothing to solve the State's problems in the electricity industry. Businessmen show how they judge the Government, by going elsewhere, as the Treasurer and the Minister for Energy well know. The Opposition opposes the legislation, for it will not solve any problems. Anything that the new commissioners contribute will be of little value, because the Government will interfere with the management of the commission, as it has in the past. The Government believes that it can run the Electricity Commission efficiently, even though it has allowed the finances of the State to run down and has left New South Wales in a parlous position from which it will take a long time to recover.

Mr HILLS (Elizabeth), Minister for Industrial Relations and Minister for Technology [5.26], in reply: If the Leader of the Opposition listens, I shall trace the industrial record in the electricity industry of the former Liberal Party–Country Party Government in New South Wales and compare it with the Labor Government's performance. For convenience, I shall take a period of five years when the coalition parties were in office and compare the position then with what has occurred during the five years under the Wran Government. In 1970 under the former Liberal Party–Country Party Government, 8 696 working days were lost in the Electricity Commission; in 1971, 5 574 days were lost; in 1972 they numbered 9 855; in 1973 the number of working days lost decreased to 4 000. In 1974 the former Government had a good year, when the figure went down to 3 500. Over that period of five years the average number of working days lost was a little more than 5 000.

The Wran Labor Government came to office in May 1976. In that year 7 600 working days were lost in the Electricity Commission. The figure was quite high, for there had been an era of industrial relations that would have shocked anyone. A continual battle was proceeding between the unions and the respective governments, led by Sir Robert Askin and his successors. I forget how many there were between the time when Sir Robert Askin retired and when the Wran Government came to office. In 1977 the Labor Government reduced the number of lost working

days to 3 968. In 1978 they increased to 5 441; in 1979 the number came down to 4 000; in 1980 it was 4 200 and for the nine months before I left the energy portfolio in 1981, 2 132 working days had been lost. The average was 4 000 lost working days in that time.

I have compared the performance of the Liberal Party–Country Party Government in that 5-year period when 5 000 working days were lost, with the performance during the term of office of the Wran Labor Government when an average of 4 000 working days were lost. In the same period there was a substantial increase in the amount of work being performed in the commission. The commission had expanded and more people were employed by it. Despite the increase in the number of employees, there was a reduction in the number of lost working days. The Leader of the Opposition should listen, so that he will understand that his figures were wrong. In this debate he has spoken about ships standing off shore. I do not understand what that has to do with the Electricity Commission of New South Wales.

Mr Dowd: That is right; the Minister would not understand.

Mr HILLS: The Leader of the Opposition spoke also about inner city branches of the Australian Labor Party. I do not know what that has to do with the Electricity Commission either.

Mr Dowd: That is right.

Mr HILLS: Performance is extremely important. When the Labor Government came to office the availability of plant was down to 47 per cent. The Labor Government increased it to 70 per cent. If that is not performance, I do not know what is. I shall quote some figures for the benefit of the Leader of the Opposition. He enjoys reading reports. He should read the annual report of the Electricity Commission and compare the ability of the commission during this Government's period of office with the previous position. This Government achieved results because it improved industrial relations; it was able to talk to people. In 1970–71 the installed thermal capacity was 4 710 megawatts. Output, or the number of gigawatt hours produced during that period, was 15 831. In that year the Opposition increased the installed capacity by 1 320 megawatts, or 28 per cent. The Opposition brought the installed capacity of thermal generating capacity up to 6 030. Output rose to 18 453 gigawatt hours, an increase of 16.5 per cent. The present Government came to office in 1976 when the installed capacity was 6 030 megawatts. We increased it to 7 815 megawatts.

Mr Dowd: Who started it?

Mr HILLS: The work was commenced by the Opposition. I am not criticizing the Opposition's ability to increase installed capacity. The additional capacity came about because the work was undertaken when the Opposition was in government. I remind the House that during its eleven years in office the Opposition did not commence a major power station. It added bits and pieces to existing power stations such as Wallerawang and Vales Point. My point is that installed capacity went up to 7 815 megawatts after this Government came to office, though the work had been commenced previously. Construction work in the electricity generating system is an ongoing thing.

The important factor is that the number of gigawatt hours produced in that year was 31 242, an increase of 12 789 gigawatt hours. When the Opposition was in government the number of megawatts of generating capacity increased by 28 per cent. During the present Government's term of office the increase was 29.6 per cent. There is not much difference between the two figures. It is extraordinary that the increase in the number of megawatt hours produced by the system increased to 12 789, or 69 per cent, compared with an increase of 16.5 per cent during the previous five years.

That is not an accidental figure. It resulted because plant become available. In 1976 Liddell power station had a plant availability of 47 per cent. By late 1980 that figure had increased to 70 per cent. I do not know the source of information of the experts who advise the Leader of the Opposition. I know my friend the honourable member for Upper Hunter has a few constituents who work at Liddell power station. They talk to him; they talk to me also. I know the source of leaks of information. For the past eighteen months Dizzy Fowler has been leaking information to Professor Dick. That is common knowledge. That is why they call him Dizzy. However, he is free to do as he likes. But he is not an engineer employed by the Electricity Commission; he is a technical officer. It has been rumoured that the Opposition is getting information from engineers. That is another matter. The important thing is that when Labor won office capacity was 47 per cent at Liddell and it was increased to 70 per cent. That saved the Electricity Commission \$20 million a year. If that is not good industrial relations, I do not know what is.

It has been said that the Government has reduced the working week from forty hours to thirty-five. When the former Government refused to reduce hours, plant availability at Liddell went down to 47 per cent because of that Government's bad industrial record. When Labor came to office there were no claims for a reduction in the number of hours.

The Leader of the Opposition talked about planning and introducing new plant into the system. In its entire history, this State has never had a programme as good as it has at the moment. No other State in the Commonwealth has ever had such an extensive programme. There are four 660-megawatt machines at Eraring power station, four at Bayswater and two at Mount Piper. Even the federal Minister for Energy has said that it takes seven years from the time construction of a power station is started to the time when it is fully operative. Eraring is having its running-in period at the moment. It has got up to 450 megawatts or perhaps more. It will be taken out of service. A unit at Vales Point power station will be taken out of service for boiler cleaning and maintenance. Another one is to come out in a few days' time because of the other plant that is coming into operation. The second unit at Eraring is scheduled to come on line and have a trial run in September or October. That is not a bad effort; two 660-megawatt machines in one year, six years after commencement. The Labor Government could not commence it before coming to office. The former Government had done nothing about Eraring except general planning.

Mr Dowd: The former Government planned it.

Mr HILLS: In 1965 when I was there the Labor Government of that time had chosen the site. If the Liberal Party-Country Party Government had commenced the work two years earlier, New South Wales would not have its present power problems. It is as simple as that. I do not seek to lay the blame at anyone's feet but I point out that honourable members opposite and everyone else concerned should tell the truth. If it had not been for the three 500-megawatt units coming out at Liddell, the State would not be in this predicament. The Leader of the Opposition talked about running machines into the ground. I am sure the Leader of the Opposition would not question a statement by Professor Stokes on this matter.

Mr Dowd: Professor Stokes did not mention moisture.

Mr HILLS: The Government believes Professor Stokes is completely fair. He consulted a gentleman from the CSIRO. They are both of the same opinion. That is the position. I do not mind copping the blame if someone wants to blame me, but how could I have anticipated such a highly technical problem? How could I have decided whether the fault was maintenance or design? The Government has been

advised that it is a design fault and it is being rectified. The stators require a lot of winding. GEC personnel came to Australia from England to rectify the problem. It was a partial fault. Some of the coils were blown out. They were replaced, and as soon as the machine was started all of the coils blew out. That necessitated a complete overhaul. The honourable member for Pittwater is a former mine manager. I served my time at Australian General Electric where I was a manufacturer of motors, traction and otherwise. I do not know the answers to these problems, for I am not an engineer. I was a toolmaker and I conducted a small business.

With a person of the ability of Professor Stokes making a statement of one sort and someone else making a statement of another sort, how the blame for what has occurred can be laid at the feet of the present Minister or the Government is beyond my comprehension. While these units have been out of service an overhaul has been going on involving boilers and other items.

Mr Dowd: What about manpower?

Mr HILLS: Though I do not have the figures with me now to show the accurate percentage. I know that manpower has been increased substantially and that the expenditure for maintenance at Liddell alone is probably three times what it was when the Labor Government came to office. The result is that now there are substantially more people employed and more contractors used in the Electricity Commission. As the honourable member for Upper Hunter knows, it was part of the agreement that there were to be a number of contractors coming into the Electricity Commission. That was insisted upon. Some units were taken out of service and rehabilitated completely by outside contractors with complete co-operation from the staff.

I commend these bills to the House. They will ensure that in future the people who manage the Electricity Commission will be the right people, whether they include Mr Frank Brady or someone else. Frank Brady is a capable and competent engineer. The people who have worked with him know how capable and competent he is. They themselves are capable and competent. For a considerable time I was closely associated with them. They do not work a 40-hour week but all hours of the day and night to ensure that plant is back in service to provide power for domestic and industrial consumers in this State. They know their responsibilities. I am convinced that as competent, professional people they will do a first class job to bring the system back on line to where it should always be. But with the return of those units at Liddell, and with the Eraring power station coming into the system, the people of New South Wales can be satisfied that, once the present problems of quality or design are solved, there will be improvement in generating capacity. I once made the mistake of saying in this House that there would never be any blackouts in New South Wales. We have had them for less than 24 hours. That was the only time we had them.

Mr Dowd: What about the zoning?

Mr HILLS: The Leader of the Opposition should not ask me to remind him about the zoning that took place under the previous coalition Government. To repeat that would be tedious. Zoning was regarded as the proper thing to do. I believe the Electricity Commission should be encouraged to engage an outside chairman who will have the responsibility of running the commission in the same way as a board. The managerial people will run their own side of the business. That is a significant step forward.

Mr PUNCH (Gloucester), Leader of the Country Party [5.44]: The Minister for Industrial Relations and Minister for Technology, in this debate, contradicted remarks made by the Premier and by the Minister for Energy in another place.

However, towards the end of his remarks the Minister was kind enough to say to those who had been listening to his story of the whole debacle that the blame should not rest on anyone, but that problems were highly technical and it was not known what caused them. Perhaps the Minister should have gone back to the Premier to find out. If memory serves me correctly the Premier put the blame on the press, the previous Government, the Electricity Commission and the unions. I am sure he even blamed the previous Minister for Energy, even if he did not do so to his face.

Mr Hills: He has not said it to my face.

Mr PUNCH: Perhaps he did not say it to the Minister's face, but he would have said it. The Minister said that this series of mishaps came about for various reasons. Everyone knows that one can get experts to say one thing and other experts to prove exactly the opposite. I agree with the Minister's remarks about Mr Brady. I regret that he is receiving bad treatment from the Premier and the Government. Mr Brady is a dedicated public servant who joins a long list of senior, experienced and capable public servants who are being put out into the cold by this Government so that they might be replaced by lackeys of the Government. The present and future generations of this State will have cause to regret that.

The Minister for Industrial Relations and Minister for Technology spoke of the average of working days lost during previous years. He said that 5 000 working days were lost under the Liberal Party–Country Party Government in five years, and only 4 000 over four years of the Labor Government. It is not a big difference even though it appears, at first glance, substantial. Over that period one would have to agree that there has been a considerable change in the approach of unions to strikes. Instead of the old days, when the members of one union used to go out on strike, there are now mass walkouts and strikes. One finds a few key men, perhaps with fewer than half a dozen working days lost, holding the whole State to ransom. We saw this recently in the power generation industry where 170 men held the whole State to ransom. Not many working days were lost.

One can quote figures *ad infinitum* to show exactly what you want them to show. They can be distorted. One can make one's own arguments sound good and the other fellow's arguments sound bad. In connection with the power problems of this State we must pay regard to the facts only. The power station generation industry in New South Wales, after six years of Labor administration, is in an atrocious situation. The Minister proudly claims that the performance and availability of plant rose from 47 per cent under the previous Liberal Party–Country Party Government to 70 per cent. It did rise for a while. The Minister said that it rose to 70 per cent. What is it in 1982? Is it only 7 per cent? The reason it went up at all was that the Premier allowed the 35-hour working week to be given to workers in that industry. They jumped in and increased profit productivity for a while but only in such a way that they wrecked the electricity generation in New South Wales. They worked the guts out of all the machines to try to placate the Premier and the Government at that time. In actual fact, they wrecked the whole situation.

The Premier's promise to reduce working hours for those employees has cost the State dearly in the loss of new industry and in jobs for the people. This legislation represents one more attempt by the Premier and Minister for Mineral Resources, and his incompetent Minister for Energy, to try and find a scapegoat for the debacle of the power generation industry in this State today. The Premier has run out of people and organizations to blame. Perhaps I should run through them again. He began

by blaming the consumers for using too much power. He said we were all getting too soft and using too much electricity. Last year the Premier and the Government encouraged greater use of electricity, and tried to get everyone to use it. He said that perhaps the greatest thing New South Wales had going for it was abundant and relatively cheap electrical power.

I do not know whether the Premier was looking into a crystal ball when he said that, for it certainly is not right today. We have had two price rises since the last election. Another one will come in the next couple of months, which is considered will be another 27 per cent or something like that. We are going to be hit for the wages the Government will have to pay out as a result of its sweetheart deals and for **the cost of the new temporary unit to generate a meagre amount of electricity.** The future users of electricity in this State will be hit a high sum in costs simply through the actions of this Government, this Minister, and particularly the Premier and Minister for Mineral Resources.

When the Premier could not succeed in blaming the consumers he turned on the unions. After a bout of union bashing, his mud-slinging tactics did not succeed. The unions must be somewhat puzzled by the antics of the Premier, for only months before he had cajoled them into a 35-hour week, with sweetheart wage deals and with handouts well above what they had asked for. The Premier, almost desperate for someone or something to blame for the failing system, blamed design faults in the generators, despite the fact that generators similar to those at Liddell are still operating satisfactorily overseas after being in use for ten or more years.

The Premier has been careful to avoid admitting that mismanagement and appalling maintenance contributed to the failures of the Liddell generators. Discussion on the Liddell failures could well be *sub judice* for it appears likely that the Premier and his Ministers could be facing litigation over their claims about design faults. Among the others the Premier sought to blame were a former Liberal Premier, Sir Robert Askin, the federal Government, Senator Carrick, the federal Minister for National Development, the Snowy Mountains Authority and the press. Now, with no one left to blame, he seeks to heap blame on the Electricity Commission by announcing a restructuring and a general shakeup of the organization.

At the beginning of the power crisis, the Premier said that the buck should stop with him, but he has never lived up to that statement. He has done everything in his power to make sure the buck has been passed on. He has ducked the blame that should rightfully rest squarely with his administration, just as he ducked the call for a full public inquiry into the power generating industry. In November last year in this House the honourable member for Upper Hunter called for a public inquiry into the industry. Of course, that call was rejected by the Government. The honourable member's request was dismissed with contempt and arrogance. That was done amid claims that all was well with the system and that there would be no need for power restrictions. Those honourable members who remember that debate will recall what happened on that occasion.

How right was the honourable member for Upper Hunter in trying to identify the problems so that they could be remedied. Now we have the situation where a restructured Electricity Commission will conduct an internal inquiry into its own operations. Obviously the Government would prefer any inquiry to be conducted at this level and behind closed doors, otherwise it might have to shoulder some blame for the chaotic power system.

Mr Punch]

The erosion of morale among public servants and the top Elcom administrators will be devastating. Shaking up the Electricity Commission is not going to overcome the present problem which has been brought about by years of mismanagement and neglect of this Government. In fact, it will take at least three years to assemble enough new generating plant to stave off the threats of blackouts and power zoning in New South Wales. The twelve emergency generators, bought at great expense by the Government, will do virtually nothing to overcome the power crisis. Together they will not generate enough power to light up a large country town. They will cost in excess of \$80 million a year to run and they will deprive industry and primary producers of much of their supply of diesel fuel.

By way of comparison it is interesting to note that if all twelve generators are operating, they will produce 300 megawatts of electricity compared with one generator at Liddell producing 500 megawatts. The \$84 million a year, which represents the cost of fuel, compares with a total wages bill of \$14 million at Liddell to produce 2 000 megawatts. It will take at least five years before the system is capable of coping with expanding power demands. The result is that New South Wales will be confronted with the constant threat of blackouts for at least another three years and maybe longer. No amount of backbiting, mud-slinging and blame-shedding will alter that.

Obviously the Premier thinks he will get the heat off the Government by introducing cosmetic legislation to dress up the windows and make it appear he is at least doing something about the power crisis. Apart from the enormous inconvenience and disruption to lives, commerce and industry caused by the failure of the system, the damage to New South Wales has been catastrophic.

The golden era of progress and development has come to a sudden stop, despite the gilded picture the Premier tried to paint in this House last week in a speech he made in the Drummoyne by-election campaign. Power-hungry industry is turning away from New South Wales, for it cannot get a guarantee from the Government that it will have the cheap and abundant power the Premier promised just a year ago. Other States have already commenced an advertising campaign to encourage more industry to leave New South Wales and establish their operations in their areas. Because of the power crisis and industrial power zoning, some smaller businesses are going to the wall.

Unemployment in New South Wales is heavy and worsening; investment is decreasing and confidence in the State is being eroded. Industry that might have been considering establishing operations in New South Wales is now looking elsewhere to where it can be assured of a stable and reliable power supply. Though the effects of the New South Wales power crisis have been widespread and devastating, the present situation is largely the result of a direction last year by the Premier to freeze staff levels at the State's power stations. This had the effect of reducing maintenance of the generators because maintenance staff was not replaced.

The replacement of maintenance staff was resumed only when the matter was brought to public attention by the honourable member for Upper Hunter. The Government's maintenance programme for all the State's power stations was allowed to develop into a shambles. Annual overhauls of the generators were abandoned because they could not be spared from service. They began to break down, not because of design faults, but through sheer neglect.

Any inquiry should be comprehensive; it should be open to the public; and it should inquire into the State Government's abysmal lack of management skills and its concealment of the facts from the public. The public had a right to know why the State's power industry was in chaos and why there were blackouts; it should be told

why there were restrictions and industrial power zoning, why the restrictions and the threat of further zoning remain and that they will become even greater as we get into the cold months of winter. Instead, the State Government hid the facts from the public; it even gave the public false assurances that everything was in order in the power industry.

Now we have the increasing threat of winter blackouts while the Government searches frantically for a scapegoat so that it can dodge the backlash from the public, which is sick and tired of living under the threat of blackouts and restrictions. Only a full, public inquiry will get to the truth of the matter. Only after a full inquiry will the Government be able to restructure the Electricity Commission effectively.

The knee jerk reaction proposed by the Government will achieve nothing but mud-slinging and recriminations. It is a panic move designed to make it appear that the Government has taken firm action, and to cover up the adverse public reaction to its bumbling on the whole electricity issue. The chairman of the Electricity Commission, Mr Frank Brady, is a highly competent engineer with a proven record of administration. Mr Brady now joins that growing list of senior and dedicated public servants who, despite giving decades of fine service to New South Wales, have now been discarded and made scapegoats by this Government which has replaced them with its favoured choices. Mr Brady is now to be assisted by a number of part-time commissioners who will bring skills and experience from outside industry.

The Government's trouble began when it appointed Mr Joe Riordan, a former federal Labor Minister, as deputy chairman, and gave him instructions to give employees anything they asked for, but to avoid blackouts before last year's election at all costs. Though the Government succeeded in preventing further blackouts at that time, the citizens of New South Wales will pay for those underhand agreements for many years to come.

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

Mr PUNCH: Before dinner I referred to the position in which Mr Brady has been placed and I said that the Government's troubles really began when Mr Riordan, a former Minister in the federal Labor Government, was appointed as deputy chairman of the commission basically with the idea and under instructions to agree to anything that the employees wanted so as to avoid electricity blackouts before last year's election. At that time the Government succeeded in preventing any further blackouts, but the public of New South Wales will pay for those underhand agreements for many years. Since then the commission has been wracked by dissension, divisiveness and low morale. The Government would have been wise to delay introducing legislation affecting the Electricity Commission until it ordered and completed a public inquiry.

Without delay the Government should inform the people of New South Wales of the exact position with the supply of electricity and what they can expect this winter. The public must know the direction in which New South Wales is headed. The Government should concentrate on giving the people and the industries of New South Wales a cheap, reliable and well maintained supply of power, not a patched up conglomeration of emergency generators bordering on the brink of failure all through winter. The Opposition opposes the bills. The Government is acting in panic. Better actions could be taken to protect the interests of the people of this State.

Mr SMITH: Mr Speaker—

Mr FLAHERTY (Granville), Government Whip [7.33]: I move:

That the question be now put.

The House divided.

Ayes, 62

Mr Akister	Mr Durick	Mr Neilly
Mr Anderson	Mr Egan	Mr O'Connell
Mr Aquilina	Mr Face	Mr O'Neill
Mr Bannon	Mr Ferguson	Mr Paciullo
Mr Beckroge	Mr Gabb	Mr Page
Mr Bedford	Mr Gordon	Mr Petersen
Mr Booth	Mr Haigh	Mr Quinn
Mr Bowman	Mr Hills	Mr Ramsay
Mr Brading	Mr Hunter	Mr Robb
Mr Brereton	Mr Jackson	Mr Rogan
Mr Cahill	Mr Johnson	Mr Ryan
Mr Cavalier	Mr Jones	Mr Sheahan
Mr Christie	Mr Keane	Mr Walker
Mr Cleary	Mr Knott	Mr Walsh
Mr R. J. Clough	Mr Knowles	Mr Webster
Mr Cox	Mr McGowan	Mr Whelan
Mr Crabtree	Mr McIlwaine	Mr Wilde
Mrs Crosio	Mr Miller	Mr Wran
Mr Day	Mr Mochalski	<i>Tellers,</i>
Mr Debus	Mr H. F. Moore	Mr Flaherty
Mr Degen	Mr Mulock	Mr Wade

Noes, 24

Mr Boyd	Mr Greiner	Mr Schipp
Mr J. H. Brown	Mr Hatton	Mr Singleton
Mr Caterson	Mr Mack	Mr Smith
Mr J. A. Clough	Dr Metherell	Mr West
Mr Collins	Mr Murray	
Mr Dowd	Mr Park	
Mr Duncan	Mr Peacocke	<i>Tellers,</i>
Mr Fisher	Mr Pickard	Mr Fischer
Mrs Foot	Mr Punch	Mr T. J. Moore

Resolved in the affirmative.

Motion agreed to.

Bills read a second time.

In Committee

Schedule 1

[Amendments to the Principal Act relating to the Membership and Procedure of the Commission]

Mr T. J. MOORE (Gordon) [7.42]: I move:

That at page 11, all words on lines 21 to 28 be left out.

For reasons that I advanced during the discussion of the bills concerning the Government Insurance Office, the Opposition does not support a provision that to be eligible for election as the representatives of employees of the Electricity Commission employees should be compelled to be members of the union.

Mr BOOTH (Wallsend), Treasurer [7.43]: The Government does not accept the amendment.

[*Interruption*]

The CHAIRMAN: Order! I call the honourable member for Eastwood to order.

Question—That the words stand—put.

The Committee divided.

Ayes, 61

Mr Akister	Mr Egan	Mr O'Connell
Mr Anderson	Mr Face	Mr O'Neill
Mr Aquilina	Mr Ferguson	Mr Paciullo
Mr Bannon	Mr Gabb	Mr Page
Mr Beckroge	Mr Gordon	Mr Petersen
Mr Bedford	Mr Haigh	Mr Quinn
Mr Booth	Mr Hills	Mr Ramsay
Mr Bowman	Mr Hunter	Mr Robb
Mr Brading	Mr Jackson	Mr Rogan
Mr Brereton	Mr Johnson	Mr Ryan
Mr Cavalier	Mr Jones	Mr Sheahan
Mr Christie	Mr Keane	Mr Walker
Mr Cleary	Mr Knott	Mr Walsh
Mr R. J. Clough	Mr Knowles	Mr Webster
Mr Cox	Mr McGowan	Mr Whelan
Mr Crabtree	Mr McIlwaine	Mr Wilde
Mrs Crosio	Mr Miller	Mr Wran
Mr Day	Mr Mochalski	<i>Tellers,</i>
Mr Debus	Mr H. F. Moore	Mr Flaherty
Mr Degen	Mr Mulock	Mr Wade
Mr Durick	Mr Neilly	

Noes, 26

Mr Armstrong	Mrs Foot	Mr Punch
Mr Boyd	Mr Greiner	Mr Rozzoli
Mr J. H. Brown	Mr Hatton	Mr Schipp
Mr Caterson	Mr Mack	Mr Singleton
Mr J. A. Clough	Dr Metherell	Mr Smith
Mr Collins	Mr Murray	Mr West
Mr Dowd	Mr Park	<i>Tellers,</i>
Mr Duncan	Mr Peacocke	Mr Fischer
Mr Fisher	Mr Pickard	Mr T. J. Moore

Question so resolved in the affirmative.

Amendment negatived.

Schedule agreed to.

Adoption of Report

Bills reported from Committee without amendment, and report adopted on motion by Mr Booth.

Third Reading

Bills read a third time, on motion by Mr Booth.

BILLS RETURNED

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

Aberdare County Council (Dissolution) Bill
Election Funding (Legislative Assembly) Amendment Bill
Energy Authority (Amendment) Bill
Loan Fund Companies (Amendment) Bill
Parliamentary Electorates and Elections (Legislative Assembly) Amendment Bill
Permanent Building Societies (Trust Investments) Amendment Bill
Trustee (Investment Powers) Amendment Bill

The following bill was returned from the Legislative Council with an amendment:

Newcastle Gas Company Limited (Amendment) Bill

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

Gas and Electricity (Amendment) Bill

PRINTING COMMITTEE

Ninth Report

Mr Jones, as Chairman, brought up the Ninth Report from the Printing Committee.

ENERGY AUTHORITY (RECONSTITUTION) AMENDMENT BILL

STATUTORY AND OTHER OFFICES REMUNERATION (ENERGY AUTHORITY) AMENDMENT BILL

Introduction

Motion (by Mr Booth) agreed to:

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

- (i) A bill for an Act to amend the Energy Authority Act, 1976, to reconstitute the Energy Authority of New South Wales, and for other purposes.

- (ii) A bill for an Act to amend the Statutory and Other Offices Remuneration Act, 1975, consequent on and in connection with the enactment of the Energy Authority (Reconstitution) Amendment Act, 1982.

Bills presented and read a first time.

Second Reading

Mr BOOTH (Wallsend), Treasurer [7.53]: I move:

That these bills be now read a second time.

There are two principal objects of the main bill. The first is to reconstitute the Energy Authority so that it will consist of five to seven members appointed by the Governor. The second is to define the functions of the authority and the general manager. There is an obvious connection between this bill and the Electricity Commission (Amendment) Bill which has been introduced into the House today. The Government takes the view that neither of these bodies has performed sufficiently well in the public interest.

The Government is not looking for scapegoats. Equally it will not be put off from taking what action it considers necessary for the welfare of the people of New South Wales. The Energy Authority is not authorized under the Energy Authority Act to engage in the generation of electricity or the supply of electricity. It has important functions concerning the planning and locating of supply and conservation of energy and energy resources. The task of the authority is to look across the whole energy spectrum and to be concerned with the inter-relationship of electricity, gas, fuel and other forms of energy. These sorts of functions of the authority obviously suggested the idea that the six part-time members of the authority, save one, should be persons with special knowledge of a stipulated energy or energy resource industry. The theory of it may be commended.

The Government now takes the view that the quest for impartiality unnecessarily restricts the authority in the performance of its functions. The better view is that the part-time members should, together with the general manager, constitute a competent and well-balanced team but not henceforth each carry a designated portfolio.

I do not propose to discuss the provisions of the bill in great detail. The bill is in substantially the same form and terms as the Electricity Commission (Amendment) Bill. Honourable members had the opportunity to listen to my speech on the introduction of that bill. Suffice to say, the authority shall consist of five to seven members with a part-time chairman, a full-time general manager and three to five other part-time members. The same sorts of consideration apply to the division of responsibilities between the general manager of the authority and the chairman of the authority as in the case of the Electricity Commission of New South Wales. No longer will the one person be required to serve as both general manager and chairman.

The need for a co-ordinated approach to energy resources is indisputable. The Government expects that, flowing from the changes proposed by this legislation, the State will be well served by the Energy Authority. I table a summary of the provisions of the principal bill. I commend the bills to the House.

Energy Authority (Reconstitution) Amendment Bill, 1982

Clause 1. Short Title.

Clause 2. Differential commencement of provisions of Bill as described below.

Clause 3. Reference to Energy Authority Act, 1976, as Principal Act.

Clause 4. Bill contains 4 Schedules as described below.

Clause 5. Principal Act is amended in manner set forth in Schedules 1, 2 and 3.

Clause 6. Schedule 4 (Savings and Transitional Provisions) has effect. Schedule 1. Amendments to the Principal Act Relating to the Constitution and Procedure of the Authority.

(Commences on a day to be appointed "appointed day".)

Clause 1 omits sections 7–8A and inserts new sections 7, 7A, 8 and 8A.

Section 7. Authority consists of 5–7 members. Provision is made for filling of vacancies. Schedules 1 and 1A, described below, have effect.

Section 7A. Delegation by the Authority and authorization by the General Manager.

Section 8. General Manager is chief executive officer of the Authority subject to direction by the Authority.

Section 8A. Disclosure of interests by commissioners.

Clause 2 omits Schedule 1 and inserts Schedules 1 and 1A.

Schedule 1. Provisions relating to the Constitution of the Authority.

Clause 1. Interpretation.

Clause 2. Composition of the Authority: General Manager, and 4–6 part-time members. Age limits for members: 65 years for General Manager, 70 years for part-time members. States the circumstances in which a vacancy in office of a part-time member need not be filled.

Clause 3. One part-time member shall be appointed Chairman of the Authority.

Clause 4. Acting members.

Clause 5. Terms of office: General Manager—maximum 7 years, part-time members—5 years.

Clause 6. Members may be re-appointed.

Clause 7. Office of General Manager is full-time.

Clause 8. Minister determines remuneration of part-time members.

Clause 9. Vacation of office of members.

Clause 10. Public Service Act, 1979, does not apply to members.

Clause 11. Preservation of rights of General Manager previously public servants, etc.

Clause 12. General Manager is entitled to re-appointment to former employment in certain cases.

Clause 13. Declaration of statutory bodies for the purposes of clause 11 and clause 12.

Clause 14. No personal liability of members, etc., if act bona fide.

Clause 15. Presumptions relating to conduct of the authority in legal proceedings.

Schedule 1A. Provisions relating to the procedure of the authority.

Clause 1. General procedure determined by the authority, subject to schedule and the regulations.

Clause 2. Quorum.

Clause 3. Presiding member.

Clause 4. Voting.

Clause 5. Minutes.

Schedule 2. Minor and consequential amendments to the principal Act. (*Commences on appointed day.*)

Clause 1 amends section 3 which divides the Act into parts and schedules.

Clause 2 amends section 5, the interpretation section.

Clause 3 amends section 6 to permit regulations to be made with respect to the custody and use of the common seal of the authority.

Clause 4 substitutes "General Manager" for "chairman and general manager" in section 19B which relates to boards.

Clause 5 substitutes a reference to section 7A for section 41 in section 19c (1) (c).

Clause 6 omits section 19D and inserts a new section 19D which permits regulations to be made with respect to the constitution and procedure of a board.

Clause 7 omits section 41 which relates to delegation. (See new section 7A.)

Clause 8 substitutes "General Manager" for "chairman" in section 42 which relates to authentication of documents.

Schedule 3. Amendments to the principal Act relating to accounts, audit and annual reports.

(*Commences on 1st July, 1982.*)

Clause 1 omits sections 21–23 and inserts new sections 21 and 22.

Section 21. Accounts of authority, together with Auditor-General's certificate, to be presented to Minister within 6 months of end of each financial year.

Section 22. Audit of accounts of authority by Auditor-General.

Clause 2 omits section 46 and inserts new section 46.

Section 46. Annual report for each year ended 30th June to be forwarded to Minister before end of that calendar year. The Minister shall table the report in Parliament as soon as possible.

Schedule 4. Savings, Transitional and Other Provisions.

(*Commences on date of assent.*)

Clause 1. Interpretation.

Clause 2. Members holding office immediately before the appointed day cease to hold office on the appointed day. The Minister may pay compensation to former members for loss of office. A person who, immediately before the appointed day, held office as chairman and general manager is entitled to appointment to former employment or to some position in the service of the Government in certain cases.

Clause 3. For the purpose of enabling the new Authority to be constituted, appointments, etc., may be made before the appointed day.

Clause 4. The Minister shall call the first meeting of the new Authority.

Clause 5. Delegations made under s. 41 (omitted by Schedule 2) continued in force.

Clause 6. Existing provisions of Principal Act relating to accounts, audits and annual reports apply to year ending 30th June, 1982. New provisions (see Schedule 3) apply to all subsequent years.

Clause 7. The Governor may make regulations containing provisions of a savings or transitional nature.

Mr FISHER (Upper Hunter) [7.58]: I am amazed that the Minister in his second reading speech dealt briefly with the functions and objects of the bills and then condemned the Energy Authority for not performing satisfactorily. He went on to say that the Government was not attempting to use a smokescreen in reorganizing the authority. The Energy Authority was established in 1976. These bills, in common with many others, have been rushed into Parliament and little opportunity has been afforded to honourable members to examine them. The Government's proposal to reorganize the Electricity Commission and the Energy Authority is an extraordinary move that is clearly designed to create a diversion.

The Premier has become one of the great masters of creating diversions to create the illusion that the Government is doing something when in fact it is not. The Opposition opposed the reorganization of the Electricity Commission because of the Government's proposal to appoint a representative of a trade union to the commission. The Electricity Commission has an extremely efficient chairman who has an onerous task which, in my view, he has performed outstandingly. His deputy chairman is the federal secretary of the glassworkers union and an acknowledged member of the Australian Labor Party. By the proposed legislation the commission is to be redesigned; a completely new commission is to be established.

Apparently the union representative on the authority, Mr Gibson, is regarded by the Government as unsatisfactory. It seems that Mr Monsell, the managing director of Century Batteries, is also unsatisfactory. It is indeed strange that the objects of the bills should be so barely put by the Minister. He described them as being similar to those of the Electricity Commission (Amendment) Bill and its cognate bill. Members know only that it is intended to reorganize the Energy Authority to have five to seven members on it. The existing authority is to be replaced, including the chairman and general manager, Mr Dembecki, a most competent officer with wide experience in energy assessment throughout New South Wales. A number of other members are to be replaced, including the deputy chairman, Mr Donoghue, a group manager of the group finance and development section of Ampol Petroleum Limited. He brought to the authority wide experience in liquid fuels. Other members to be replaced include Mr John Butters, at one time manager of the Australian Gas Light Company, with wide experience in the gas industry, and Mr McBean, assistant secretary of the Labor Council of New South Wales. Surely no one on the Government side would be critical of the performance of Mr McBean. Mr Gordon Maxwell, the Under Secretary of the

Department of Mineral Resources is to be replaced. So too is Mr Rainbird, the general manager of the Sydney County Council. Professor Thompson, Professor of nuclear engineering at the University of New South Wales, is yet another. All of these people on the authority, in my submission, have performed their tasks well. The Government is laying down a smokescreen by having the Minister say that they have not performed their tasks satisfactorily. That is a condemnation of the Energy Authority, an authority that the Government itself established.

How extraordinary that this evening the Government, in the dying hours of the session, seeks to introduce a bill condemning the very authority it established only six years ago. When the bill which established that authority was introduced, its functions were clearly defined. They covered a range of energy sources and their proper use and development within New South Wales. Over the six years it has been in existence the authority has performed its tasks remarkably well. Perhaps there have been some shortcomings in electricity generation but they were not the sole responsibility of the Energy Authority. The whole purpose of the authority is to ensure that the State uses all energy resources to the best advantage whether they are gas, electricity, petroleum or solar energy. The authority has brought together a representative group of advisers with experience on a wide range of statutory boards. It has been able to advise the Government on the most economical development and use of energy resources.

Nevertheless, six years later, the Government condemns the authority and dismantles it. The statutory board set up under the authority was the New South Wales Electricity Board. It had a large membership representing various users of electricity. As time is short I shall not name all of the members of the board. Suffice it to say that they possess a wide range of expertise and they have advised the Government and the Energy Authority on the proper use of resources. The members of the New South Wales Liquid Fuel Board also have a wide range of expertise and they have given sound advice to the authority. It has performed its tasks well.

The 1981 report of the Energy Authority provides evidence of the fact that it performed its functions extremely well. For that reason alone I find it difficult to explain why the bills are before the House except that the Government may be trying to lay down a smokescreen. It seems to be engaged in a diversionary ploy to confuse the people of New South Wales into believing that it is trying to do something about the general shortage of energy resources in New South Wales. In so doing, it has made scapegoats of the members of the Energy Authority by claiming that they are inefficient and have mismanaged the authority's affairs.

In the six years since it was established the authority has initiated many projects to assist in the adequate use and conservation of energy resources. These projects are mentioned in the annual report, and their initiation supports the contention that the authority has worked well. A coal liquefaction industry is to be set up in my electorate. An area of approximately 640 square kilometres has been designated by the Government for coal exploration purposes, so that the liquefaction process can be put into operation. Some \$3 million has been spent already upon exploration. Considerable development has taken place. The Minister has announced that the coal liquefaction plant is well under way. Tenders have been called from those willing to assist in the establishment of that industry. Yet the Government is saying that the authority has not done its job well enough and has not performed its tasks satisfactorily. It is obvious that the authority is being wheeled to the chopping-block to be sacrificed as part of a diversionary tactic by the Government to blame someone else for the power shortage.

Mr Fisher]

The new authority will have precisely the same number of members as the existing authority. It is absurd that the Government, in an attempt to hide its ineptitude and mismanagement, should use the Energy Authority in an attempt to delude the people of New South Wales into believing that something tangible is being done about the energy resources of the State. The Opposition will oppose these bills for the same reason as it opposed the bills last debated. We see no purpose to be served in agreeing to the measures that were given but a brief outline by the Minister. He said, quite simply, that the object of the bills is similar to that of the bill dealing with reconstitution of the Electricity Commission. He failed to give the House any reasonable explanation for the change to the Energy Authority.

Quite apart from the coal liquefaction industry that the authority is setting up in my electorate, considerable pains have been taken by it to develop solar energy. For quite some time the Minister and his colleagues have been at pains to highlight the fact that development of solar energy is being put to good use in the western suburbs of Sydney where houses are designed to take advantage of solar energy. Much more can be done in that field than has been achieved so far.

Many forms of energy other than thermally generated energy from coal-fired power stations can be used in New South Wales. Only a few days ago a constituent of mine informed me that he wanted to build a house. One of the requirements of the council was that electricity be installed on the site before the building application could be approved. My constituent said that he did not intend to use electricity in his house; that he intended to use only solar energy to provide hot water; and solar cells would energize batteries that would power the television set and the washing machine. All of the usual electrical requirements of a domestic residence can be met from solar energy. That stage has been reached as a consequence of research into solar development. That is the reason for setting up this authority but it will not be improved in any way by the amending legislation before the House.

I should like to mention also the development by this very same authority of biofuels from certain crops. Methanol and ethanol can be produced, thanks to encouragement of the authority. If any criticism should be made of the Government it is for not giving sufficient support to the Energy Authority to develop alternative sources of energy, and to the community to encourage it to use those energy sources. In this regard I have in mind, specifically, solar energy. I have a solar hot water service and I have not had to boost it with electrical power for some months. The amount of electricity I use for heating water is quite limited.

Much can be done, as it is in other parts of the world, to discourage people from powering hot water services with thermally produced electricity. New South Wales, because of its mild climate, is capable of developing sufficient solar energy to meet normal domestic electricity demands. However, the Government has endorsed a policy of encouraging homeowners to instal off-peak hot water services and of encouraging them to have all-electric homes. Because of the Government's policy of reduced rates for off-peak services, people are installing electric hot water systems. Following such encouragement, mass-produced hot water services are cheaper to install than a solar hot water system. If the Government directed similar sums to encouraging people to adopt solar heating for hot water systems, there would be no need to invest large capital sums in the development of additional thermal power stations in New South Wales. I am advised that 40 per cent of the power used in New South Wales is for domestic purposes. Of that 40 per cent approximately 25 to 27 per cent is used to heat water. However, little has been done to encourage the provision of alternative sources of power for domestic use.

It is extraordinary that the Government should attempt to use the Energy Authority of New South Wales as a chopping block. By this tactic the Government is attempting to create a diversion by saying that because the Energy Authority, in the words of the Minister, has been performing unsatisfactorily, other people should be appointed to the authority. The members of the proposed board have not been announced. Surely that board could not represent a wider spectrum of people than the ones who have already contributed to the proper development of solar energy and other energy resources. This measure can be described only as a sham and a farce. Those who examine closely the objects of the bills will realize that they are nothing short of a complete sham on the part of the Government.

I should like to refer to one further matter. I understand that my colleague the honourable member for Pittwater will move an amendment to the principal bill. The Government is seeking to rush through this House a measure that was made available to members only minutes ago. One of the objects of the measure—one that I find impossible to understand, and it has not been explained by the Minister—is to permit the Auditor-General to dispense with all or any part of the detailed inspection and audit of any accounts or records referred to in subsection 1, which deals with the records of the authority. What does the Government intend to hide? Why does not the Government want the Auditor-General to examine the accounts of any authority or commission? This provision must raise grave doubts in the mind of every person in New South Wales that this Government is not trying to hide something. The Government does not want the Auditor-General to examine, and report to this Parliament, the expenditure of this authority.

Earlier this week the Minister attempted to rush into this House a bill dealing with the amalgamation of gas county councils in the Hunter Valley. In that bill he attempted to sneak in under the Energy Authority (Amendment) Bill extraordinary provisions about the powers of inspectors. That bill had nothing to do with the Energy Authority. It contained powers of inspection to permit an inspector to enter a house at any time of the day or night. The performance of the Government is suspect. The Opposition opposes the bills.

Mr SMITH (Pittwater) [8.20]: In the short time available to me I wish to express my condemnation of the Government for blaming the Energy Authority of New South Wales for much of the power crisis. Some members of the authority are well known to me for their outstanding managerial ability. It costs the taxpayers of this State \$14 million a year to run the authority. What do they get for it? The Energy Authority has not been permitted to carry out some of its important functions. I refer to the development and implementation of the State's energy policy, the training of energy management personnel, the co-ordination of electricity distribution within the State and the controlling during periods of shortages of the sale and supply of proclaimed forms of energy. The remainder of the functions are largely related to research and future planning. They are important aspects to be investigated in respect of alternative forms of energy. Those four areas have not been given the attention they deserve, as is established by recent events in the electricity industry. I do not blame the Energy Authority for them. I blame the Government for not giving the authority the opportunity to pursue the matters for which it was given responsibility. There is considerable overlap in the functions of the Energy Authority and the Electricity Commission. Taxpayers are paying for services that they are not receiving. The more boards and organizations that are constituted, the easier it is for a Minister who is not doing his job properly to blame somebody else for it. My firm opinion is that many statutory authorities have been established to provide an excuse for a Minister who does not understand the requirements of his portfolio and is not carrying out his job properly.

Mr BOOTH (Wallsend), Treasurer [8.22], in reply: I inform the honourable member for Pittwater that in relation to the Auditor-General, similar provisions were contained in the bill previously before the House. The proposal contained in these bills is fairly uniform. For example, it appears in the State Bank Act. If the honourable member for Pittwater does not like it, he should have moved an appropriate amendment when the bill relating to the Electricity Commission was before members. He missed out on doing so then and is seeking to take the opportunity now. The main bills provide for an annual report to be presented by the authority to the Parliament. There are ample ways in which the finances of the Energy Authority can be scrutinized by the Parliament, along with those of other statutory authorities.

Question—That these bills be now read a second time—put.

The House divided.

Ayes, 63

Mr Akister	Mr Egan	Mr O'Connell
Mr Anderson	Mr Face	Mr O'Neill
Mr Aquilina	Mr Ferguson	Mr Paciullo
Mr Bannon	Mr Gabb	Mr Page
Mr Beckroge	Mr Gordon	Mr Petersen
Mr Bedford	Mr Haigh	Mr Quinn
Mr Booth	Mr Hatton	Mr Ramsay
Mr Bowman	Mr Hills	Mr Robb
Mr Brading	Mr Hunter	Mr Rogan
Mr Brereton	Mr Jackson	Mr Ryan
Mr Cahill	Mr Johnson	Mr Sheahan
Mr Cavalier	Mr Jones	Mr Walker
Mr Christie	Mr Keane	Mr Walsh
Mr Cleary	Mr Knott	Mr Webster
Mr R. J. Clough	Mr Knowles	Mr Whelan
Mr Cox	Mr McGowan	Mr Wilde
Mr Crabtree	Mr McIlwaine	Mr Wran
Mrs Crosio	Mr Miller	
Mr Day	Mr Mochalski	
Mr Debus	Mr H. F. Moore	<i>Tellers,</i>
Mr Degen	Mr Mulock	Mr Flaherty
Mr Durick	Mr Neilly	Mr Wade

Noes, 26

Mr Armstrong	Mr Fisher	Mr Punch
Mr Boyd	Mrs Foot	Mr Rozzoli
Mr Brewer	Mr Greiner	Mr Schipp
Mr J. H. Brown	Mr Mack	Mr Singleton
Mr Caterson	Dr Metherell	Mr Smith
Mr J. A. Clough	Mr Murray	Mr West
Mr Collins	Mr Park	<i>Tellers,</i>
Mr Dowd	Mr Peacocke	Mr Fischer
Mr Duncan	Mr Pickard	Mr T. J. Moore

Question so resolved in the affirmative.

Motion agreed to.

Bills read a second time.

In Committee

The CHAIRMAN: Order! The Committee will deal first with the Energy Authority (Reconstitution) Amendment Bill.

Schedule 3

[Amendments to the Principal Act Relating to Accounts, Audit and Annual Reports]

Mr SMITH (Pittwater) [8.31]: I move:

That at page 23, all words on lines 4 to 6 be left out.

I move the amendment because that provision will enable the Auditor-General to dispense with all or part of the detailed inspection and audit of any accounts or records referred to in proposed subsection (1) of section 77. That was omitted from another bill though the Minister said that other bills before the House contain similar provisions. It is a disgrace that such provisions should be included in legislation. More than \$6.5 million of the \$14 million worth of expenditure on the Energy Authority will go towards wages and expenses. What does one get for that expenditure? Not one extra piece of generating equipment or any of the co-ordination that is needed to improve the State's electricity system will be provided. The public is not getting the service that it requires from the electricity generating system. The Minister has said that the expenditure will come under the scrutiny of the Parliament. Honourable members know how much opportunity they are given to question those figures. The House will rise tonight until the budget session. I have not had an opportunity to consider the figures carefully. The Auditor-General should examine them because public money will be going down the drain.

Question—That the words stand—put.

The Committee divided.

Ayes, 61

Mr Akister	Mr Egan	Mr O'Connell
Mr Anderson	Mr Face	Mr O'Neill
Mr Aquilina	Mr Ferguson	Mr Paciullo
Mr Bannon	Mr Gabb	Mr Page
Mr Beckroge	Mr Gordon	Mr Petersen
Mr Bedford	Mr Haigh	Mr Quinn
Mr Booth	Mr Hills	Mr Ramsay
Mr Bowman	Mr Hunter	Mr Robb
Mr Brading	Mr Jackson	Mr Rogan
Mr Brereton	Mr Johnson	Mr Ryan
Mr Cavalier	Mr Jones	Mr Sheahan
Mr Christie	Mr Keane	Mr Walker
Mr Cleary	Mr Knott	Mr Walsh
Mr R. J. Clough	Mr Knowles	Mr Webster
Mr Cox	Mr McGowan	Mr Whelan
Mr Crabtree	Mr McIlwaine	Mr Wilde
Mrs Crosio	Mr Miller	Mr Wran
Mr Day	Mr Mochalski	
Mr Debus	Mr H. F. Moore	<i>Tellers,</i>
Mr Degen	Mr Mulock	Mr Flaherty
Mr Durick	Mr Neilly	Mr Wade

Noes, 27

Mr Armstrong	Mrs Foot	Mr Rozzoli
Mr Boyd	Mr Greiner	Mr Schipp
Mr Brewer	Mr Hatton	Mr Singleton
Mr J. H. Brown	Mr Mack	Mr Smith
Mr Caterson	Dr Metherell	Mr West
Mr J. A. Clough	Mr Murray	
Mr Collins	Mr Park	
Mr Dowd	Mr Peacocke	<i>Tellers,</i>
Mr Duncan	Mr Pickard	Mr Fischer
Mr Fisher	Mr Punch	Mr T. J. Moore

Question so resolved in the affirmative.

Amendment negatived.

Schedule agreed to.

Adoption of Report

Bills reported from Committee without amendment, and report adopted on motion by Mr Booth.

Third Reading

Bills read a third time, on motion by Mr Booth.

PAY-ROLL TAX (AMENDMENT) BILL

Declaration of Urgency

Mr BOOTH (Wallsend), Treasurer [8.42]: I declare that this bill is urgent.

Declaration of urgency agreed to.

Second Reading

Debate resumed (from 6th April, *vide* page 3544), on motion by Mr Booth:

That this bill be now read a second time.

Mr PUNCH (Gloucester), Leader of the Country Party [8.44]: The bill is another glaring example of the Government's lack of integrity and the hollowness of its promises. In August last year the Treasurer pledged to this House and to the business world of this State that the extra 1 per cent payroll tax levy will apply only in respect of wages paid or payable to 30th June this year. He said, "It is truly a sunset scheme in this respect".

Mr Walker: A week is a long time.

Mr PUNCH: That may be the attitude taken by the Attorney-General, Minister of Justice and Minister for Aboriginal Affairs, but it is not my attitude. What a mockery this bill makes of the Treasurer's undertaking. How valueless is the Government's word and how insincere and devious are its actions. Last August the Treasurer said that the Government regretted being compelled to bring forward this temporary tax measure. Obviously the Government cares little about how the businessmen of New South Wales feel about the Government's breach of faith.

Last year when the Government introduced the extra tax I warned businessmen that the Government's word could not be accepted and that the period of the tax would be extended. They laughed at what I said. I warned them also of the adverse effects the extra tax burden would have on employment prospects in New South Wales. That has been borne out by the number of persons who are leaving New South Wales. Last year 27 500 people left New South Wales and moved to Queensland. That resulted in a huge loss of income to this State. The exodus was primarily because of the effect that payroll tax has had in this State.

One can understand why large numbers of people move to Queensland. Queensland has a good government and an honest Premier, which is more than can be said for New South Wales. The Queensland Government enjoys widespread public support. Queensland has no blackouts. It abolished payroll tax and people flocked over its border in droves. That State is led by one of Australia's outstanding politicians, the Hon. J. Bjelke-Petersen. I am sure the honourable member for Gladesville, who is attempting to interject, would not agree with me. His politics are quite different from those of the Premier of Queensland. One has only to compare the progress made by Queensland in the past year with that made by New South Wales. One should contrast the integrity of the Queensland Premier with the rabble that New South Wales has. The Queensland Premier looks after the interests of his State. The New South Wales Premier looks after his own interests and feathers his nest. That is the difference between the two Premiers.

Mr Cavalier: The Premier of Queensland owns shares in Exoil, which is about to seek to mine the Great Barrier Reef.

Mr Boyd: The honourable member for Gladesville has been reading *Tribune*.

Mr PUNCH: The honourable member for Gladesville must have access to what goes on behind locked doors. The Hon. J. Bjelke-Petersen has been Premier of Queensland for twelve years. He has protected the Great Barrier Reef, which is a world tourist attraction. The Premier of this State has done nothing to foster tourism in New South Wales. Tourists travelling by air to Australia from overseas find that their aircraft cannot land in Sydney because of conditions at Sydney (Kingsford-Smith) Airport. They are obliged to go to Brisbane or to Tullamarine airport. The Premier of New South Wales is stifling tourism in this State.

The loss of New South Wales people to Queensland has been brought about by the incompetence of the Premier and Minister for Mineral Resources and his Government. Business in New South Wales has suffered grievously because of the extra State tax that was imposed under the provisions of the Pay-roll Tax Act. Approximately 24 000 companies pay payroll tax. Of those, 1 454 have a wages bill of more than \$1 million. They employ 926 844 people. The minimum amount of income that the Government's extra 1 per cent tax will extract from those companies is \$14.5 million. Since 1975-76 the amount of payroll tax paid by New South Wales companies has risen from \$518 million to an estimated \$1,117 million this financial year, yet the Premier and Minister for Mineral Resources boasts that this Government has not increased taxes. Clearly, payroll tax is a significant burden on private enterprise, the biggest employer of labour in New South Wales.

Unemployment in New South Wales is high and growing higher as a result of the financial bungling of the State Government. Business is overtaxed and unable to expand and take on more employees. In fact, jobs are being lost through the State Government's increased taxes and charges. Because the State Government has led New South Wales to the brink of bankruptcy and because its financial policies are in complete disarray, commerce and industry operate in an atmosphere of uncertainty. This Government's actions are doing more than any other single cause

to increase unemployment and bring about a decline in business activity. At a time when commerce and industry were looking for relief from the extra payroll tax, this Government dashed that hope and has ensured the demise of some businesses and, indeed, many jobs.

Worse is to come, for this Government is bankrupt, despite the feeble protestation of the Treasurer in this House over the past week that the Government is not insolvent. I know it is not quite insolvent. The Minister said it had \$118 million one day but we all know that that would be only half a day's wages and that is all. He knows and the Premier knows that the Government is unable to pay its way and that its finances are a complete shambles. Let me repeat that, for the sake of the Minister. The finances of New South Wales are a complete shambles. No matter what they say, no matter what they argue in this House, the fact is that the Government is not paying its bills. It does not have the resources to do so. It is living from day to day, collecting traffic fines and anything that comes in. It is taking the bag around to try to keep its administration going. The Premier and the Treasurer can protest as much as they like but the fact is that the Government cannot pay its bills. They are hopelessly out of touch with the financial predicament of New South Wales. Indeed, the people and the public services of this State are suffering unnecessarily because of it.

The Government insidiously increased taxes and charges after conducting an election campaign in which it boasted of being a low-tax Government, and of having refrained from increasing charges. This bill gives the lie to those statements. Also it gives industry and commerce a kick in the teeth, and it darkens the prospects of the growing group of unemployed in New South Wales. Like my colleagues in the Country Party, I completely condemn this bill. It is an indictment of a Government without credibility, without integrity and with no concern for the public of New South Wales other than to try to get itself off the hook on which it is so firmly snared by its own incompetence. The Opposition rejects the bill. It rejects the increased taxes. The bill reveals the complete falsehood of this Government in recent times. Members on this side of the House oppose it absolutely, entirely and completely.

Mr RYAN (Hurstville) [8.55]: The House has just heard the Leader of the Country Party talking about integrity, honour and honesty. He is the man who presided over one of the more inglorious political episodes of this State's history yet he has the temerity to accuse this Government of lacking integrity, honour and honesty. The Leader of the Country Party, and his cohorts, who number no more than four at this moment, presided over the milk quota allocations at a time when his ministerial role conflicted with his private interests as a milk producer. At a time when he had the opportunity of gaining from his own ministerial decision he took advantage of that situation and, without a blush, made hundreds of thousands of dollars out of being a Minister of the Crown. So did many of his confreres. In making those hundreds of thousands of dollars by misusing his ministerial position to advantage himself, he seriously disadvantaged many poor farmers on the North Coast, who were poorly represented by the honourable member for Byron. That may have been because the honourable member for Byron had interests similar to those of the Leader of the Country Party. That might explain why farmers in their thousands deserted the honourable member for Byron at the following State election.

Mr Walker: What about the Chichester River episode?

Mr RYAN: Yes, there is also the Chichester River episode. What was the defence the Leader of the Country Party offered on that occasion when he took water from his neighbours down river from his farm who depended for their livelihood on the provision of water from that river? They did not hold two jobs

so that they could live comfortably; they were poor farmers and they depended upon that water to sustain their livelihood from their farms. What did the Leader of the Country Party do? He took that water out of the Chichester River. What was his defence? He said that it came from a hole in the river. It is quite obvious, if he really believed that, that he knew nothing of the law of gravity. [Quorum formed.] The House has heard the Leader of the Country Party try to impute this Government with dishonesty: that suggestion has come from a man whose personal record has been inglorious indeed. The Leader of the Country Party obviously wants to associate himself with Premier Bjelke-Petersen in Queensland, and with the honourable Russ Hinze, the Police Minister in the Queensland Government. The Leader of the Country Party aligns himself with people who represent deviousness and dishonour.

Mr Boyd: Why are they devious and dishonourable?

Mr RYAN: Does the honourable member for Byron agree with the actions taken by the Minister for Police in Queensland recently?

Mr Boyd: Tell us about them. Do not make half-hearted allegations.

Mr RYAN: I would not spend the time in doing so. The Leader of the Country Party infers that the Premier is bound by what he said in introducing this bill on the last occasion; but since then a lot of water has flowed beneath the bridge. Anything he said was contingent upon the subsequent actions of the federal Government. Despite the recommendation of Mr Justice Else-Mitchell, so that true federalism would once again reign in Australia, that this State should receive a fair proportion of its personal and income tax contributions to the Commonwealth, the State did not get the \$100 million the judge recommended. Neither did it get the \$60 million or \$70 million it should have had in the normal way from reimbursement of tax revenue. Anything that was said on that occasion has to be read in context with Australian political history since then. The State has been deprived of something like \$170 million—money that it should have had returned to it—and that is one of the reasons why the State has to continue imposing payroll tax.

Nobody likes to impose payroll tax. All honourable members will recall that in 1971 the then federal Government pushed payroll tax on to the State Governments. This Government did not introduce payroll tax. It has merely taken on the responsibility that was forced on the States in 1971 and has continued ever since. To meet the emergent situations that have arisen because of the denial of justice in federal funding, this Government now finds it necessary to continue with the payroll tax surcharge. The Government does not like it. The Treasurer does not like it. Everybody realizes the difficulty of the decision. It will make it more difficult for employers, but it must be done to compensate in some way for the moneys denied this State by the federal Government.

The federal Government is led by a man who talks about new federalism. How ironic that is; and what a charade. The Prime Minister pulled the mat out from underneath the States by denying them reimbursement, particularly in the case of New South Wales notwithstanding the impartial findings of Mr Justice Else-Mitchell. The Prime Minister has not acted on those findings and also has continued to deny the States money which they otherwise would be entitled to receive. The proposed measure is necessary for that reason and for that reason only; to try to balance the injustice meted out to this State by the federal Treasurer and the federal Government led by the Prime Minister, a man this Government hopes will triumph tomorrow because he is the greatest asset of the Australian Labor Party.

Mr GREINER (Ku-ring-gai) [9.20]: The Liberal Party opposes this bill in its entirety because it is, first, a clear breach of the promises of the Premier and the Government made when the last Budget was introduced. Second, the Opposition rejects it because it is a clear and manifest sign of the abject failure of the Government's financial policy. It is in the context of that clear breach of promises and the Government's clear signs of failure that this bill needs to be considered. When the Premier introduced the Budget last year he said:

In the event, it has been decided pending final decisions on the Grants Commission recommendation, to change the schedule of payroll tax charges so as to provide additional revenue at this stage while at the same time reducing the burden of tax on smaller businesses.

In other words, the Premier used the Grants Commission as an excuse. The honourable member for Hurstville has made the same excuse. In his second reading speech the Treasurer added the hospital funding scheme as an excuse. He thought he should have more excuses, so he added that. I have said that I agree with this Government's comments on the Grants Commission and the failure of the federal Government to act on the report. Will the Government repeal this increase if the recommendation is implemented? The answer is, no. This is a permanent and indefinite increase in payroll tax in New South Wales.

Both sides of the House agree on the adverse features of payroll tax. Both sides agree it is a regressive tax which does not vary with the capacity of industry or employers to pay it. Both sides agree that it discriminates against labour-intensive industries; that it is either a tax on jobs or, if not, is passed on and is therefore inflationary. It reduces the competitive ability of a particular export industry. Both sides agree that payroll tax and increases in payroll tax are thoroughly undesirable in the economic and social context.

At the end of his second reading speech the Treasurer said that the Government is doing this because of the worsening State finances. That is an admission from the Treasurer that the State's finances are worsening. In fact, New South Wales has a cash crisis of the first order. Government liquidity is at a level below that of any year since 1968. I shall deal briefly with the latest document the Government is using in justification of its financial management.

The Premier and the Treasurer chose to quote from an article by Mr Ross Gittins in the *Sydney Morning Herald* last week. Let me say something about that article. There are at least three points in it that are completely correct. The first is the headline—"Higher taxes, not bankruptcy". Do honourable members understand a government using an article that says it will raise taxes, but that the State will not go bankrupt? It used that article as a demonstration of its brilliant financial management. Have honourable members heard anything more pathetic than that? Mr Gittins is also correct when he says that he suspects that the Budget was deliberately fudged for political purposes. There is no doubt in my mind that the Budget was fudged for political purposes.

There are only two possible explanations for the budget situation; either the estimating of wage increases and of revenue items was inadequate—I do not believe the Treasury of New South Wales is inadequate or incompetent—or the final budget figures were fudged by the Premier. The sunset clause was a contribution, not from the Treasury, but from the Premier's personal staff. It is a clear example of the Government's seeking to fudge the Budget for purely political purposes. That has been demonstrated quite clearly by what has happened since. Third, Mr Gittins is right when he applauds the interest that has been awakened in State finances. He said he finds it gratifying; so do I. He is also correct when he equates the State's

finances with the catacombs. I hope that the Christians and the parliamentarians emerge from those catacombs sooner rather than later. That is as far as I shall go in agreeing with Mr Gittins.

Mr Walker: The lions are roaring at the moment.

Mr GREINER: There are no lions on the Government side of the House. Certainly the Government will not go bankrupt. I have never said on behalf of the Liberal Party that it will go bankrupt. However, the Government is in a very serious cash crisis situation and the protestations are extremely hollow.

I turn now to what is wrong with Mr Gittins' article. First, he has accepted the Government line, on the revenue side, that stamp duty is down by some unspecified but significant amount because of the collapse in the property boom and the share market boom. It is true that stamp duty revenue for the period to the end of December is down, but it is down by a relatively insignificant amount. Had he looked at the total taxation picture, Mr Gittins would have seen that the increase in payroll tax above and beyond the Budget estimate makes the overall increase in taxation approximately equal to what would be expected for the full year. To say that the revenue side of the Government's Budget has collapsed in any significant manner simply does not accord with the facts, even as they have been given to us some few months after the event.

Second, Mr Gittins said, on the industrial relations policy, that whether the Government should have given in as easily on wage increases for the public service was a moot point. That is not a moot point at all. The Government's industrial relations policy of entering into sweetheart deals is notorious throughout Australia. It constitutes a complete sell-out of the people of New South Wales to a few large public sector unions. To say that this is a moot point is, in my view, ridiculous. I do not believe the quality of the estimating job or the ability of the Treasury is at stake. The political credibility of the Government is at stake. It is the Government's Budget and one which was massaged by the Premier and his staff. That is where the blame ought to lie, not with the estimating ability, or lack of it, of the Treasury.

Let me turn now to the famous \$118 million. All honourable members are capable of turning to table 7 of the *Government Gazette* supplement that deals with payments and receipts. It shows that the Government has \$118 million in cash and \$53 million of other securities. That is true. Mr Gittins relied on the argument used by the Treasurer in the letter to the *Australian Financial Review* saying, "Isn't this wonderful? We have actually got \$118 million in cash and therefore we are in surplus." That is true so far as it goes. I shall read now the next stage of the correspondence which makes the point. It is a letter from Mr Hershott, of Mitchell College of Advanced Education: He said:

The Government has entered into agreements for the transaction of banking business with several banks in terms of which banks honour government cheques charged against consolidated and loan accounts so long as current balances on special deposit accounts are in credit.

That is fair enough. Funds should not be lying idle. I agree with all of that. He goes on to say:

Various trusts and custodian accounts should be shown separately.

The \$118 million that the Treasurer is boasting about—he should not be boasting about it because it is the lowest figure in fifteen years—includes, according to the *Government Gazette* of 19th March at page 1139, departmental and other working accounts. That is fair enough. It includes specific purpose funds provided by the Commonwealth. Honourable members should note that. Specific purpose funds held on

behalf of statutory bodies and other public authorities are included. It includes also suspense and clearing accounts and statutory trust funds. It is obvious, and it certainly should have been obvious to Mr Gittins, that to equate those with cash available is patently absurd. Those funds, in large part, are committed. They are committed, in style and in essence, to the government loan and consolidated revenue fund accounts. It is nonsense to use the \$118 million as an indicator of the financial strength of the Government. Any way one looks at the liquidity position of the Government—the excess of accounts in credit over debits—it is poor.

Mr Booth: If it can be proved will the honourable member for Ku-ring-gai congratulate the Government?

Mr GREINER: Certainly. In that respect Mr Gittins' article is inadequate. He suggests further that only one year of tax increases has been missed out and that the Government has put off only one year of tax increases for political reasons. That is not true. This nonsensical, politically motivated argument suggests that there have been no tax increases for five years. Have honourable members heard of a company that has not increased its prices for five years while its costs have been rising at a rate equal to or greater than inflation? That is nonsense. The people of New South Wales are not stupid; they recognize that if costs rise, any responsible manager, whether in the public sector or otherwise, must attempt to adjust his prices. Nobody in their right mind would object to a government pricing or taxation policy that reflected increases in costs.

The failure of the Government to adopt any sort of responsible action on the revenue side over the entire period of its government has led to the present mess; it has led to the bill now being debated and it will lead to the budget that will be introduced in August or September this year with a wide range of tax increases. Finally, Mr Gittins suggested that action on the expenditure side is adequate because the so-called razor gang is in operation and because government departments are made to operate within budgets. I applaud both those initiatives. I shall return to the expenditure side in a moment, because I do not believe that either of those initiatives will get the Government anywhere, for the Government does not have the political will to take the necessary action to control the expenditure side of its Budget.

I refer honourable members to the excuses offered in respect of wage increases. The Treasurer sought advice from the Treasury officials and informed the House about the \$126 million overrun referred to in his press release a couple of weeks ago. He mentioned it again in his second reading speech. How does that relate to the \$98 million advance to the Treasurer which was explained by senior officials of the Treasury, one of whom is in the House, on the night of the last Budget as being accounted for by the fact the Government expected there would be large wage increases? Is the \$126 million in addition to the \$98 million, or the vast bulk of the \$98 million? It was an increase of 100 per cent from the previous year. How do those two figures relate? Is the overrun of 100 per cent in estimating wage increases after the Budget a satisfactory figure, or does the fault lie with the Treasurer or with his predecessor as Treasurer?

Mr Booth: The honourable member for Ku-ring-gai should ask Mr Howard.

Mr GREINER: If the Treasurer wishes to refer to the federal Government, I shall make mention of the other States. All the other States are subjected to the same general wage increases as in New South Wales. Except for the sweetheart deals that the Government had made, the level of wage explosion is the same in New South Wales as in other States. Why is it that New South Wales is going through agonies of a far greater order than any other State in Australia?

Mr Booth: In the other States it is yet to come.

Mr GREINER: I am sure that Mr Cain and Mr Jolly will be pleased to hear that. I shall let Mr Jolly know; he will be delighted. Why is the Government not willing to make the necessary decision to get expenditure under control? The Government will not countenance any reduction in public service numbers. It will rely on attrition. Honourable members can imagine how much attrition will occur in the current economic climate in New South Wales. The attrition rates, which have in the past failed to live up to expectations, will be even lower. The Government is not willing to change its philosophy about the ownership of public assets.

The Deputy Premier, Minister for Public Works and Minister for Ports is not willing to change his attitude to the use of contract labour. The Government is wasting thousands of dollars in expenditure related to cleaning, expenditure for the water board, the Department of Main Roads and the Department of Public Works. If the Government were serious about reducing expenditure, it would look seriously at the contract labour option instead of turning its back on that option for philosophical and union-based reasons. I refer honourable members to public sector business undertakings. At last the Deputy Premier, Minister for Public Works and Minister for Ports will be getting out of the shipbuilding industry. What about the brickworks? What about the Land Commission?

Mr Booth: It is showing a profit.

Mr GREINER: It was showing a small profit last year. That will not get the Government anywhere. If one is after cash, one sells assets that do not return a long-term profit. Even the shadow treasurer should be able to understand that. Is the Government willing to countenance a serious attempt at private sector involvement in electricity generation? Electricity generation has taken 21 per cent of the total capital works budget in New South Wales. It has risen from 14 per cent to 21 per cent of the cake in three years. If the Government really wanted to solve its capital funding problem, it would make a genuine attempt to get the private sector involved in electricity generation, rather than the half-baked situation that exists at Eraring. The range of revenue increases far exceeds those mentioned in the second reading speech. The reason they are so draconian with so many over 100 per cent flows from the failure of the Government to have a sensible revenue-raising policy during the past five years.

The Opposition opposes the bill because it reflects the absolute inadequacy of the Government's financial management. The people of New South Wales face not only the sort of increases they have had in the past three or four months, but also they face horror budgets and reductions in services for two more years. They are facing two more years of having to pay for the lack of financial prudence of this Government. The Opposition recognizes that the Government needs the funds that will be raised by this measure. The need is desperate. The Government should not have misled the people and should not have allowed this position to arise.

Mr BREWER: Mr Speaker—

Mr FLAHERTY (Granville), Government Whip [9.18]: I move:

That the question be now put.

Motion agreed to.

Mr BOOTH (Wallsend), Treasurer [9.19], in reply: I shall not delay the House but I wish to reply to some of the assertions and accusations made by the honourable member for Ku-ring-gai. The honourable member should look at what is happening throughout Australia, not just in New South Wales. He should not question

why the State Government Budget has blown out. The federal Government's Budget has blown out to the extent of one billion and five hundred thousand dollars. The reason for that blow-out is the same as in New South Wales. The federal Government abolished wage indexation. Now there is no central wage-fixing authority in Australia. Immediately that was abolished demands were made upon every Government in Australia for wage increases. The State Government allowed for wage increases this financial year in the order of 12.5 per cent to 13 per cent, in line with that allowed by the federal Government. Private enterprise was probably allowing about the same, or even a little less. When there is a wage increase far in excess of 12.5 per cent naturally it will upset the Budget.

Late last year when the Government introduced the Budget it did not expect wages to increase as much as they have. Obviously the honourable member for Ku-ring-gai did not read my recent press statement. If he read it, he must have completely misunderstood it. The statement made it clear that the Budget provision for wages was \$188 million, including the Treasurer's advance, and there has been a wage overrun of \$126 million, without taking into consideration the increase granted to the Public Service Association today by the State Industrial Commission. That was not allowed for in the Budget. That increase of between 7 per cent and 10 per cent will cost the Government \$150 million in a full year and will add \$75 million to the present Budget. Wages are of prime concern to the Government. It is essential that the finances of the State be kept on a reasonably even keel. That is why the legislation has been introduced.

The honourable member for Hurstville gave the House some of the history of payroll tax. In 1971 the former Liberal Party-Country Party Government introduced payroll tax in New South Wales. That shows the concern of the Opposition parties for the commercial people who are liable to pay that tax. At the State level that form of taxation was 2.5 per cent. In the next three years the Liberal Party-Country Party Government increased payroll tax to 5 per cent. So much for the coalition Government's concern for business in this State, which the honourable member for Ku-ring-gai said the Government is chasing to other States. During the term in office of the Wran Government a number of exemptions have been introduced and attempts have been made to improve the scheme. Unfortunately, the Government must continue the 1 per cent tax. I remind honourable members that payroll tax operated in Victoria under the former Liberal Government. It still exists, though the Labor Government promised to abolish it. I do not know whether that will happen. I think the new Victorian Labor Government will be confronted by similar problems to those that exist in New South Wales.

The Government has no hesitation in admitting that the main problem that confronts it is the level of wages. The Government is not trying to fudge on the Budgets or to do anything underhand. It is being perfectly honest with the people of New South Wales about the state of its finances. If the State's cash resources and security improve in the next quarter, I wonder whether the honourable member for Ku-ring-gai will go to the news media and give the Government full praise for its efforts. I hope he will be as good as his word and apologize to the Government and the Treasury. The honourable member for Ku-ring-gai criticized the article written by Ross Gittins. It contained a lot of good information. Mr Gittins' assessment of the Wran Government's stewardship of finances in New South Wales was correct. He said there had been none better.

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

The House divided.

Ayes, 62

Mr Akister	Mr Durick	Mr Neilly
Mr Anderson	Mr Egan	Mr O'Connell
Mr Aquilina	Mr Face	Mr O'Neill
Mr Bannon	Mr Ferguson	Mr Paciullo
Mr Beckroge	Mr Gabb	Mr Page
Mr Bedford	Mr Gordon	Mr Petersen
Mr Booth	Mr Haigh	Mr Quinn
Mr Bowman	Mr Hills	Mr Ramsay
Mr Brading	Mr Hunter	Mr Robb
Mr Brereton	Mr Jackson	Mr Rogan
Mr Cahill	Mr Johnson	Mr Ryan
Mr Cavalier	Mr Jones	Mr Sheahan
Mr Christie	Mr Keane	Mr Walker
Mr Cleary	Mr Knott	Mr Walsh
Mr R. J. Clough	Mr Knowles	Mr Webster
Mr Cox	Mr McGowan	Mr Whelan
Mr Crabtree	Mr McIlwaine	Mr Wilde
Mrs Crosio	Mr Miller	Mr Wran
Mr Day	Mr Mochalski	<i>Tellers,</i>
Mr Debus	Mr H. F. Moore	Mr Flaherty
Mr Degen	Mr Mulock	Mr Wade

Noes, 28

Mr Armstrong	Mr Fisher	Mr Punch
Mr Boyd	Mrs Foot	Mr Rozzoli
Mr Brewer	Mr Greiner	Mr Schipp
Mr J. H. Brown	Mr Hatton	Mr Singleton
Mr Cameron	Mr Mack	Mr Smith
Mr Caterson	Dr Metherell	Mr West
Mr J. A. Clough	Mr Murray	<i>Tellers,</i>
Mr Collins	Mr Park	Mr Fischer
Mr Dowd	Mr Peacocke	Mr T. J. Moore
Mr Duncan	Mr Pickard	

Question so resolved in the affirmative.

Motion agreed to.

Bill read a second time.

Third Reading

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

[Interruption]

Mr SPEAKER: Order! I call the honourable member for Coffs Harbour to order. I draw the attention of honourable members to the fact that it is late in the sitting and the application of standing orders to suspend an honourable member for the evening would be little penalty. I should not like to name an honourable member and put him out of the House until the next sitting, which I understand is some months away.

BILLS RETURNED

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

Dangerous Goods (Amendment) Bill
Government Insurance (Amendment) Bill
Motor Vehicle Repairs (Dangerous Goods) Amendment Bill
Parliamentary Committees Enabling Bill
Plumbers, Gasfitters and Drainers (Dangerous Goods) Amendment Bill
Statutory and Other Offices Remuneration (Government Insurance Office) Amendment Bill.

The following bills were returned from the Legislative Council with amendments:

Liquefied Petroleum (Dangerous Goods) Amendment Bill
Local Government (Boundaries Commission) Amendment Bill.

TRUSTEE COMPANIES (AMENDMENT) BILL

Introduction

Motion (by Mr Walker) agreed to:

That leave be given to bring in a bill for an Act to amend the Trustee Companies Act, 1964, to vary the provisions relating to the Permanent Trustee Company Limited and The Union-Fidelity Trustee Company of Australia Limited, to apply the provisions of that Act to the Sandhurst and Northern District Trustees Executors and Agency Company Limited, and for other purposes.

Bill presented and read a first time.

Second Reading

Mr WALKER (Georges River), Attorney-General, Minister of Justice and Minister for Aboriginal Affairs [9.32]: I move:

That this bill be now read a second time.

As honourable members are aware, the law relating to the administration of deceased estates and trusts requires the utmost good faith to be exhibited by those entrusted with such duties. It was as a result of this special personal responsibility that the Trustee Companies Act was enacted, not only to authorize corporations to act as executors, administrators and trustees, but also to provide special safeguards. The purpose of the bill is to vary the provisions of the Trustee Companies Act relating to the capital structure of the Permanent Trustee Company Limited and the Union-Fidelity Trustee Company of Australia Limited, and to apply the provisions of the Act to the Sandhurst and Northern District Trustees Executors and Agency Company Limited.

Both the Permanent Trustee Company and the Union-Fidelity Trustee Company have sought amendments to the second schedule of the Act to enable them to restructure their share capital. Item (2) (a) of schedule 1 of the bill sets out the new capital provisions that it is proposed will apply to the Permanent Trustee Company Limited.

In substance, the new provisions reflect only two changes in the existing provisions. First, a member is restricted at present, in effect, to holding no more than 1 per cent of the issued capital of the company in his own right. The new provision will limit a member to holding 5 per cent of the issued capital beneficially. In considering this provision, it is necessary to bear in mind the special position of trustee companies and the need to ensure continuity and stability in their management. The second substantive change is to fix the company's reserve liability at \$6 million until the company has issued 6 million shares and thereafter the reserve liability shall increase by \$1 for every share issued over 6 million. I might add that reserve liability in this context means that portion of the company's share capital that is incapable of being called up except in the event of and for the purposes of the company being wound up.

The Permanent Trustee Company has 1.5 million \$5 shares issued, \$4 of each share remaining uncalled. Accordingly, the company's reserve liability is \$6 million. It is proposed to spread that liability over a greater number of shares as further shares are issued until there are eventually 6 million shares. Thereafter the issued shares shall be \$2 shares, \$1 remaining uncalled. Item (2) (b) of schedule 1 of the bill sets out the proposed new capital provisions for the Union-Fidelity Trustee Company.

The Union-Fidelity Trustee Company provisions have already been enacted in substantially identical terms by both the Queensland and Victorian Parliaments. The amendments contained in item (2) (b) are simply designed to bring the New South Wales legislation into line with that of other States. As with the Permanent Trustee Company's provisions, these provisions will result in two substantive changes. The present shareholding restriction on any member, that is, 1 000 shares, is to be restated as a restriction of individual shareholdings to a one hundred and twenty-eighth part of the nominal amount of the issued capital of the company, which at present stands at 128 000 shares. The other amendments involve the fixing of the company's reserve liability at its present level of \$256,000.

Finally, item (3) of schedule 1, in effect, authorizes the Sandhurst and Northern District Trustees Executors and Agency Company Limited to act as a trustee company in New South Wales. The Sandhurst and Northern District Trustee Company was incorporated in Victoria in 1888 and it operates primarily round the border of Victoria and New South Wales. Its head office is in Bendigo and it obtains the majority of its clients from within the border country areas. Its financial position has been found to be sound by the New South Wales Corporate Affairs Commission and the Victorian Corporate Affairs Office. The company has sought authorization to act in New South Wales as a trustee company to enable it to satisfy the inquiries of clients being generated in the border areas. There appears to be no reason why the company should not be authorized to assist citizens of New South Wales who live in those border areas. The amendments are not of great complexity. They are designed to facilitate certain capital restructures by two trustee companies and to enable a third company to act as a trustee company. I table some additional explanatory material to assist honourable members. I commend the bill.

Trustee Companies (Amendment) Bill, 1982

- Clause 1. Short title.
- Clause 2. Reference to the principal Act.
- Clause 3. Division of the bill.
- Clause 4. Amends the principal Act in the manner set out in Schedules 1 and 2.

Schedule 1

Item 1. Consequential amendment.

Item 2 (a). Amends the Second Schedule of the Act in regard to the Permanent Trustee Company Limited to:

- (i) change the limit on the number of shares which may be held by a member of the company;
- (ii) enable the company to restructure its share capital from time to time subject to the reserve liability of the company remaining at \$6,000,000 when the reserve liability shall be \$1 for every share issued;
- (iii) provide that the number of shares in the company shall not be at any time reduced to less than 1 500 000.

(b) Amends the Second Schedule of the Act in regard to the Union-Fidelity Trustee Company of Australia Limited to:

- (i) provide that the reserve liability of the company shall be not less than \$256,000;
- (ii) remove the restrictions which provided that the capital of the company be divided into shares of \$5 each and that the number of the shares shall not be reduced to less than 100 000.

Item 3. Amends the Third Schedule of the Act to apply the provisions of the Act to the Sandhurst and Northern District Trustees Executors and Agency Company Limited.

Schedule 2

Items 1 to 13. Make amendments by way of statute law revision (namely the substitution of figures for words wherever numbers are expressed in words).

Mr ROZZOLI (Hawkesbury), Deputy Leader of the Opposition [9.37]: The Opposition does not oppose the bill. However, I make the same criticism as has been made of every piece of legislation that has been introduced in the past couple of days, that is, that it is unsatisfactory to deal in haste even with relatively simple bills that do not require much study or comment. That has been the practice that the Government has adopted in the past couple of days, after fooling round for five weeks doing next to nothing and waiting on the pleasure of the Leader of the House to organize the business of the House properly. That does no justice to the persons who will be affected by legislation. It is trite to say that when things are done in haste mistakes often occur.

It is a rule of law that in the conduct of their duties trustees must act in the utmost good faith. The demands placed on trustees by the law have always been high and in some cases onerous, but when one considers the type of responsibility that trustees bear, that standard is warranted. When firms carry on trusteeship as part of their business, the demands of the law as to good faith, integrity and sound management are even higher than for individuals. That has been held in the courts for a long time. In an endeavour to guide companies that act as trustees, various statutes have been enacted from time to time to regulate the operation of those companies. The rules governing the actions of trustees are essential because of the wide range of trusts. It is appropriate that this legislation should come before the House for those particular purposes.

The Opposition supports the increase of the shareholding capacity from 1 per cent to 5 per cent. It is a matter of adjectival law that trustees must operate in the manner of prudent businessmen although not necessarily as prudent businessmen would act in conducting their own businesses. It must be remembered that trustees, in good faith, hold the property of others for present purposes and future usage. If trustee companies are to exercise their responsibilities as trustees prudently, wisely and in the interests of the clients of those companies, obviously their businesses must be set upon a sound basis.

Times change, commercial practices change. The alteration from 1 per cent to 5 per cent is a realistic reflection of the change in the commercial climate, and the Opposition supports it. The trustee companies of this State have an honourable record in the conduct of their duties. As such they are the repositories of public confidence. That is inherent in the concept of trusteeship. The Permanent Trustee Company and the Union-Fidelity Company are companies with long and substantial records. The Sandhurst and Northern District Trustees Executors and Agency Company Limited, which is to be brought into the operation of trustee companies in New South Wales, is likewise of long standing and high repute. The means by which we are adjusting the law to enable the operations of this trustee company to come to New South Wales is a correct approach to solve problems that concern our State border.

There are many reasons why State sovereignty should be preserved in commercial matters in a country as large as Australia. In many instances the needs and requirements of one State differ markedly from those of another. By the same token, there is no need to preserve differences that are not essential. Efforts to create uniform legislation in that circumstance should be uppermost in the minds of legislatures across the nation. The Opposition will not go into Committee and will not oppose the bill.

Motion agreed to.

Bill read a second time.

Third Reading

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

THE COMMERCIAL BANK OF AUSTRALIA LIMITED (MERGER) BILL BANK OF NEW SOUTH WALES (CHANGE OF NAME) BILL THE COMMERCIAL BANKING COMPANY OF SYDNEY LIMITED (MERGER) BILL

Introduction

Motion (by Mr Walker) agreed to:

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

- (i) A bill for an Act to make provision for the transfer to Bank of New South Wales of the undertaking of The Commercial Bank of Australia Limited, and for the transfer to Bank of New South Wales Savings Bank Limited of the undertaking of The Commercial Savings Bank of Australia Limited; and for other purposes.
- (ii) A bill for an Act to change the name of the body politic and corporate constituted by the Bank of New South Wales Act of 1850; and for other purposes.

- (iii) A bill for an Act to make provision for the transfer to The National Bank of Australasia Limited of the undertaking of The Commercial Banking Company of Sydney Limited, and for the transfer to The National Bank Savings Bank Limited of the undertaking of C.B.C. Savings Bank Limited; and for other purposes.

Bills presented and read a first time.

Second Reading

Mr WALKER (Georges River), Attorney-General, Minister of Justice and Minister for Aboriginal Affairs [9.46]: I move:

That these bills be now read a second time.

It falls to me to introduce to the House, on behalf of the State Government, three cognate bills with enormous significance for the commercial sector of New South Wales, and indeed, for the Australian community as a whole. The banking groups whose merger will be facilitated by these bills represent four of the most stable and influential business organizations in this country. Furthermore, this legislation will see one of the oldest established business names in the world altered to meet the interstate and international commercial priorities of the Wales group whose development has been fostered under its almost hallowed title since the 8th April, 1817. I shall return to this aspect later.

I am sure most honourable members will be generally aware of the underlying purpose of The Commercial Bank of Australia Limited (Merger) Bill and The Commercial Banking Company of Sydney Limited (Merger) Bill. In accordance with the practice adopted in the past—notably the ANZ group merger in 1970 and the Bank of Adelaide merger in 1980—the merger groups have sought the introduction of legislation designed to complete their amalgamation in the most expeditious manner possible. What does this mean in practical terms? The facts are that the ownership of the CBA and the CBC banking groups has now passed to the Wales and National Bank groups respectively as a result of accepted stockmarket activities. The first-mentioned banks are now wholly owned subsidiaries of the parent groups. But stock-market dealings alone cannot bring about complete transference of all bank property.

Certainly, realty does not have to be immediately conveyed from the subsidiary groups to the parent banks, but there is one major area of property which much be conveyed into the ownership of the parent group, and that is loan securities. To transfer those securities to the continuing banking group under existing conveyancing practice would involve almost a quarter of a million separate transactions, the value of the property over which the subject securities are held being of the order of \$2,000 million dollars. Honourable members will understand that the time involved both for public servants and for the banks' staff in processing these transactions would be very substantial. Were each transaction to be dealt with individually, there is every prospect that the internal administration of the banks and Government departments, such as the Stamp Duties Office or the Registrar General's Department, would be seriously inconvenienced, prejudicing overall services to the community.

The intention behind the legislation is therefore to obviate the need for extensive documentation in bringing about the merger of the two banking corporations. The amalgamation will be brought about by Act of Parliament, without the need for preparation of documentation, the signing of myriad papers, and the stamping and registration of same. All that work would of course be totally unproductive and the passage of these bills will enable the groups to merge with a minimum of inconvenience, expense and delay. I should emphasize that although the need for extensive documentation will be removed by the passing of this legislation, it will not deprive the State of the revenue which would otherwise have been collected.

As has been the practice on previous occasions when bank merger bills are proposed, the Commissioner of Stamp Duties and his officers have met with officials of the banks and estimated the total revenue which would have accrued to the State had all the aforementioned transactions been carried through individually. Following the passage of these bills, that amount will pass to the State's revenue fund without the need for stamping of any documents. So far as the provisions of the bills are concerned, suffice to say that they are along generally similar lines to previous merger legislation introduced in this Parliament. On this occasion, the Parliamentary Counsel and solicitors for the merging banks have spent a great deal of time drawing legislation which will meet the precise needs of the banks, and safeguard the interests of their employees and those of persons having interests in, and dealing with, the groups.

One matter has been the subject of some considerable public comment. The provisions of the Bank of New South Wales (Change of Name) Bill, are designed to permit the continuing bank involved in the Wales and CBA merger to conduct its business, in future, under the name Westpac Banking Corporation. Honourable members may be aware that the Bank of New South Wales was first incorporated by statute in 1850, long before the present regulatory requirements of the Companies Act and Business Names Act. In fact, as I have observed, the bank has been in business since April 1817 and throughout its history and development it has been known as the Bank of New South Wales. But now a decision has been taken to change that and at this point it might be emphasized that the change of name, and consequent legislation, gives effect to the undertaking of the directors of the Bank of New South Wales, to the shareholders of the Commercial Bank of Australia Limited, that a new name would be sought for the merged bank.

In addition, on 29th January, at the Annual General Meeting of the proprietors of the Bank of New South Wales, attended by those former shareholders of the Commercial Bank of Australia who had become proprietors of the Bank of New South Wales, a special resolution was passed that the name to be submitted to the New South Wales Parliament should be Westpac Banking Corporation. The name has caused something of a furore and I offer no comment on the propriety of its selection, except to say that I am sure there are some among us who will be sad to see the name of Australia's oldest public company give way to the chosen new style, particularly so given the bank's long identification with New South Wales, which was the cradle of European settlement and modern commerce in Australia. However, this is a matter which is the sole internal responsibility of the bank's management and ultimately its shareholders.

Whatever views may be held by honourable members of this House, and the community at large, it is not for Parliament to purport to in any way thwart the bank and its proprietors in their commercial judgment of what is necessary and best for the bank in its role as the largest privately owned financial intermediary in this country. I understand that the choice of the new name was to some extent dictated by regional considerations not unlike those which prompted the use of the name Bank of New South Wales back in 1817. The bank's present areas of interest extend well beyond the boundaries of New South Wales and evidently its proprietors believe that it is necessary to adopt a name with a more international flavour to meet the priorities of its expanding international business activities.

Finally I mention that the Government has chosen to present these three cognate bills as public bills as it sees no reason to divorce itself from events of such importance to the business life of this State. The proposals do not reflect Government policy except in so far as the Government feels it important that, if merger legislation of this kind is to be presented to Parliament, it should be done in the simplest and speediest fashion available. I trust that all honourable members will see the State

Mr Walker]

Government's wisdom in presenting the three bills to Parliament and that they will receive full support. I commend the bills to the House, and at the same time, table explanatory material which details their terms.

Commercial Bank of Australia Limited (Merger) Bill, 1982

The Bank of New South Wales (Change of Name) Bill, 1982, and the Commercial Banking Company of Sydney Limited (Merger) Bill, 1982, are cognate with this Bill.

The objects of this Bill are to make provision for and with respect to—

- (a) the transfer to Bank of New South Wales ("the continuing bank") of the undertaking of the Commercial Bank of Australia Limited ("CBA"); and
- (b) the transfer to Bank of New South Wales Savings Bank ("the continuing savings bank") of the undertaking of the Commercial Savings Bank of Australia Limited ("CBA Savings Bank").

The Bill contains the following provisions:

Clause 1: The short title by which the Act will be known.

Clause 2: Commencement—except for clauses 1 and 2 which will commence on Assent. The Act will commence on a date to be appointed by the Governor.

Clause 3: Interpretation clause.

Clause 4 excludes from the Act's operation certain instruments specified in the Schedule and certain property and matters related to those instruments.

Clause 5 declares that the Act will bind the Crown.

Clause 6 is a general provision which vests the undertaking of CBA in the continuing bank and the undertaking of CBA Savings Bank in the continuing savings bank. This clause also makes provisions with respect to the future construction of certain references to CBA and CBA Savings Bank and to the holders of certain offices.

Clause 7 makes more specific provisions for matters affected by the merger of CBA with the continuing bank. The clause provides that certain legal rights and obligations which affected CBA before the merger shall affect the continuing bank after the merger and shall not be extinguished by the merger.

Clause 8 makes more specific provisions for matters affected by the merger of CBA Savings Bank with the continuing savings bank. The clause makes provisions with respect to those banks similar to those made by clause 7 with respect to CBA and the continuing bank.

Clause 9 entitles the continuing bank or the continuing savings bank to exercise the same rights with respect to the occupation or use of land subject to a lease or licence as CBA or CBA Savings Bank may exercise as the lessee or licensee of the land.

Clause 10 declares that legal proceedings to which CBA or CBA Savings Bank was a party before the merger may, after the merger, be continued by or against the continuing bank or continuing savings bank and that any judgment, order or award in favour of or obtained against CBA or CBA Savings Bank may, after the merger, be enforced by or against the continuing bank or the continuing savings bank.

Clause 11 declares that evidence which would have been admissible in relation to CBA or CBA Savings Bank before the merger shall, after the merger, be admissible in relation to the continuing bank or the continuing savings bank.

Clause 12 ensures that employees of CBA shall, after the merger, become employees of the continuing bank and makes provisions of a saving nature with respect to the terms and conditions of their employment by the continuing bank.

Clause 13 specifies a procedure whereby a subsidiary of CBA may be retired as trustee of trusts subsisting immediately before the merger takes effect and replaced as trustee of those trusts by a subsidiary of the continuing bank.

Clause 14 provides a simplified procedure for the transfer of certain securities which are vested in the continuing bank, the continuing savings bank or a subsidiary of the continuing bank by the operation of the proposed Act.

Clause 15 simplifies compliance with section 206 (1) of the Companies Act, 1981, of the Commonwealth by the continuing bank and the continuing savings bank with respect to certain charges if that subsection applies as a law of New South Wales on the date on which the merger is effected.

Clause 16 authorizes the making of recordings to give effect to the vesting, by or under the proposed Act, of certain property held subject to the Acts specified in that clause.

Clause 17 affords protection to the Registrar-General, other persons registering or certifying title to land and certain other persons from having to ascertain whether any property which is the subject of a dealing or transaction is or is not an excluded asset, within the meaning of the proposed Act.

Clause 18 exempts from stamp duty certain written requests made pursuant to section 46c of the Real Property Act, 1900, and which relate to property vested by the proposed Act.

Bank of New South Wales (Change of Name) Bill, 1982

This bill is cognate with the Commercial Bank of Australia Limited (Merger) Bill, 1982, and the Commercial Banking Company of Sydney Limited (Merger) Bill, 1982.

The objects of this bill are—

- (a) to change the name of the Bank of New South Wales to "Westpac Banking Corporation"; and
- (b) to make provisions of a consequential, ancillary or savings nature.

The bill contains the following provisions:

Clause 1: The short title by which the Act will be known.

Clause 2: Commencement—except for clauses 1 and 2 the Act shall commence on a date to be appointed by the Governor.

Clause 3: Interpretation clause.

Clause 4 changes the name of the banking company constituted by the Bank of New South Wales Act of 1850 to "Westpac Banking Corporation".

Clause 5 makes savings provisions as a consequence of that change of name.

Mr Walker]

Clause 6 provides that certain references to “The Bank of New South Wales” or “Bank of New South Wales” shall, on and from the change of the name of the banking company referred to in clause 4, be read and construed as references to “Westpac Banking Corporation”.

The Commercial Banking Company of Sydney Limited (Merger) Bill, 1982.

The Commercial Bank of Australia Limited (Merger) Bill, 1982 and the Bank of New South Wales (Change of Name) Bill, 1982, are cognate with this Bill.

The objects of this Bill are to make provisions for and with respect to—

- (a) the transfer to the National Bank of Australasia Limited (“the continuing bank”) of the undertaking of the Commercial Banking Company of Sydney Limited (“CBC”); and
- (b) the transfer to the National Bank Savings Bank Limited (“the continuing savings bank”) of the undertaking of C.B.C. Savings Bank Limited (“CBC Savings Bank”).

The Bill contains the following provisions:

Clause 1: The short title by which this Act will be known.

Clause 2: Commencement—except for clauses 1 and 2, the Act shall commence on a date to be appointed by the Governor.

Clause 3: Interpretation clause.

Clause 4 declares that the Act will bind the Crown.

Clause 5 is a general provision which vests the undertaking of CBC in the continuing bank and the undertaking of CBC Savings Bank in the continuing savings bank. This clause also makes provisions with respect to the future construction of certain references to CBC and CBC Savings Bank and to the holders of certain offices.

Clause 6 makes more specific provisions for matters affected by the merger of CBC with the continuing bank. The clause provides that certain legal rights and obligations which affected CBC before the merger shall affect the continuing bank after the merger and shall not be extinguished by the merger.

Clause 7 makes more specific provisions for matters affected by the merger of CBC Savings Bank with the continuing savings bank. The clause makes provisions with respect to those banks similar to those made by clause 6 with respect to CBC and the continuing bank.

Clause 8 entitles the continuing bank or the continuing savings bank to exercise the same rights with respect to the occupation or use of land subject to a lease or licence as CBC or CBC Savings Bank may exercise as the lessee or licensee of the land.

Clause 9 declares that legal proceedings to which CBC or CBC Savings Bank was a party before the merger may, after the merger, be continued by or against the continuing bank or continuing savings bank and that any judgment, order or award in favour of or obtained against CBC or CBC Savings Bank may, after the merger, be enforced by or against the continuing bank or the continuing savings bank.

Clause 10 declares that evidence which would have been admissible in relation to CBC or CBC Savings Bank before the merger shall, after the merger, be admissible in relation to the continuing bank or the continuing savings bank.

Clause 11 ensures that employees of CBC shall, after the merger, become employees of the continuing bank and makes provisions of a saving nature with respect to the terms and conditions of their employment by the continuing bank.

Clause 12 vests property held, immediately before the merger, by Commercial Nominees Pty Limited as trustee, in National Nominees Limited as trustee.

Clause 13 provides a simplified procedure for the transfer of certain securities which are vested in the continuing bank, the continuing savings bank or National Nominees Limited by the operation of the proposed Act.

Clause 14 simplifies compliance with section 206 (1) of the Companies Act, 1981 of the Commonwealth by the continuing bank and the continuing savings bank with respect to certain charges if that subsection applies as a law of New South Wales on the date on which the merger is effected.

Clause 15 authorises the making of recordings to give effect to the vesting, by the proposed Act, of certain property held subject to the Acts specified in that clause.

Clause 16 affords protection to the Registrar General, other persons registering or certifying title to land and certain other persons from having to ascertain whether any property which is the subject of a dealing or transaction is or is not an excluded asset, within the meaning of the proposed Act.

Clause 17 exempts from stamp duty certain written requests made pursuant to section 46C of the Real Property Act, 1900, and which relate to property vested by the proposed Act.

Mr PUNCH (Gloucester), Leader of the Country Party [9.53]: The National Country Party supports the legislation enabling the merger of the Bank of New South Wales and the Commercial Bank of Australia and the establishment of the Westpac Banking Corporation. Between them those banks have a total of 279 years of banking. The Bank of New South Wales, the first in Australia, is the nation's oldest public company and was founded 164 years ago. It has played a leading role in the development of Australia and has been particularly involved in the progress of a rural New South Wales. The Commercial Bank of Australia, founded 115 years ago, has established a tradition of respectability and service. Under the one banner, these banks will form the largest banking group in Australia, the second-largest in New Zealand and will conduct nearly one-third of the banking business in Fiji and Papua New Guinea. Also Westpac's merchant banking interests will be the largest in Australia. Changes in the financial system and the banking system have led to the need to merge. There has been an expansion of the range of services provided by banks. There is increasing competition between different types of financial institutions and there is increasing competition among Australian banks with international organizations.

The name Westpac is particularly appropriate to the role of the new bank, which will be strongly represented in the western Pacific region and beyond. In addition to Australia, New Zealand, Fiji, Papua New Guinea, Tonga, Samoa and other nearby Pacific areas, Westpac will be represented in Singapore, Indonesia, Hong Kong, Japan and Malaysia. Also, Westpac will be represented strongly in the United States of America and the United Kingdom. I need not emphasize to honourable

members the importance to Australia of the western Pacific region which, in trade terms, is widely predicted as the next major growth area of the world. Westpac will be better able to finance development, withstand adversity and meet the increased and ongoing competition.

There is no doubt that the decision of the banks to merge was wise and taken after much deliberation. Similarly the name chosen for the new bank is particularly appropriate to its area of operation. It is a matter of some regret that sections of the Labor Party sought to interfere in the merger of the banks and the choice of Westpac as the new name. That is an affront to the private enterprise of this State. The choice of the new name is the decision of the banks, as it should be. It is not for the Labor Party, or for this Parliament, to attempt to interfere in the operations of one of Australia's greatest business enterprises. That decision was taken by shareholders on the recommendation of most responsible directors. Their decision was taken in the spirit of free enterprise, an area resented and ridiculed by many members of the Labor Party. Instead of interfering, the opponents of free enterprise should applaud the banks for their initiative and their confidence in New South Wales and Australia. We support the legislation and, in so doing, commend the banks on their enterprise.

Mr MOCHALSKI (Bankstown) [9.56]: I support the legislation before the House. The legislation is extremely significant, principally because of the vast commercial impact and significance of the merger, both internally and from the perspective of competing on the international finance level, in terms of the possible entry of some foreign banks into the Australian scene as a result of action that probably will be taken by the Fraser Government. I hope that the bank merger results in a strong role *vis-à-vis* the relationship with international competitors if and when they do come into this State. Every honourable member acknowledges that the banks have played, and will continue to play, a critical role in the economic well-being of New South Wales and Australia. Nobody could doubt that. However, banks must be subjected to legislative or parliamentary dictate where that is demanded in the public interest and benefit. Only rarely are the public and this House given an insight into the dimensions of mergers of the type the subject of the bills before the House. Indeed, one can say that this happens extremely rarely. I shall traverse some of the more common aspects that some members might wish to consider.

Mr Greiner: Not tonight.

Mr MOCHALSKI: The honourable member for Ku-ring-gai will get his chance. He is getting the reputation of being the Andrew Peacock of this House. He will not last very long. There is a practical need for the legislation. Two substantial banking groups simply propose to merge in order to compete more strongly with others that will enter the market-place. In some instances in the past it has been the practice of the banking groups to seek the enactment of legislation which will enable merger transactions to be brought about in the most expeditious manner. The need for legislation of this kind is readily apparent, and the Attorney-General has amply related that aspect of the matter. Consequently I shall not deal with it other than to say that one is staggered by the fact that approximately a quarter of a million loan securities and documentations have been involved. That is almost impossible to comprehend. I do not think we will be seeing more of these types of mergers occur.

The need for the bills to be public bills as distinct from private bills is more than self-explanatory. However, I should very much like to have had a little more time in which to analyse the mergers than what has been made available. Nevertheless, I have followed the debate on this topic that has been pursued in the press over a considerable period. Though I have some misgivings in relation to the merger,

I believe that it is probably to the advantage of the New South Wales commercial and business communities and the public of this State. It will have an enormous impact in this State and in the western Pacific region.

The Bank of New South Wales has always been put in a privileged position due to its historic role and because it is the oldest and the first banking company set up in the colony. Therefore, it is not subject to the provisions of the Companies Act, 1961; nor is its name regulated by the usual business names provisions and procedures. The name, the Bank of New South Wales, was set forth in an 1850 statute and any alteration must be brought about by amendment to that legislation. As to the adoption of the name Westpac Banking Corporation, honourable members have doubtless read in the newspapers of some misgivings held by shareholders about the new name. My view is that, the shareholders having made a decision after ample debate, the Government should not be involved in that matter. The reason for the change of name is that the proprietors of the bank selected the name to comply with an undertaking given to the CBA shareholders at the time of the first offer to merge. A further reason was to give the merged corporation an image more in keeping with the increasingly international character of its business.

Concerning the merger between the National Bank of Australasia Ltd and the Commercial Banking Company of Sydney Ltd, the name proposed is the National Commercial Banking Corporation of Australia Limited. The banks have taken a constructive attitude to these mergers. They have discharged their obligations. Various avenues were open to them whereby they could have reduced those obligations. I hope the banks will continue to honour their obligations because to a large extent banks set a trend in commercial morality. If banks do not discharge their obligations, one may wonder who would.

The international implications of the merger between the Bank of New South Wales and the CBA will ensure that the new bank becomes the largest bank in this State. It will probably become even larger as a result of the money held by the CBA in Victoria, which will devolve upon the bank's operations in New South Wales, giving it increased funds to lend for housing and other facets of the bank's business. I hope that the banks play a larger role in the provision of finance for housing than in the past. Some finance institutions literally direct clients to their subsidiary finance companies. In that way the banks do not provide the services that one would expect them to provide, if one were to take their advertising literally. I hope that the banks might take a more compassionate and understanding view of housing finance. That would be in their best interests. The banks have at their disposal immense resources. An insufficient amount of those resources has been directed to areas of need where they would get commercial rates.

I do not know how competitive the banks will be compared with some of the merchant banks and some of the other huge banks that ply their trade in New South Wales. So long as these organizations discharge their role, I am not particularly concerned whether they merge or take over one another, but I wish to see the banks play a greater role in housing finance. The Government has taken a constructive role in this legislation. Obstacles have not been created. The Government has accepted the commercial need for these mergers.

Mr Walker: It was unanimous.

Mr MOCHALSKI: As the Attorney-General has said, it was agreed unanimously that the mergers proceed. The Government has had the opportunity of verifying all aspects involved in the proposed mergers. I have it on good authority that the honourable member for Ku-ring-gai is waiting in the wings to do an Andrew Peacock on the Leader of the Opposition. That is common knowledge round the Parliament. If

the honourable member for Ku-ring-gai wants to refer to the honourable member for Woronora, or anybody else, that is all right. The ambitions of the honourable member for Ku-ring-gai are transparent. I hope that his ambitions are fulfilled because the Leader of the Opposition has no credibility and it is about time the Opposition had some leadership. I commend the bills.

Mr ROZZOLI (Hawkesbury), Deputy Leader of the Opposition [10.7]: I listened with amusement to the contribution of the honourable member for Bankstown. The Bank of New South Wales has been in operation for 164 years and it will do very well without the advice of the honourable member for Bankstown who, by the definition commonly used in this House, is the failed solicitor from Bankstown who is trying to prop up his sagging fortunes. On that basis the honourable member is not in a position to advise the Bank of New South Wales. However, he did relate to the House one gem in his tedious comments. The honourable member for Bankstown made the pertinent point that he was disappointed that he had not been given ample time to consider the legislation.

Mr Mochalski: Does the Deputy Leader of the Opposition know what is involved?

Mr ROZZOLI: The Opposition knows what is involved, but it has not been given ample time to consider the proposed legislation. The Opposition is pleased that at least someone on the government side has perceived that there are occasions when courtesy and good government depend on all members of Parliament, no matter on which side of the House they sit, being able to examine legislation before debate. This legislation comes before the House partly by historic occurrence and partly by necessity of good management. The Opposition does not oppose the legislation. The proposed measures are part of the normal commercial life of the State of New South Wales. The Opposition would be disappointed if there were any objections to this legislation being passed through the Parliament. The substantial thrust of the legislation revolves round the transfer of the loan securities to the continuing bank. The Attorney-General has explained that adequately in what was his best speech delivered this session. I compliment the Attorney-General for finishing the session on a strong and cogent note.

The Opposition was comforted to know that the Government had taken care of financial matters by ensuring that the stamp duty that will accrue will be picked up. In the economic climate in this State one thing the Government is trying to do efficiently is to pick up money wherever it can. The proposed legislation contains many transitional and consequential amendments which are a necessary part of the merger provisions and endorse proper commercial and legislative practice. Previous speakers in this debate have referred to what they called the main source of contention. The change of name was probably one of the more minor matters involved in the enormous task of effecting the merger.

It is fair to say that many people will feel nostalgic about losing the present name of the Bank of New South Wales. It should be remembered that the wider commercial needs of an organization are important even to small shareholders. Many persons who felt that the name of the bank should not be changed would agree with that. The success of the corporation is very much involved in the marketing and promoting of the bank. Though names and titles might be important, anything that will facilitate that success will be in the interests of those persons. It is essential that the commercial viability of the bank is not impeded. I am sure that even those who opposed the name change will be amply compensated by the benefits.

The Government should not raise any criticism about changes of names in consultation with the public. Recently it changed the name of the Rural Bank of New South Wales to the State Bank. Many people were nostalgic about the name Rural Bank and believed that the reasons put forward for the change were not as cogent

as the reasons that apply to the present change. Such are the changing times in which we live. When one speaks about nostalgia and the protection of national heritage one should examine carefully the government's decision to assist in the demolition of the Rural Bank head office building in Martin Plaza. That building should be preserved at all costs, for it is an outstanding example of art deco. If the Government had any real concern for national heritage it would take action to protect that building. That sort of thing can be accommodated, but there are more important matters that cannot be avoided. This change in name is one of them. Undoubtedly the Bank of New South Wales has weighed all factors carefully.

Mr Mochalski: How would the Deputy Leader of the Opposition know?

Mr ROZZOLI: I brief myself on these matters. That is why I am so much more attuned to them than is the honourable member for Bankstown. The Bank of New South Wales would have considered the matter carefully and taken into account the losses that might occur from changing a name that was so strongly established and firmly implanted in the minds of the public. The bank has made a good start towards implanting the name of Westpac in the minds of the public. The amount of free advertising the bank has received over the controversy has made up for any losses that it might have suffered otherwise. I commend the Government for bringing these bills before the House as public bills. It was not absolutely necessary to do so, but it is appropriate that they come before the Parliament in this way.

The honourable member for Bankstown misled the House when he said that the Government had done nothing to impede the progress of the legislation. The bills would have been before the House much earlier if Caucus had endorsed the name change the first time round. Those who opposed the name change in Caucus had no right to comment on the matter. The name that the bank wants to choose for itself in the future is its business. It was poor taste for some members of Caucus to exert their muscle to try to achieve something which was not without its embarrassments to the Premier. We are beginning to see the first signs of division and disloyalty creeping through the ranks of the Government. A certain amount of prestige is attached to the name. The credibility of the Premier must suffer when something that he regards as highly responsible and commercially important to New South Wales is delayed for a week by a foolish exercise of dissension in the ranks of the Government. The Opposition disapproves of that action. I was pleased that the Premier was able to assert his authority and carry Caucus the second time round. I take the word of Government supporters that the decision of Caucus was unanimous, and in some way that saved the Premier's reputation.

Mr GREINER (Ku-ring-gai) [10.18]: I should reply to some of the remarks of the honourable member for Bankstown relating to the attitude of the Government and some members of the Australian Labor Party to the private banking system. If the honourable member for Bankstown is indeed the secretary of the Australian Labor Party Caucus, that is a clear example of the peak principle in operation.

Mr Face: It is a bigger job than being secretary of the Liberal Party.

Mr GREINER: If that is so, the honourable member for Bankstown is even less capable of carrying out the job. He said that the Bank of New South Wales, or Westpac, should be directing its funds into areas of need but it was not doing the correct job in allocating funds. I shall refer to Labor Party attitudes that lie near to the surface. When this matter came before Caucus the honourable member for Woronora, that well-known neo-Stalinist, advocated the argument that the nasty Wales bank was involved in the anti-bank nationalization campaign in 1947 and 1949. What a crime. Much worse, about thirty years later Russell Prowse, that so-called nasty member of the management of the Bank of New South Wales at the time, was involved in exercising his right of free speech by pointing out to the people of Australia the

economic inadequacies of the Whitlam Government. That was worthy of delaying the whole procedure and seeking to have Caucus overturn the commitment of the Government and the Premier to the Bank of New South Wales. This is the same Government whose Premier had the hide to say today at Question Time that honourable members on the Treasury benches treat each other as gentlemen and with respect. The fact is that the honourable member for Woronora will not have the honourable member for Cronulla in his electorate, yet the Premier said they treat each other with respect. That is absolute nonsense.

Mr Face: What does that have to do with this bill?

Mr GREINER: It shows the attitude of the Government and the Labor Caucus to the private banking system. Just under the surface is a thinly concealed attitude of contempt for the private banking system, a desire to influence the allocation of funds and the way that the private banking system operates. That attitude should be made clear to the House, the private banks, and the people of New South Wales.

Mr CAMERON (Northcott) [10.20]: To me the name Westpac sounds like a brand name for a new pack of ready rubbed tobacco for western smokers. It is a deplorable name. During my fourteen years in Parliament I have argued with the utmost vigour that it is not the function of government to interfere in the business of private companies. The bill deals with the oldest bank in Australia. It is a revered bank, one of the greatest in Australia. Nonetheless, it could not have made a worse choice of a name. I leave the luxury of that mistake to the bank.

Throughout the world a wide range of private banking corporations conduct their business with dramatic success under what some may describe as insular, local names. I refer to banks of the great cities of America and, for example, to Barclays of London. Nothing has been gained by discarding the magnificent name, the Bank of New South Wales. I am proud of my nation, my State, my local government instrumentalities—

Mr Walker: And proud of your Government?

Mr CAMERON: I am not the least bit proud of the Labor Government. I shall attack it while there is breath in my body, though I acknowledge the good things it does. The name Westpac is more in the sphere of brand names for commercial products such as packs of tobacco than banks. It is a tragic name. Many of my electors feel the same way. I place their point of view on record.

Mr HATTON (South Coast) [10.22]: I strongly object to the change of name from the Bank of New South Wales to Westpac. In doing so, I feel I voice the feelings of the majority of customers of the bank.

Question—That these bills be now read a second time—put.

Division called for. Standing Order 208 (c) applied.

Noes, 2

Mr Hatton

Mr Mack

Question so resolved in the affirmative.

Motion agreed to.

Bills read a second time.

Third Reading

Bills read a third time, on motion by Mr Walker.

COMMERCIAL ARBITRATION BILL

LEGAL PRACTITIONERS (ARBITRATION) AMENDMENT BILL

MISCELLANEOUS ACTS (ARBITRATION) AMENDMENT BILL

Introduction

Motion (by Mr Walker) agreed to:

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

- (i) A bill for an Act to make provision with respect to the arbitration of certain disputes and to repeal the Arbitration Act, 1902, and for other purposes.
- (ii) A bill for an Act to amend section 39A of the Legal Practitioners Act, 1898, so as to enable orders to be made under that section in relation to the costs of a solicitor in connection with an arbitration.
- (iii) A bill for an Act to amend certain Acts consequent upon the enactment of the Commercial Arbitration Act, 1982, and for related purposes.

Bills presented and read a first time.

Second Reading

Mr WALKER (Georges River), Attorney-General, Minister of Justice and Minister for Aboriginal Affairs [10.30]: I move:

That these bills be now read a second time.

The New South Wales law relating to arbitration has its origins in England and more particularly in the Arbitration Act, 1698, and subsequent legislation. During the 19th century many statutes dealing with the law relating to arbitrations were enacted in both England and New South Wales. Ultimately, in 1902 the Arbitration Act, which is still law today, was enacted by the New South Wales Parliament; For some time it had been considered that the Arbitration Act of 1902 was out of step with commercial realities and in 1974 the Standing Committee of Attorneys-General decided to consider the existing legislation and reports on commercial arbitration with a view to preparing a model bill to form the basis of uniform legislation.

Further discussion at standing committee level was deferred until the issue in September 1976 of the report on commercial arbitration of the New South Wales Law Reform Commission. The commission's proposals were used as a base for the proposed uniform bill and natural differences in approach between the various jurisdictions required some degree of compromise to be reached. Nevertheless, the Standing Committee of Attorneys-General has now agreed on a draft uniform bill. The principal bill before this House represents that uniform bill. It provides a comprehensive set of rules and procedures for the appointment and replacement of arbitrators, the conduct of arbitration proceedings, the making of awards and orders for costs and the powers of the courts.

It is the Government's intention that the bills should lie on the table of this House until the debate can be resumed later this year. In the interim it is hoped that members of the public and commercial and industrial bodies will give consideration to the bills and will offer their comments on the terms of the bills. I table some additional detailed notes on the provisions of the bills. I commend the bills.

Commercial Arbitration Bill, 1982

Part I

Preliminary

Clause 1 contains provisions relating to the short title, the commencement of the Act and the arrangement of the Bill.

Clause 2 contains repeal and transitional provisions and provisions which indicate the application which the provisions of the bill will have.

Clause 3 in subclause (1) contains definitions of "arbitration agreement", "award", "Court", "District Court", "misconduct", "party" and "power of appointment" or "power to appoint".

Subclause (2) sets out how the District Court might have jurisdiction in relation to an arbitration agreement.

Subclause (3) deals with the interpretation of reference to the commencement of the proposed Act.

Clause 4 provides that where the Crown is a party to an arbitration agreement, it will be bound by the provisions contained in the bill.

Part II—Appointment of Arbitrators and Umpires

Clause 5 provides that in the absence of a contrary indication each arbitration agreement will be taken to require the appointment of only a single arbitrator.

Clause 6 provides that any arbitrator appointed is to be appointed jointly by the parties to the agreement unless a contrary intention is expressed.

Clause 7 sets out the procedures to be followed in the event that a person fails to exercise his power to appoint an arbitrator.

Clause 8 specifies that a power to appoint an arbitrator includes the power to appoint a replacement arbitrator should the original arbitrator die or cease to hold office.

Clause 9 sets out the procedures by which the Court may fill a vacancy in the office of arbitrator where neither the agreement nor the provisions of the bill provide for such a contingency.

Clause 10 provides that, where an arbitrator is removed by the Court, it may appoint another arbitrator or order that the agreement no longer applies.

Clause 11 provides that where an agreement requires an equal number of arbitrators to be appointed, an umpire shall be appointed immediately an arbitration commences but he is not required to sit with the arbitrators while proceedings are in course.

Clause 12 states that an arbitrator appointed pursuant to the provisions of the bill is deemed to have been appointed pursuant to the relevant agreement.

Part III—Conduct of Arbitration Proceedings

Clause 13 sets out the procedures for the conduct of an arbitration.

Clause 14, while indemnifying an arbitrator acting as such against actions for negligence, makes him liable for any fraudulent act or omission.

Clause 15 sets out the circumstances in which an umpire may take over the conduct of arbitration proceedings.

Clause 16 empowers the Court to issue subpoenas requiring attendance before an arbitrator or production to an arbitrator of documents.

Clause 17 deals with the refusal or failure of a person to appear before an arbitrator or to answer questions or produce documents. Subclause (3) provides that in circumstances where the Supreme Court could continue proceedings despite lack of co-operation from a party to those proceedings, an arbitrator may proceed with an arbitration despite lack of co-operation from a party to the arbitration.

Clause 18 prescribes the manner in which evidence may be taken in an arbitration proceeding.

Clause 19 deals with the situation where an umpire has taken over the conduct of an arbitration or a new arbitrator has been appointed and provides that what has occurred to that time stands and may be acted upon by the new appointee or the parties.

Clause 20 provides that determinations made by an arbitrator in the course of an arbitration have to be in accordance with the law.

Clause 21 permits an arbitrator to make an interim award.

Clause 22 empowers arbitrators to make awards providing for specific performance of any contract save a contract relating to land or an interest in land.

Clause 23 permits an arbitrator to extend, in the course of an arbitration, the terms of that arbitration if the parties apply for that to be done providing there is no contrary intention in the agreement.

Part IV—Awards and Costs

Clause 24 provides for an arbitrator's award to be final, subject to the provisions of the bill and there being no contrary intention expressed in the agreement.

Clause 25 sets out the form in which an award may be made and makes provision for a written award to be provided where it was not originally made in that manner.

Clause 26 confers on an arbitrator and the Court the power to correct an error in an award.

Clause 27 empowers, subject to there being no contrary intention in an agreement, an arbitrator to include in an award interest at a rate not exceeding the rate at which interest is payable on a judgment debt of the Supreme Court.

Clause 29 empowers, subject to there being no contrary intention in an agreement, an arbitrator to direct that interest at the same rate at which interest is payable on a judgment debt of the Supreme Court is payable on a sum of money which was awarded for so long as it is unpaid.

Clause 29 provides that an arbitration award may, with the leave of the Court, be enforced in the same manner as a judgment or order of the Court.

Clause 30 provides, subject to there being no contrary intention in an agreement, that the costs of an arbitration shall be determined by the arbitrator and sets out the manner in which an order in relation to costs may be made.

Mr Walker]

Clause 31 provides that the fees and expenses payable to or sought by an arbitrator may, on application by a party, be taxed by the Court.

Clause 32 provides in the absence of a contrary agreement by the parties, that the Court on application by a party may make such order as to costs as it thinks just in circumstances when an arbitration has failed in that no final award was made or the award was wholly set aside by the Court.

Part V—Powers of the Court

Clause 33 makes provision for a case-stated procedure in relation to an arbitration.

Clause 34 provides that in the event of misconduct by an arbitrator, impropriety in the procuring of an arbitration or award or where proceedings have been misconducted, the Court on the application of a party may set aside the award either wholly or partially.

Clause 35 empowers the Court to remit, with or without directions, matters referred to arbitration to an arbitrator for reconsideration or to a new arbitrator.

Clause 36 empowers the Court on the application of a party to remove an arbitrator where the Court is satisfied the arbitrator has misconducted himself, is subject to undue influence or is incompetent or unsuitable.

Clause 37 states that a party to an agreement is not prevented from alleging partiality, unsuitability or incompetence on the part of an arbitrator by virtue of the fact that that party appointed the arbitrator.

Clause 38 confers on the Court the same power of making interlocutory orders in relation to arbitrations as it enjoys in relation to its proceedings.

Clause 39 empowers the Court on application by a party to grant extensions of time in relation to matters arising out of an arbitration.

Clause 40 empowers the Court when making an order or decision, to make it subject to such terms and conditions as it thinks just.

Part VI—General Provisions as to Arbitration

Clause 41 provides, subject to any contrary intention expressed in an agreement, the authority of an arbitrator cannot be revoked.

Clause 42 provides, subject to any enactment or rule of law to the contrary, that the death of a party shall not discharge an agreement or revoke an arbitrator's authority and that the agreement shall be enforceable by or against the deceased's personal representative.

Clause 43 empowers a party to an arbitration agreement against whom court proceedings have been taken in respect of a matter agreed to be arbitrated, to apply to the court to stay proceedings provided the application is made prior to delivery of pleadings. The court may both stay the proceedings and give such directions for the future conduct of the arbitration as it thinks fit. No action shall lie against a party to an arbitration agreement who commences court proceedings in relation to a matter agreed to be arbitrated.

Clause 44 provides that following interpleader proceedings a court may direct the issue to be determined by arbitration where the claimants are parties to an arbitration agreement related to the issue in question.

Clause 45 provides that notwithstanding a provision in an agreement that arbitration or some related happening is a condition precedent to the issuing or conduct of legal proceedings, that provision, where the condition precedent has not been fulfilled, will not prevent the bringing or conduct of legal proceedings and will be construed as an agreement to arbitrate.

Part VII—Miscellaneous

Clause 46 provides that the Supreme Court or the District Court may order proceedings before it or matters arising out of those proceedings to be determined by arbitration subject to the consent of all interested parties or certain other conditions related to the nature of the proceedings.

Clause 47 provides that an arbitration conducted pursuant to an order of the Supreme Court or District Court made pursuant to clause 46 will be subject to the provisions of the bill as if the arbitration were pursuant to an agreement to which the parties to the Court proceedings were parties. Clause 47 also sets out provisions in relation to procedures to be followed and fees to be paid in such an arbitration and provides that the arbitrator's determination may be accepted or rejected by the Court.

Clause 48 prescribes the mode of service required in relation to the bill.

Clause 49 treats the giving of false evidence in connection with an arbitration as perjury.

Clauses 50 and 51 empower the making of rules of court for the purposes of the Bill.

Miscellaneous Acts (Arbitration) Amendment Bill, 1982

This Bill is cognate with the Commercial Arbitration Bill, 1982.

Clause 1 contains the short title provisions.

Clause 2 contains the commencement provisions.

Clause 3 contains the arrangement of the bill.

Clause 4 provides for the amendments of Acts referred to in schedule 1.

Clause 5 gives effect to the savings and transitional provisions contained in schedule 2.

Schedule 1.

Various references in Acts to the Arbitration Act, 1902, are amended so as to refer to the proposed new Act and consequential amendments are also made.

The Oaths Act, 1900, is amended so that section 26 of that Act, which relates to the persons before whom oaths, declarations and affidavits may be given, extends to arbitrators (clause 18 of the Commercial Arbitration Bill, 1982, provides for evidence to be given in an arbitration on oath or by affidavit).

The Supreme Court Act, 1970, and the District Court Act, 1973 are amended so that appeals from a Judge of the Supreme Court or District Court in proceedings under the Commercial Arbitration Bill, 1982, may be made only by leave of the Court of Appeal.

Schedule 2.

Contains savings and transitional provisions.

Legal Practitioners (Arbitration) Amendment Bill, 1982

This Bill is cognate with the Commercial Arbitration Bill, 1982.

Clause 1 contains the short title provisions.

Clause 2 contains the commencement provisions.

Clause 3 amends section 39 (a) (5) of the principal Act to apply the section to arbitration as if they were proceedings in the Supreme Court for the purposes of the costs of a solicitor.

Clause 4 transitional provisions.

Debate adjourned on motion by Mr T. J. Moore.

GAS AND ELECTRICITY (AMENDMENT) BILL
NEWCASTLE GAS COMPANY LIMITED (AMENDMENT) BILL

In Committee

Consideration of Legislative Council's amendments.

The CHAIRMAN: Order! The Committee will first consider the Legislative Council's amendments to the Gas and Electricity (Amendment) Bill.

Schedule of the amendments referred to in Message of 7 April, 1982

No. 1. Page 2, clause 2, line 9. *Omit “, 6 and 7”, insert “and 6”.*

No. 2. Page 3, clause 7, line 20, down to and including line 15 on page 4. *Omit all words on these lines.*

No. 3. Page 5, Schedule 1, line 21. *After “1961”, insert “, but does not include a company specified from time to time by the Minister”.*

No. 4. Page 7, Schedule 1, line 19. *Omit “month’s”, insert “year’s”.*

No. 5. Page 8, Schedule 1, line 9. *Omit “, (2B)”.*

No. 6. Page 8, Schedule 1, line 20. *Omit “and”.*

No. 7. Page 8, Schedule 1, line 24. *Omit “inquiry.”, insert “inquiry; and”.*

No. 8. Page 8, Schedule 1. *After line 24, insert “(f) any matter referred to the board by the Minister.”*

No. 9. Page 8, Schedule 1, line 25, down to and including line 6 on page 9. *Omit all words on these lines.*

No. 10. Page 9, Schedule 1, line 20. *Omit “, (2B)”.*

No. 11. Page 10, Schedule 1, line 7. *Omit “and”.*

No. 12. Page 10, Schedule 1, line 11. *Omit “inquiry.”, insert “inquiry; and”.*

No. 13. Page 10, Schedule 1. *After line 11 insert “(e) any matter referred to the board by the Minister.”*

No. 14. Page 10, Schedule 1, lines 12 to 19 inclusive. *Omit all words on these lines.*

No. 15. Page 11, Schedule 1, line 20. *Omit* “and”.

No. 16. Page 11, Schedule 1, line 24. *Omit* “inquiry.”, *insert* “inquiry; and”.

No. 17. Page 11, Schedule 1. *After* line 24 *insert* “(e) any matter referred to the board by the Minister.”

Mr BOOTH (Wallsend), Treasurer [10.33]: I move:

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

Mr SMITH (Pittwater) [10.33]: A great number of amendments to this bill have come to us from the Legislative Council. None seem to cause any great problem but I should like to make the point that the Australian Gas Light Company, in its negotiations with the Government concerning this bill, discovered it could not trust the Government. Verbal agreements were found to have been discarded by the Government, for when the bill came to that company it was in quite different form from the form that had been agreed. Nevertheless, the Opposition does not oppose the amendments made. We see no great importance in them to merit censure. Most of the points the Opposition wished to raise were made during the second reading debate.

Motion agreed to.

Legislative Council's amendments agreed to.

The CHAIRMAN: Order! The Committee will now consider the Legislative Council's amendment to the Newcastle Gas Company Limited (Amendment) Bill.

Schedule of the amendment referred to in Message of 7 April, 1982

Page 4, Schedule 1, line 10. *Omit* “New South Wales”, *insert* “the Hunter Valley of New South Wales or at any other place approved from time to time by the Minister”.

Mr BOOTH (Wallsend), Treasurer [10.35]: I move:

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

Mr SMITH (Pittwater) [10.35]: The effect of this amendment is that the notion that the company can supply gas throughout New South Wales has been removed by the insertion of the words that it should now relate to the Hunter Valley of New South Wales or at any other place approved from time to time by the Minister. The amendment does little. Previously the company had the right to supply gas to anywhere in New South Wales. Now the Hunter Valley is specified, and any other place that the Minister approves. Unless some part of New South Wales is to be removed and added to Queensland or Victoria, I see no reason why this amendment should have been made. Nevertheless, the Opposition has no reason to oppose it.

Motion agreed to.

Legislative Council's amendment agreed to.

Adoption of Report

Resolutions reported, and report adopted on motion by Mr Booth.

LOCAL GOVERNMENT (BOUNDARIES COMMISSION) AMENDMENT BILL

In Committee

Consideration of Legislative Council's amendments.

Schedule of the amendments referred to in Message of 7 April, 1982

No. 1. Page 4, Schedule 1, line 6. *Omit* "Wales.", *insert* "Wales,".

No. 2. Page 4, Schedule 1. *After* line 6 *insert*—but the Commission shall be deemed to be duly constituted when the members referred to in paragraphs (a) and (b) have been appointed.

No. 3. Page 5, Schedule 1, lines 14 to 21 inclusive. *Omit* all words on these lines.

No. 4. Page 7, Schedule 1, line 19. *Omit* "2 other members", *insert* "1 other member".

Mr GORDON (Murrumbidgee), Minister for Local Government and Minister for Lands [10.37]: I move:

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

Mr SCHIPP (Wagga Wagga) [10.37]: The Opposition cannot accept these amendments, and it registers its strong objection. The second and fourth amendments go to the nub of the bill. They take away the fairness that was once offered to the Local Government Association and Shires Association in the revamped boundaries commission. I do not think any fair-minded person could accept the re-arranged provisions. The Opposition was critical of the 4-man team rather than the 5-man team that was promised.

Mr Gordon: Who promised that?

Mr SCHIPP: It was promised by the previous Minister for Local Government and confirmed by the present Minister on 14th January. The former Minister for Local Government promised that the 5-man Boundaries Commission would continue to operate. That can be established as fact by a number of persons who attended the meetings and had discussions with the Minister. In the debate on this bill the Minister said there were thirty-one members on the Government benches who came from a local government background and would support the proposal. I do not really believe that those members would say that local government is being treated properly by the proposed amendments.

The second amendment provides that the commission shall be deemed to be duly constituted when the members referred to in paragraphs (a) and (b) have been appointed. In reality, that means the commission may sit without local government representatives being appointed. In the past we have seen what can happen when governments operate in that way. We have only to remember the Whitlam and Barnard exercise in 1972 to become aware of what can happen. We shall see this commission function without representatives from the Local Government Association and Shires Association. The members referred to in paragraph (a) would be the chairman appointed by the Minister, and officers from the Department of Local Government, again appointed by the Minister. The commission would be totally oriented towards the Government, with no input from the associations. If the Minister sees fit to do so, he can allow the commission to function without local government representatives simply by delaying their appointment. The fourth amendment amends schedule 1 and

permits a quorum of two people instead of the three people required by the bill. There need be only one person present besides the chairman in order for a quorum to be formed.

Should the fourth amendment be accepted it means that the chairman and one other member may form a quorum. With his deliberative and then casting vote the chairman is then in total control of that committee. The Government realized that problem when it saw that a quorum could be formed with the chairman and two others and that there could be a deadlock vote in those circumstances. Rather than have a deadlock would it not be better to allow the committee to call a further meeting and to await a quorum so that more members could be present at the deliberations and resolve the problem? In that respect the Government is moving further away from the promise made to the Local Government Association and the Shires Association to establish a fair and equitable boundaries commission. The Opposition cannot condone, nor support, these measures in any way. After the last election, in which the Government gained a large majority, it was a rather forlorn plea by the Local Government Association in November 1981, when it said, "Let us put the past behind us and get on and run the show with a good relationship between the Government and the Local Government Association".

I shall not attempt to traverse again our objections to the amendments in this bill. Those amendments represent a breach of commitment that is totally compounded. Local government organizations and the people engaged in local government are now fully aware of the attitude taken by the Government towards local government. The Government believes that local government is the total preserve of the Labor Party which wants to dominate it at every point. This has been evident in the boundaries commission legislation. The citizens of New South Wales, not only those in local government, must object in the strongest terms to what has been put forward in these amendments. On behalf of the Opposition I record its total objection to the second and fourth amendments.

Mr GORDON (Murrumbidgee), Minister for Local Government and Minister for Lands [10.45]: The honourable member for Wagga Wagga is as confused tonight as he was last night, when I tried to correct him. He is talking about people in local government and what people in local government know. I remind the honourable member of what I said last night. On this side of the House there are thirty-one members who have had local government experience; that number is more than the total representation of the Liberal Party and Country Party in this House. Those thirty-one honourable members would not be likely to sell out local government. Opposition members continually talk about promises and agreements that they had with the Government. They have had much consultation with my predecessor and with myself. There was never any promise or agreement. Anybody who understands the procedures would know that there could never be such a promise or an agreement. Could the honourable member for Wagga Wagga commit the Opposition in an agreement? Does he go to Wagga Wagga and commit the Opposition to what it will do? Of course not. One can give an opinion, and advise and listen to representations; that is what I do. Does the honourable member suggest that the commission could function without local government?

Mr Schipp: Yes.

Mr GORDON: It could not. That would happen only if the associations did not nominate a representative or, having been nominated and accepted, the representative did not attend. I can assure honourable members opposite that correspondence will go out as soon as possible, hopefully tomorrow, inviting the associations to nominate

their panels. I will then act as quickly as possible. I should like those panels to be democratically elected. I do not want the upper crust of the Country Party and the Liberal Party to be thrust upon me.

Mr Rozzoli: What about the upper crust of the Labor Party? Why are they privileged? The Minister is a hypocrite.

Mr GORDON: This legislation was introduced by the former Government. Correspondence will go out tomorrow seeking the nomination of those panels.

Mr SCHIPP (Wagga Wagga) [10.46]: Mr Chairman, further to the point I have made—

Mr FLAHERTY (Granville), Government Whip [10.47]: I move:

That the question be now put.

Mr Schipp: The Minister is misleading the Committee.

The CHAIRMAN: Order!

The Committee divided.

Ayes, 60

Mr Akister	Mr Egan	Mr O'Neill
Mr Anderson	Mr Face	Mr Paciullo
Mr Aquilina	Mr Ferguson	Mr Page
Mr Bannon	Mr Gabb	Mr Petersen
Mr Beckroge	Mr Gordon	Mr Quinn
Mr Bedford	Mr Haigh	Mr Ramsay
Mr Booth	Mr Hills	Mr Robb
Mr Bowman	Mr Hunter	Mr Rogan
Mr Brading	Mr Jackson	Mr Ryan
Mr Brereton	Mr Johnson	Mr Sheahan
Mr Cavalier	Mr Keane	Mr Walker
Mr Christie	Mr Knott	Mr Walsh
Mr Cleary	Mr Knowles	Mr Webster
Mr R. J. Clough	Mr McGowan	Mr Whelan
Mr Cox	Mr McIlwaine	Mr Wilde
Mr Crabtree	Mr Miller	Mr Wran
Mrs Crosio	Mr Mochalski	
Mr Day	Mr H. F. Moore	
Mr Debus	Mr Mulock	<i>Tellers,</i>
Mr Degen	Mr Neilly	Mr Flaherty
Mr Durick	Mr O'Connell	Mr Wade

Noes, 28

Mr Armstrong	Mr Fisher	Mr Punch
Mr Boyd	Mrs Foot	Mr Rozzoli
Mr Brewer	Mr Greiner	Mr Schipp
Mr J. H. Brown	Mr Hatton	Mr Singleton
Mr Cameron	Mr Mack	Mr Smith
Mr Caterson	Dr Metherell	Mr West
Mr J. A. Clough	Mr Murray	
Mr Collins	Mr Park	<i>Tellers,</i>
Mr Dowd	Mr Peacocke	Mr Fischer
Mr Duncan	Mr Pickard	Mr T. J. Moore

Resolved in the affirmative.

Question—That the Legislative Council's amendments be agreed to—put.

The Committee divided.

Ayes, 60

Mr Akister	Mr Egan	Mr O'Neill
Mr Anderson	Mr Face	Mr Paciullo
Mr Aquilina	Mr Ferguson	Mr Page
Mr Bannon	Mr Gabb	Mr Petersen
Mr Beckroge	Mr Gordon	Mr Quinn
Mr Bedford	Mr Haigh	Mr Ramsay
Mr Booth	Mr Hills	Mr Robb
Mr Bowman	Mr Hunter	Mr Rogan
Mr Brading	Mr Jackson	Mr Ryan
Mr Brereton	Mr Johnson	Mr Sheahan
Mr Cavalier	Mr Keane	Mr Walker
Mr Christie	Mr Knott	Mr Walsh
Mr Cleary	Mr Knowles	Mr Webster
Mr R. J. Clough	Mr McGowan	Mr Whelan
Mr Cox	Mr McIlwaine	Mr Wilde
Mr Crabtree	Mr Miller	Mr Wran
Mrs Crosio	Mr Mochalski	
Mr Day	Mr H. F. Moore	
Mr Debus	Mr Mulock	<i>Tellers,</i>
Mr Degen	Mr Neilly	Mr Flaherty
Mr Durick	Mr O'Connell	Mr Wade

Noes, 28

Mr Armstrong	Mr Fisher	Mr Punch
Mr Boyd	Mrs Foot	Mr Rozzoli
Mr Brewer	Mr Greiner	Mr Schipp
Mr J. H. Brown	Mr Hatton	Mr Singleton
Mr Cameron	Mr Mack	Mr Smith
Mr Caterson	Dr Metherell	Mr West
Mr J. A. Clough	Mr Murray	
Mr Collins	Mr Park	<i>Tellers,</i>
Mr Dowd	Mr Peacocke	Mr Fischer
Mr Duncan	Mr Pickard	Mr T. J. Moore

Question so resolved in the affirmative.

Motion agreed to.

Legislative Council's amendments agreed to.

Resolution Received

Resolution reported from Committee.

Adoption of Report

Mr GORDON (Murrumbidgee), Minister for Local Government and Minister for Lands [10.55]: I move:

That the report be now adopted.

The House divided.

Ayes, 61

Mr Akister	Mr Durick	Mr O'Connell
Mr Anderson	Mr Egan	Mr O'Neill
Mr Aquilina	Mr Face	Mr Paciullo
Mr Bannon	Mr Ferguson	Mr Page
Mr Beckroge	Mr Gabb	Mr Petersen
Mr Bedford	Mr Gordon	Mr Quinn
Mr Booth	Mr Haigh	Mr Ramsay
Mr Bowman	Mr Hills	Mr Robb
Mr Brading	Mr Hunter	Mr Rogan
Mr Brereton	Mr Jackson	Mr Ryan
Mr Cahill	Mr Johnson	Mr Sheahan
Mr Cavalier	Mr Keane	Mr Walker
Mr Christie	Mr Knott	Mr Walsh
Mr Cleary	Mr Knowles	Mr Webster
Mr R. J. Clough	Mr McGowan	Mr Whelan
Mr Cox	Mr McIlwaine	Mr Wilde
Mr Crabtree	Mr Miller	Mr Wran
Mrs Crosio	Mr Mochalski	
Mr Day	Mr H. F. Moore	<i>Tellers,</i>
Mr Debus	Mr Mulock	Mr Flaherty
Mr Degen	Mr Neilly	Mr Wade

Noes, 28

Mr Armstrong	Mr Fisher	Mr Punch
Mr Boyd	Mrs Foot	Mr Rozzoli
Mr Brewer	Mr Greiner	Mr Schipp
Mr J. H. Brown	Mr Hatton	Mr Singleton
Mr Cameron	Mr Mack	Mr Smith
Mr Caterson	Dr Metherell	Mr West
Mr J. A. Clough	Mr Murray	
Mr Collins	Mr Park	<i>Tellers,</i>
Mr Dowd	Mr Peacocke	Mr Fischer
Mr Duncan	Mr Pickard	Mr T. J. Moore

Question so resolved in the affirmative.

Motion agreed to.

Report adopted.

**LIQUEFIED PETROLEUM GAS (DANGEROUS GOODS)
AMENDMENT BILL**

In Committee

Consideration of Legislative Council's amendments.

Schedule of the amendments referred to in Message of 7 April, 1982

No. 1. Page 2, clause 4, line 19. *Omit* "AMENDMENTS", *insert* "AMENDMENT".

No. 2. Page 3, Schedule 1, lines 3 to 10 inclusive. *Omit* all words on these lines, *insert*

AMENDMENT TO THE PRINCIPAL ACT

Section 7 (1) (c)—*Omit* the paragraph.

Mr HILLS (Elizabeth), Minister for Industrial Relations and Minister for Technology [11.1]: I move:

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

Mr SMITH (Pittwater) [11.2]: I ask the Minister to explain the amendments.

Mr HILLS (Elizabeth), Minister for Industrial Relations and Minister for Technology [11.2]: The amendments clarify the situation in regard to liquefied petroleum gas for country gas companies. The amendments will ensure that country gas companies using LPG will come under the control of the Energy Authority, rather than fall within the provisions of the Dangerous Goods Act. When liquefied petroleum gas is stored and being connected to motor vehicles it will come within the provisions of the **Dangerous Goods Act**.

Motion agreed to.

Legislative Council's amendments agreed to.

Adoption of Report

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

SPECIAL ADJOURNMENT

Mr WALKER (Georges River), Attorney-General, Minister of Justice and Minister for Aboriginal Affairs [11.4]: I move:

That the House at its rising This Day do adjourn until Tuesday, 1 June, 1982.

Mr ROZZOLI (Hawkesbury), Deputy Leader of the Opposition [11.4]: Over the years to some extent debate on the special adjournment motion has been used to refer to those matters that the Opposition wished to continue to discuss should the Parliament continue to sit in session. Often the traditions of the House have been that the Opposition has vehemently opposed this motion, tongue in cheek. At the end of the session even Opposition members welcome a certain amount of respite. Nevertheless, the traditional attitude of the Opposition is not as cynical as it might seem to someone outside the House. During the session the Opposition has an opportunity to call into account the machinery of government. That is its legitimate and proper role.

The significance of the special adjournment to this session of Parliament is somewhat more important than it has been at other times. In the past six weeks honourable members have witnessed a scandalous mockery of parliamentary practice and a deliberate attempt by the Government to erode the capacity of the Opposition to fulfil its function. Though the Opposition often has accused the Government of not allowing it the opportunity to raise important issues, in the past weeks this House has seen a most flagrant illustration of that attitude. On one day the sitting of the House commenced at 2.15 p.m. and by 5 o'clock the work of the House had collapsed. The time of the House has been wasted on extraordinary filibusters on legislation that should not have taken much of the time of honourable members. It was machinery legislation, and though important in its own way, should not have been time-consuming.

Mr Walker: Is the Deputy Leader of the Opposition referring to the Community Welfare Bill?

Mr ROZZOLI: The Community Welfare Bill is one of the most significant measures that has been brought before the Parliament. Honourable members had adequate time to consider the legislation, but the last part of the debate was marred by the churlish attitude of the Minister for Youth and Community Services who refused to consider amendments which had been sought by the people who would be most affected by the provisions of the legislation. What started out as a good exercise in democracy and public consultation, with adequate time for debate, ended on a sour note. Eventually the Government will count the cost of the loss of credibility it suffered among some groups in the community which until that time had been supportive of the Government and believed it had a strong conscience about community welfare. In the last hours of that debate the Government was shown in its true light.

Mr Sheahan: On a point of order. The special adjournment motion is prospective, in that the question before the House is whether it should sit between 7th April and 1st June. That does not provide an opportunity for the Deputy Leader of the Opposition to make a second reading speech on the community welfare legislation or to reflect on past decisions of the Parliament, duly constituted, on motions and legislation that came before it. I submit that you should direct the Deputy Leader of the Opposition to address his remarks to the motion and not provide a boring repetition of what has occurred in the Parliament.

Mr J. H. Brown: On the point of order. I submit that the Deputy Leader of the Opposition is speaking to the motion, which is that the House should adjourn until 30th June.

Mr Sheahan: The motion is, That the House adjourn until 1st June. The honourable member for Oxley does not know what he is talking about.

Mr J. H. Brown: I am not responsible for the bad acoustics in the House.

Mr Sheahan: The honourable member for Oxley is not responsible for anything.

Mr SPEAKER: Order! I call the Minister for Housing, Minister for Co-operative Societies and Minister Assisting the Premier to order.

Mr J. H. Brown: I am not responsible for the Minister's loud mouth either. Many of his colleagues want to staple it up. I submit that in speaking to the motion for the adjournment of the House, the Deputy Leader of the Opposition may give reasons why the House should not adjourn. He is referring to matters that should be debated. He spoke for a short time about the Community Welfare Bill, as I submit he was entitled to do. He may make passing reference to those matters when suggesting why the House should not adjourn.

Mr SPEAKER: Order! It is accepted practice that honourable members may speak to salient matters that they believe the House should take into account when deciding whether the House should adjourn. I rule that the Deputy Leader of the Opposition is in order.

Mr ROZZOLI: They were mainly introductory remarks to set the scene. I referred to the Community Welfare Bill to highlight the scandalous way this session has been conducted by the Government. In many instances the Government has been criticized for gagging debate and denying Opposition members an opportunity to present their viewpoint. The debate on the Community Welfare Bill was a most flagrant example of that.

Another matter that highlights the seriousness of this lengthy debate is that, given the background of an abysmally conducted Parliamentary session, the House will adjourn effectively until August, irrespective of the terms of the motion. That is not much removed from traditional practice, though the House sat a little earlier this year than in previous years and has had a few more weeks of recess since it started.

Normally the House would have sat for eight or nine weeks but in this session it has sat for only six. The position would be different if the Government's administration was not crashing round its ears. It is evident that the Government is running away from the inevitability of exposure of its mismanagement and its profligacy. That is the Government's aim in adjourning the House for a long period.

One has only to consider the dominant issues that face New South Wales. It is not only the Opposition that criticizes the Government. One has only to read any daily newspaper, to speak to anyone in a bus, train or the vestibule of any hospital or to attend a parents and citizens association meeting to hear constant criticism of the Government for its failure to deliver the services that the people of New South Wales deserve. The economy is in the worst state it has been for many years. Honourable members have heard the bleatings of the Premier and Minister for Mineral Resources. He has said that when the Labor Government took over the administration of New South Wales the State was in deficit. That deficit was small when compared with the deficit that the Government will face later this year.

The Opposition would not complain so bitterly about the proposed adjournment if it knew that Parliament would sit again in, say, three or four weeks. I acknowledge that from time to time Parliament must have recesses, but this extraordinarily long break in the face of impending disaster is unacceptable.

Mr Walker: It happens every year.

Mr ROZZOLI: That is the difference between the adjournment of the House this year and the adjournment in other years. The crumbling state of the economy can be matched only by the crumbling state of the New South Wales electricity generation system. That is of enormous concern to the people of New South Wales. The Government has adopted some scandalous practices in the past few months in regard to local government. Honourable members have witnessed the immoral amalgamation of Sydney City Council and South Sydney Council. The amalgamated council is in disarray. The Labor caucus cannot make decisions because of dissension in its ranks, and because of defections that are not normally seen in the Labor Party. There is chaos at the Town Hall. I mentioned earlier the confusion over the Rural Bank building. That will become of increasing concern to the public. The matter should be debated in the House, but the Opposition will be denied the opportunity to raise it because a decision will be made on the future of the building before Parliament sits in August.

These are the sorts of matters that should be placed before Parliament, which is the appropriate place to discuss the Government's actions. The criticism levelled at the Government may not be justified in all cases; it may not influence the ultimate result, but Parliament is the venue in which it should be possible to express all points of view. There is the spectre of the amalgamation of Drummoine council with the councils of Leichhardt, Strathfield, Concord, and Burwood. The Minister for Local Government and Minister for Lands denied that any such amalgamation is contemplated. When one considers his repudiation of the Government's undertaking about the way South Sydney council and Sydney City Council were to be merged or that they would be merged at all, the Minister loses all credibility.

Honourable members recall the disgraceful exhibition tonight when amendments from the upper House were considered. The Minister for Local Government and Minister for Lands did not understand what he was saying. If the Opposition had the opportunity it would move a motion calling for the Minister's resignation because of his incompetence. He is a good fellow but he does not understand what he is doing. He cannot handle his portfolio. He is selling out local government.

He keeps parroting that many honourable members on the Government side of the House were formerly in local government. Members of the Labor Party are dedicated to the abolition of local government. Part of the policy of the Labor Party is to destroy the Upper House, the State Government and the fabric of local government as we know it. Members of the Labor Party sign a pledge to that effect. Members of the parliamentary Labor Party are the kamikaze squad who rat on their former mates. Their intention is to abolish local government, which serves the people well. They should be ashamed of themselves. They are the Judas sheep who are leading local government to the slaughter.

The Opposition would like to debate the outrageous statement that the Minister for Local Government and Minister for Lands made tonight. He said that he would not accept on the boundaries commission a member of the Liberal Party or the Country Party but would stack the commission with members of the Labor Party. I do not care how many members of the Labor Party are appointed to the boundaries commission. It should represent all parts of the political spectrum. But for a Minister to say that he would not accept people of a certain political persuasion is the worst kind of hypocrisy. If that sort of thing was done outside Parliament, it would be reported to the Anti-discrimination Board. It is one of the most flagrant examples of discrimination I have heard of for a long time. It is the sort of statement for which the Minister for Local Government and Minister for Lands should resign.

Other aspects of local government are deplorable and should be debated in this House. They would be debated if the session were to continue. I refer to the actions of certain aldermen of the former South Sydney Council and their involvement in certain matters. Why did the police inquiry into the actions of Alderman Hartup fail to produce any evidence? Because the police would not allow a key witness to remain anonymous, he fears for his safety. The investigation fell apart for want of evidence. I should like to be able to ask the Minister for Police and Minister for Services in this House to reopen the inquiry and guarantee the persons involved in it the protection that the law should provide to people who are in fear of their safety because they try to do the right thing by the community.

The Opposition would like to debate the reasons for the resignation of John Reagan, the town clerk of Leichhardt, and the circumstances which led to that. I am sure the Parliament and the people would be interested to have that come out into the open. Honourable members would like to have an opportunity to debate some of the actions of the Parramatta city council. The honourable member for Parramatta is in the Chamber. A number of matters connected with that council bear investigation. When people of the standing of Tom Uren make allegations in another place as to the administration of Parramatta council, that should be a matter of concern to this Parliament, for the administration of local government is a State matter. We should like to know the answers to some of the questions Mr Uren put to the federal Parliament. I asked a question on notice of the Minister for Police in this place about that matter in the last session, but no reply has come forth. Replies have been made to other matters but not to that one.

An opportunity to debate the shortage of staff in hospitals would be welcomed. Perhaps next to the matter of power shortage in New South Wales, the second most important area of public concern is the provision of staff and services in hospitals. This evening I was visited by a mother who is distraught because her daughter is a patient in Stockton hospital. Because of a staff shortage at that hospital, the daughter is unable to be cared for properly. Hospitals are moving back to the Victorian era where there was custodial care. The Minister should feel shame. He is known to be a civil libertarian and speaks of bringing justice to all people. He should feel shame that those who are intellectually handicapped and placed in schedule 5 hospitals are

unable to have their safety from injury guaranteed because of staff reductions. Had any members of this Parliament been to such hospitals to see how they operate and to observe the problems of patients, they would be more sympathetic to the plight of the staff in those hospitals and they would not have permitted the number of retrenchments that have been made.

This Government says it does not sack staff, that it does not retrench staff, but its policy is that where staff retire or resign they are not replaced. That natural process of staff reduction becomes important in hospitals when staff are not replaced. One cannot convince the parents of those cared for in schedule 5 hospitals that there has been no retrenchment of staff because when they visit the hospitals they see staff numbers reduced so severely that proper services cannot be given to their children. That is one matter the Opposition would like to be able to debate fully in this House.

The procedures of the House, and the way in which it is operated by the Government, do not provide a flexible opportunity to raise matters honourable members feel ought to be properly put forward. This session we have had a minimum number of private members' motions and a minimum number of grievance days. At question time we have been able to ask only a reduced number of questions. In that matter I should like to take this opportunity to compliment Mr Speaker for the fair manner in which he has allocated questions at question time. We were to be given questions on a 5 to 3 basis but, on making careful observations, I find we have done somewhat better than that. I thank him for that.

By the same token, our capacity to put forward meaningful questions has been eroded by Ministers deliberately wasting the time of members on both sides of the House during question time. There seems to be intense competition between the Minister for Police and Minister for Services and the Minister for Consumer Affairs and Minister for Roads in the pursuit of the golden gong. Each seems to take a great deal of question time answering matters. The Attorney-General, Minister of Justice and Minister for Aboriginal Affairs has on many occasions answered questions but I must admit his answers have been brief, sometimes too brief. Nevertheless, there have been concerted efforts by this Government to erode question time and that has not passed unnoticed by the community at large. Each time it happens it reinforces the notion that this Parliament should sit longer.

No more will the Government be able to put its head in the sand when faced with community problems. When we return to this place in August the Opposition will be armed with material to make a strong attack upon the Government. But we would prefer to deal with community problems earlier than that. We must consider the energy supply in New South Wales. It would be more accurate to describe it as the non-energy supply. I shall touch on this matter only briefly for I do not wish to waste the time of the House. We have had the extraordinary situation presented to us during the course of this session of Parliament where admissions have been made by the Government that it was advised as long ago as 1977 that if it did not take certain steps to protect the energy generation of this State a crisis would be reached by 1981. We know that this information was conveyed to the Government. It was advised by the Electricity Commission, not by an outside body. The advice was contained in the management audit report originally commissioned by the Hon. T. L. Lewis, as Premier, and presented to the Government and placed in the hands of the present Premier in 1977.

The Newton report in 1980 brought no Government action. The power bulletins issued between 1977, that is, internal Elcom information, were revealed yesterday in the report of Dr Dick. Although that was an outside report, it was based on factual material and should be considered in matters that have been raised.

Whether the Government considered the information in Dr Dick's report is something that should be debated. It completely mirrored the information contained in the management audit report and the Newton report. Those reports indicate that the Dick report has considerable substance. They prove that New South Wales is on the brink of a total power breakdown.

We have had the spectacle of the Premier accusing the Leader of the Opposition of distributing 10 000 copies of a management audit report which had been given to him as a confidential document. That was totally untrue. We would ask why the Premier was so desperate to keep away from the public gaze the material contained in that report. We challenge him to table it in Parliament next August, belated though that may be, for it makes interesting reading. The Premier should not judge other people by his own standards. He accused the Leader of the Opposition of breaking confidence and revealing the contents of a confidential report. He should not have impugned the integrity of the Leader of the Opposition. The report has not left the hands of the Opposition.

In this session of the Parliament the Premier has made his poorest political performance since the Labor Government came to office. I should like to offer him this advice: if he wishes to go to the Parliament in Canberra he should do so quickly for soon he will be shop-soiled goods and of no use to the Labor Party in Canberra or anywhere else. His chrome-plated halo has not been enough to find him a safe seat in Canberra. That is sufficient evidence he is not really wanted in federal Labor circles.

It was claimed that the Premier would move into Prospect and Dr Klugman would stand aside. No one has seen him standing aside. The Premier was then said to be seeking to stand for Lowe, but Mr Michael Maher beat him for the preselection. All honourable members know that Labor Party preselections are decided before the actual preselection. Now the Labor Party is trying to outmanoeuvre the Hon. P. J. Baldwin for preselection of the Sydney electorate which is said to be the venue from which the Premier will seek election to the federal Parliament. The Opposition is doubtful whether he will go to Canberra because we believe that he does not have enough courage to face up to the challenge of going into federal politics. Also, it cannot be too certain that his federal colleagues really want him.

Mr BRERETON (Heffron), Minister for Health [11.32]: I should like to take the opportunity to reply to comments made by the Deputy Leader of the Opposition in regard to schedule 5 hospitals. In the House tonight he said that the Health Commission of New South Wales and the Government are neglecting patient care in the State's psychiatric institutions. Nothing could be further from the truth. Two factors are involved. First are the recent measures that I announced in respect of psychiatric institutions to make sure they come in on budget this year. I have had an opportunity to implement some of those measures and to adopt some recommendations put up by the various trade unions.

Generally I am happy with the proposals. Indeed, the State's psychiatric hospitals will be well provided for. I have been assured by the Health Commission of New South Wales—by the commission itself—that all of the measures that have been implemented have not affected the quality of patient care. With regard to the staff freeze that was imposed on 19th February, let me say that that situation is being reviewed most sympathetically. For the record I state that, recently wherever patient care has been involved, I have made a special request to the Premier to lift the staff freeze. That has been done at four hospitals where it is considered that extra staff are needed to maintain standards. At Garrawarra Hospital, Waterfall, which is a geriatric nursing home, I have asked for an additional twenty nursing staff and three domestics. At Grosvenor,

which is an institution for developmentally disabled and severely retarded children, I have asked for an extra twelve nursing staff. At Collaroy Hospital which is a centre for the developmentally disabled, I have asked for nine more nursing staff and a cook. At Stockton, which is for developmentally disabled children and adults, I have asked for thirty-eight nursing and domestic staff. The Premier has agreed to all of those requests.

Mr Rozzoli: Why did we not get that information earlier?

Mr BRERETON: Because nobody on the other side of the House sought it.

Mr Rozzoli: We did not get the opportunity to seek it.

Mr BRERETON: I was present during question time each day last week and this week. I have examined the notice paper each day and on not one occasion has any member of the Opposition raised the question to enable me to advise the House on it. Now, at this dying hour of the Parliamentary session, the Opposition comes into the House with a scare tactic and suggests that patients are being neglected. Nothing could be further from the truth. In each area where concern has been expressed, staff have been employed. Extra staff were taken on last week and again this week. Let us not have any more of this nonsense. If members of the Opposition have any evidence to support a claim that patient care is in jeopardy in any of the State's health institutions, I should like to hear of it. I have not heard a word from any member of the Opposition.

Mr Rozzoli: You do not read your correspondence.

Mr BRERETON: If Opposition members have evidence of something that ought to be brought to my attention, I invite them to contact me. At the Stockton, Collaroy, Grosvenor and Garrawarra hospitals, which have been the subject of representation by members of the Government, not by members of the Opposition, the staff freeze has been lifted. I had not intended to get involved in this debate but I was unwilling to allow the untruths of the Deputy Leader of the Opposition to stand unchallenged on the record.

Mr J. H. BROWN (Oxley) [11.35]: I should like to express disappointment over the great rush of business that has come before the House during the past two days. I realize that at this time each year the House adjourns until approximately August. Some most important legislation was dealt with and only one or two speakers from each side of the House had the opportunity to debate those measures. Although the Government has a very large majority, in the interests of parliamentary government and the institution of Parliament, I ask that, where possible, the Government allow a little more time for debate on matters of that nature.

Since the House resumed in February it sat for two weeks, had a break for a week, and so on. Enough time was available to enable members to debate important matters. Instead, many hours were devoted to debates on bills dealing with homosexuality and amendments to the Crimes Act. This was done in an effort to satisfy various factions within the Labor Party. I hope the air has been cleared on those matters, and they have been laid to rest.

Mr Walker: We shall be back in August.

Mr J. H. BROWN: "Back" is the operative word. He will have his back to the wall if he continues to take up the time of the House on these types of matters. On the homosexual bills the House was occupied for 117½ hours in debate. However, when honourable members wanted to debate legislation in regard to the Local Government Boundaries Commission, payroll tax and electricity supplies, they could not have their time extended even by a few minutes.

Another reason I am disappointed about the proposal that the House should adjourn today instead of tomorrow is that the House is about to go into recess without the Parliament having expressed great and strenuous disapproval of the action of the Argentine Government in invading the Falkland Islands. Somebody will ask, is that a matter for the State Parliament? Honourable members may laugh and carry on about it if they wish, but this is a matter that could plunge the world into a third world war with the immediate involvement of every man, woman and child in this country. I was a member of the Parliament when the former member for Burrinjuck, the late Hon. W. F. Sheahan, a Minister of this Crown and a distinguished Minister of this State for many years, rose and moved a motion that the New South Wales Parliament condemned the Government of Russia for its involvement in Hungary and Czechoslovakia. That motion was carried unanimously by the House. As members of this House we should be failing in our duty if we permitted the House to go into recess tonight without carrying a motion of condemnation in the strongest possible terms about the actions of the Government of Argentina towards the people of the Falkland Islands.

We have in this Parliament the Premier of New South Wales, the federal president of the Australian Labor Party, leading a party extremely dedicated to democracy and the right of minorities. Yet not one word has been heard from Government members about what is happening to 1 800 people in the Falkland Islands. If the House goes into recess without expressing the disapproval of this Parliament in the strongest possible terms, we shall be lacking in our duty as parliamentarians. If the forms of the House were open to me now or tomorrow I would move a motion of urgency to give the members of this Parliament their opportunity to express their disapproval.

The number of people on those islands is small, about 1 800. They had established their own way of life there but a dictator has descended upon them. He was running out of popularity in his own country where inflation is running at about 100 per cent. The dictator has caused an invasion of those islands as a diversion. I am disappointed that the Parliament has not had the opportunity to debate the matter. I should have liked the opportunity to debate a motion of condemnation in order to express the strongest disapproval of this flagrant breach of international relations by the dictator from Argentina. I hope Britain retains control of the Falkland Islands and does what it proposes to do, send in its forces to return the islands to its control. The inhabitants of the islands deserve to live in peace and harmony, as they have in the past.

Mrs FOOT (Vaucluse) [11.41]: I support my leader in his demand that Parliament not be adjourned prior to Easter. Not since the end of World War II has this State been faced with a situation as serious as that currently threatening the economic, industrial and social fabric of New South Wales. The existing situation and the dangers facing New South Wales are such that unless the Government changes its disastrous industrial and economic policies and takes immediate corrective action New South Wales will experience increased unemployment and continued blackmail by certain small but powerful groups. These blackmailers do not care about the welfare of other workers so long as their already high wages and salaries are increased. The old, the sick and those who face redundancy will suffer most. Everyone in New South Wales will be subjected to the effects of the Government's harmful mismanagement. However, it is the next generation that will face the full burden of the tragic mistakes made by this Labor Government in the past six years, which are ruining the prospects of industry and the economy of New South Wales. Some of the harm done is beyond repair, but corrective action by the Government could avert some of the worst eventualities.

The people of New South Wales have finally woken up to the dangers threatening them. The Opposition and the entire population of this State have the right to expect the Parliament to remain in session during this critical period so that the Government may be forced to account for its blunders and to take corrective action. It seems almost inevitable that during winter New South Wales will be faced with power blackouts. People will be shivering in unheated and unlit homes, unable to prepare hot meals. Children, the sick and the elderly will be seriously affected. When power zoning becomes necessary, hundreds of thousands of bread winners will have their take-home pay again reduced by one-fifth while certain categories of employees of Elcom, earning as much as \$30,000 or \$40,000 a year, continue strike action or to place overtime bans on essential and urgent repairs to satisfy their greed for money and additional privileges.

This State's economic future depends largely on the export of coal, aluminium and industrial products. Take coal: strikes and insufficient port facilities have given New South Wales the reputation of being completely unreliable as a coal supplier. Our customers in Japan and Europe are unwilling to have their ships stand by for weeks outside Newcastle and Port Kembla at great cost and inconvenience. Unless this Labor Government is able to make the highly paid workers causing these intolerable hold-ups cease taking industrial action, this State will quickly lose vital coal contracts to overseas competitors. It has become clear that it will take years before sufficient energy will be available to meet the demands, not only of our existing industries but also of those promising industrial projects about which honourable members heard so much in the past six years from the Premier and which rely on a regular supply of energy—projects which are now being cancelled or put into cold storage. Meanwhile our existing industries are becoming less competitive. This Labor Government is to blame for reducing working hours and making sweetheart deals that have opened the flood gates to industrial irresponsibility. State finances are in jeopardy. What action is the Government taking to eliminate featherbedding, wastage and unnecessary overtime to reduce expenditure? The people of New South Wales have not forgotten the Premier's irresponsible promise not to increase taxes or introduce new taxes. With public hospitals in serious financial trouble and essential health services threatened, the Parliament has no right to adjourn today. If it remained in session, the recommendations of the Public Accounts Committee on these vital issues could be debated.

In response to the "ministerial" statement by the Minister for Health a short time ago, about questions having been asked in this Chamber, I inform honourable members that I placed a question on the *Questions and Answers* paper that I had been waiting to ask for three months concerning deaths caused by the delay in elective surgery in many of the State's hospitals. In November I was approached by some hospitals to raise this matter in the House, but I refused to do so because at that time it would have been an unduly sensational health issue. The situation has now arisen where people on elective surgery lists are going into casualty departments, entering hospitals and dying. I hope the Minister will reply to my question.

The majority of members of the police force are doing a good and honest job, but the public is deeply disturbed that present judicial inquiries show clearly that it has become necessary to investigate the integrity of high ranking police officers. It is necessary that the findings of the present inquiry be tabled immediately in this Parliament. The people of New South Wales want the truth and want to be certain that corruption and dishonesty in the police force will not be tolerated but properly punished, particularly at high levels.

I have mentioned only some of the dangers threatening the welfare and the social fabric of this State. In such a situation how dare the Government make a mockery of democracy by adjourning Parliament for four months. How dare the

Government leave it to the costly public relations machinery of the Premier to hide the real facts and the true situation by feeding the public with neatly worded half truths or even directly misleading statements. The Premier has shown arrogance in feeding the press with information about his intentions to go to Canberra. He cannot run this State properly. If the Premier were the managing director of an Australian company, and was always talking about heading up a multinational company, he would receive the sack. I am staggered that sixty-eight members of the Labor Party should support the Premier in his posturing and have not spoken to him about his stance. The press does not invent such rumours. They are fed to them.

Since becoming a member of Parliament the Premier has treated the State with disdain. He has displayed contempt for the Opposition; he does not answer questions and parades up and down in the Chamber like a barrister with a brief. My contempt for his attitude to the people of this State could not be greater. For the Parliament to rise now for one-third of the year is irresponsible. I am pleased that the Attorney-General did not smile once during my speech.

Mr WADE (Newcastle) [11.48]: On each occasion when the House is about to go into recess honourable members go through this rigmarole—

Mr Schipp: A farce.

Mr WADE: Yes, it is a farce so far as the Opposition is concerned. Those honourable members go through the rigmarole of drivelling about what can be done and what cannot be done and what one is not permitted to do. Every honourable member has been permitted to participate in the functions of this House, particularly in respect of questions upon notice. Honourable members waste time by bringing frivolous matters before the House at enormous cost to the Government. The honourable member for South Coast fills the pages of *Hansard* with all the drivel he can find in an attempt to attack everyone he can, without any evidence. The honourable member for South Coast has sought to involve the honourable member for Parramatta, the honourable member for Riverstone and the federal member for Parramatta in matters in which they have no involvement. According to the honourable member for South Coast, if a person becomes a patron of an organization, that person is then implicated in whatever goes on in that club.

The honourable member for South Coast has had a fair crack of the whip in this House. He has been able to bring to the attention of the public matters that he thought were important. Someone must fill him with all the propaganda and muck that he puts into his questions on the Notice Paper; and he gets away with it. He and his colleague the grey ghost tried to make out that they were the great champions of the Bank of New South Wales. They treated the debate on the bank mergers as a big joke. I do not know who they were trying to protect but they opposed the amalgamation of the Bank of New South Wales with the Commercial Bank of Australia. I realize that is their right, but they treated the matter as a joke. They walked along the passageway leading to the debating Chamber like two little schoolgirls going off to play a game.

The watchmaker and other Opposition members have said that they cannot do anything because the House will rise until June and then possibly will not sit until August, after Parliament has been prorogued. The honourable member for Oxley pounded the air about the Falkland Islands. He knows that this House can do nothing about that matter. He spoke in the debate on conveyancing loans and could have taken that opportunity to refer to the Falkland Islands but did not do so.

Mr Armstrong: That is a defeatist attitude.

Mr SPEAKER: Order! I call the honourable member for Lachlan and the honourable member for Bankstown to order.

Mr WADE: It is not our business to decide what should happen about the Falkland Islands. The Opposition always puts on this effort at this time of the year. It is a wonder the honourable member for Northcott is not here to put on his usual act.

Mr WILDE (Parramatta) [11.52]: In this session, and especially in recent weeks, the forms of the House have been misused by the honourable member for South Coast in the way he has put questions on the *Questions and Answers* paper. When speaking on the adjournment debate on Monday evening the honourable member referred to me and my federal colleague the honourable member for Parramatta, Mr John Brown. His remarks were reprehensible. Though ostensibly calling for a public inquiry, the honourable member for South Coast made extremely serious allegations against the former secretary-manager of the Parramatta police-citizens boys club. They were identical to allegations contained in questions the honourable member put on the *Questions and Answers* paper, which have since been answered. The suggestions were proved to be baseless. The honourable member was well aware that the answers to those questions were pending, so he hastened to seek wide publicity for his allegations—and of course for himself—before it could be shown that his slimy insinuations were false.

While making extremely serious references to Mr Jones, the honourable member for South Coast shamefully sought to implicate me and Mr John Brown, who will undoubtedly deal with the matter in another place. I have never had any association, as the honourable member termed it, with Mr Jones, who was then police Sergeant Jones. My contact with that person was that of an elected member with a constituent and a valued youth and community worker. I am not sure whether Mr Jones was based in Parramatta when I was the Mayor of Parramatta but I had been an alderman on the council until I entered this place. My contact with Sergeant Jones was solely on that basis. As I was patron of the Parramatta police-citizens boys club, the honourable member for South Coast called for an inquiry into my association with a person whom he had stated falsely had been engaged in illegal activities. He peddled the story to the press and an article was published which has caused considerable distress to me and my family.

Some time ago in this House, before the retirement of Sergeant Jones, the honourable member for South Coast questioned my connection with the boys club. I informed the honourable member and the House that I was honoured to be patron of the club, which provides a wonderful service for thousands of children. The reputations of the club and its staff are being severely damaged by the continued attacks made by the honourable member for South Coast. The ability of the committee to raise funds for the club has suffered irreparable harm. At a later stage in his contribution the honourable member for South Coast lied to the House when he alleged that another person was well known to me. I categorically deny his suggestion. I challenge the honourable member to repeat the scurrilous smear, away from the protection of the Parliament. If he does, I assure him that I shall immediately take action against him. I welcome the opportunity to speak to the House about this matter and refute the allegations made by the honourable member for South Coast that sought to impugn my character. It is a disgraceful misuse of the forms of the House for a

member to take the opportunity to place questions on the *Questions and Answers* paper that have no basis in fact. The honourable member knew that the questions would soon be answered and that his allegations would be proved to be false. He then made scurrilous allegations in the adjournment debate.

Mr SMITH: Mr Speaker—

Mr FLAHERTY (Granville), Government Whip [11.57]: I move:

That the question be now put.

The House divided.

Ayes, 61

Mr Akister	Mr Durick	Mr O'Connell
Mr Anderson	Mr Egan	Mr O'Neill
Mr Aquilina	Mr Face	Mr Paciullo
Mr Bannon	Mr Ferguson	Mr Page
Mr Beckroge	Mr Gabb	Mr Petersen
Mr Bedford	Mr Gordon	Mr Quinn
Mr Booth	Mr Haigh	Mr Ramsay
Mr Bowman	Mr Hills	Mr Robb
Mr Brading	Mr Hunter	Mr Rogan
Mr Brereton	Mr Jackson	Mr Ryan
Mr Cahill	Mr Johnson	Mr Sheahan
Mr Cavalier	Mr Keane	Mr Walker
Mr Christie	Mr Knott	Mr Walsh
Mr Cleary	Mr Knowles	Mr Webster
Mr R. J. Clough	Mr McGowan	Mr Whelan
Mr Cox	Mr McIlwaine	Mr Wilde
Mr Crabtree	Mr Miller	Mr Wran
Mrs Crosio	Mr Mochalski	
Mr Day	Mr H. F. Moore	<i>Tellers,</i>
Mr Debus	Mr Mulock	Mr Flaherty
Mr Degen	Mr Neilly	Mr Wade

Noes, 28

Mr Armstrong	Mr Fisher	Mr Punch
Mr Boyd	Mrs Foot	Mr Rozzoli
Mr Brewer	Mr Greiner	Mr Schipp
Mr J. H. Brown	Mr Hatton	Mr Singleton
Mr Cameron	Mr Mack	Mr Smith
Mr Caterson	Dr Metherell	Mr West
Mr J. A. Clough	Mr Murray	
Mr Collins	Mr Park	<i>Tellers,</i>
Mr Dowd	Mr Peacocke	Mr Fischer
Mr Duncan	Mr Pickard	Mr T. J. Moore

Resolved in the affirmative.

Motion agreed to.

BILLS RETURNED

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

Bank of New South Wales (Change of Name) Bill
Electricity Commission (Amendment) Bill
Energy Authority (Reconstitution) Amendment Bill
Pay-roll Tax (Amendment) Bill
Statutory and Other Offices Remuneration (Electricity Commission) Amendment Bill
Statutory and Other Offices Remuneration (Energy Authority) Amendment Bill
The Commercial Banking Company of Sydney Limited (Merger) Bill
The Commercial Bank of Australia Limited (Merger) Bill
Trustee Companies (Amendment) Bill.

ADJOURNMENT

Heritage Council of New South Wales

Mr WALKER (Georges River), Attorney-General, Minister of Justice and Minister for Aboriginal Affairs [12.4 a.m.]: I move:

That this House do now adjourn.

Mr ARMSTRONG (Lachlan) [12.4 a.m.]: I wish to draw attention to the Heritage Council of New South Wales. I agree entirely with the concept of the 1977 Act. The definition of heritage was given by the former Minister for Services and Minister Assisting the Premier in 1977 when delivering his second reading speech on the Heritage Bill:

First, is the concept of the State's heritage: the defined concept of the environmental heritage of the State has similar scope and characteristics to the concept of national estate adopted by the Commonwealth. Second, is the creation of an independent specialist body, the Heritage Council of New South Wales, chiefly responsible, like its federal counterpart the Australian Heritage Commission, for giving expert advice on matters relating to the conservation of the State's environmental heritage. Third, the prime task of the Heritage Council is to identify items of the environmental heritage considered worthy of conservation in accordance with the provisions of the bill.

The former Minister defined also environmental heritage as meaning those buildings, works, relics or places of historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance for the State. The *Oxford English Dictionary* defines historic as famous, or likely to become famous, in history. I wish to comment on some aspects of the Heritage Council, particularly its right to issue a 40-day order and, under section 30 of the Act, a 2-year interim order which effectively permits any external alteration, demolition or similar action. Though I agree with the principles and objectives of the Heritage Council, its activities have got out of hand. I doubt whether any honourable member of this House has not received complaints or has not had drawn to his attention problems in his electorate about the activities of the Heritage Council.

Mr Face: I have not.

Mr ARMSTRONG: I suggest that the honourable member should be more in touch with his electorate.

Mr Sheahan: Why does not the honourable member for Lachlan move into his electorate?

Mr ARMSTRONG: I doubt whether the Minister would have travelled as much in his electorate as I have travelled in mine.

Mr Sheahan: I do not have to travel 100 miles to get to my electorate. I live in the electorate.

Mr SPEAKER: Order! The honourable member for Lachlan is entitled to be heard in silence. If honourable members persist in their present behaviour they will be removed from the Chamber.

Mr ARMSTRONG: I thank you, Mr Speaker, for restoring dignity to the House. Few people in the community would take it upon themselves to apply to the Heritage Council to have certain buildings or places declared under section 30 of the Heritage Act, or for a 40-day order. Unfortunately the position has got out of hand. In many cases orders have been issued by the Heritage Council that cause hardship, difficulty and considerable expense to the owners of buildings but are of doubtful benefit to the State. I doubt whether they are in keeping with the original intention of the Act.

The honourable member for Monaro might be better informed than I about the objects of the Heritage Act, but he has shown little evidence of it so far. The chapel attached to the Convent of Mercy at Boorowa was a bequest from the Donovan family to the Sisters of Mercy of the Goulburn diocese. It is a family memorial. In November of 1981 the Sisters of Mercy vacated the convent and sold the chapel to a firm known as the ACT and District Funeral Directors Pty Limited. Following the sale, certain citizens of Boorowa took it upon themselves to ask the Heritage Council to place a 40-day order on the premises. That was done. Recently that was extended to a 2-year order.

Mr Sheahan: Hear, hear!

Mr ARMSTRONG: I note that the honourable member for Burrinjuck expresses his support in this House. I shall tell honourable members a little story about the history of the chapel. As I have mentioned, the chapel was a bequest from the family of Thomas Donovan, who lived from 1843 to 1929. I have a letter from Mr Brian Donovan, spokesman for the Donovan family, to the Heritage Council saying that he and the descendants of Thomas Donovan would be pleased to have the sale completed and the chapel transferred to premises in Canberra. I have also a copy of a letter from the ACT and District Funeral Directors Pty Limited to the Heritage Council of New South Wales advising that that company had purchased, for a fair and reasonable price, a chapel attached to the Boorowa Convent of Mercy and that they wished to transfer the memorial chapel intact to their premises in Canberra. The Sisters of Mercy and the Archbishop of Canberra and Goulburn signified their support of the sale and transfer.

Mr Sheahan: To whom are the letters addressed?

Mr ARMSTRONG: I have sent the honourable member for Burrinjuck copies of these letters. If he cannot read, that is his fault. He received the letters yesterday afternoon.

Mr Sheahan: I did not.

Mr ARMSTRONG: If the honourable member for Burrinjuck did not receive them, there are internal problems in his office. On 2nd February the Heritage Council of New South Wales issued an order pursuant to section 130 of the Heritage Act, thus preventing any further progress in the transfer of the chapel.

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

Mr BEDFORD (Cabramatta), Minister for Planning and Environment [12.14 a.m.]: The honourable member for Lachlan has raised a general question and given a specific example. In the time available to me I shall attempt to answer both. My understanding is that Boorowa is in the electorate of Goulburn but I am informed by one of my colleagues that the honourable member for Lachlan lives at Boorowa. Perhaps that is why he raised the matter. As to the operation of the Heritage Council, the purpose of the Act is to conserve items of the State's heritage.

One of the real problems in establishing items of our heritage, once the easy ones are classified, such as the old Mint Building and Parliament House, is to develop a base of information upon which to make interim and permanent orders. Though a place may be the subject of an interim conservation order which has effect for two years, it does not follow that nothing will happen for two years. That is simply the time during which the order will be current. At the end of two years, if the order has not been changed to a permanent order, or somehow or other a new interim conservation order is not placed on it because there is an expectation that discussion will be complete, the order lapses and the owner does not have a conservation order over the property.

Mr Armstrong: Who will look after the building in the intervening two years?

Mr BEDFORD: The Government is trying to get each of the local government authorities to provide a list of what they perceive to be heritage items of conservation within their areas, and that information will form the basis upon which conservation orders will be fixed. In the interim it is necessary for the Government to react to what it considers to be strong local representations from persons in the area. Frequently those representations come from the council itself, from historical societies, or from other community leaders. The shire council, the shire president and other members of the local community made strong representations to the Heritage Council to save the building at Boorowa. On that basis the Heritage Council recommended to me that I should sign the necessary conservation orders as a holding procedure so that discussion could take place between the Heritage Council and representatives of the owners of the building on the future of the building.

It is understandable that some persons in Boorowa see no purpose in maintaining that building. On the other hand, the Heritage Council has a responsibility to ensure that, after proper investigation of the building, either permanent orders are made or interim conservation orders are lifted. I should like to assure the honourable member for Lachlan that the order placed on the building has provided a necessary protection to it while discussions are being carried out between the owners and the council to see whether there is need for the retention of the building where it stands or whether arrangements can be made for it to be moved to a point selected by the new owners.

There is some thought, particularly among more conservative organizations, that the Heritage Council merely seeks to frustrate everyone's wishes and prevent them from doing what they want to do with their private property. That is not so. I should like honourable members to bring to my attention matters such as the matter raised by the honourable member tonight, if they feel there is undue delay, red tape or

bureaucracy involved, so that the Government can move to ensure that discussions are carried out and that the proper future of such buildings can be properly determined. I invite honourable members to bring such matters to my attention. I assure them that if they do so, I shall act swiftly.

Motion agreed to.

House adjourned, on motion by Mr Walker, at 12.19 a.m., Thursday, until Tuesday, 1st June, 1982.

QUESTIONS UPON NOTICE

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

BOMADERRY TECHNICAL COLLEGE

Mr HATTON asked the Minister for Education—

- (1) When was the Bomaderry Technical College first constructed?
- (2) What was the nature of the main improvements made?
- (3) In what year were these effected?
- (4) How has the involvement grown in each of the last ten years?
- (5) What new trade courses were introduced, and when?
- (6) What other new courses were introduced, and when?
- (7) Are improvements planned to the Bomaderry Technical College?
- (8) If so, what is the scheduled date of these improvements?

Answer—

(1) Approximately 1951 (it is a Branch of Nowra Technical College).

(2) and (3)

1954–55—Two Aluminium Buildings were constructed for Engineering Trades and Carpentry and Joinery Classes. Cost—\$89,500.

1961—A Classroom and Storeroom Building. Cost—\$8,700.

1975–76—A Demountable Building for Welding Classes was provided. Cost—\$56,000.

1977–78—Shower Block. Cost—\$6,000.

(4) In June, 1967, a modern two storey brick building in Berry Street, Nowra was completed and occupied as the first stage of Nowra Technical College. This facility was designed to house the administration of the college, a number of teaching areas including secretarial studies and fashion classes, general purpose classrooms and college services.

As with technical colleges throughout the State, student enrolments at the Nowra Technical College have reflected, during the past decade, the increasing participation of the population in various TAFE courses. Final enrolments at Nowra Technical College since 1970, have been as follows:

1970— 703	1976—1 470
1971— 719	1977—1 422
1972— 706	1978—1 501
1973— 845	1979—1 523
1974—1 245	1980—2 322
1975—1 302	1981—1 980

During this period, many new courses of study have been introduced, some have been withdrawn and many others have been subject to review.

The Nowra College of TAFE is making a positive contribution in providing access to people of many age groups to vocational education courses and to leisure and enrichment programmes. The College has provided valuable training opportunities for young people in the carpentry and joinery pre-apprenticeship course.

Available community accommodation is being used for full-time courses such as the Education Programme for Unemployed Youth and the Office Skills transition education programme, as well as evening accommodation at the Nowra High School (classrooms), and the Bomaderry High School (science laboratories and a classroom).

The staff establishment of the Nowra College of TAFE has increased since 1976 from ten full-time teachers to twenty-six full-time teachers and 10 374 part-time teaching hours per annum for 1981–82. In addition, the non-teaching staff has increased since 1976 from three full-time and one part-time officers to six full-time and five part-time officers for 1981–82.

(5) Trade Courses introduced between 1970 and 1979:

Radio Trades,
Electrical Fitters (Automotive),
Refrigeration Mechanics (were offered in 1978 only one student did each course).

Other Trade Courses conducted at Nowra:

Carpentry and Joinery,
Welding,
Automotive Mechanics,
Electrical Trades.

(6) Other Courses at Bomaderry TAFE College 1970–81.

1972—Land and Engineering Survey Drafting,
Receptionist/Typist.

1973—Personal Typing,
Health Inspection Post Certificate.

1974—Intensive Typing,
Intensive Shorthand,
Civil Engineering (one student only—discontinued).

- 1975—Interior Decorating for the Home,
Pattern Making and Garment Assembly,
Intensive Receptionist/Typist,
Office Training.
- 1976—Commerce,
Advanced Shorthand.
- 1977—Commerce Accounting Procedures,
Child Care Assistance,
Supervision,
Automotive Transmission,
Advanced Typing.
- 1978—Automotive Engine Tuning and Electrical Services,
Basic Electronics,
Explosives,
Home Catering and Management,
Meat Inspection,
L.P. Gas Installers.
- 1979—Photographic Technics,
Outreach,
Yachtmen's Courses,
Commerce Practical,
E.P.U.Y. Course,
Office Assistant/Typist.

(7) and (8) A stage two development of Nowra Technical College enjoys a high priority in the capital works list of the Department of Technical and Further Education. This proposed work, which includes specialist accommodation for the carpentry and joinery and automotive engineering trades, staff and student amenities and services, will be sited at the Bomaderry branch. The project, which has an estimated total cost of some \$2.2 million, provides for the conversion of the existing carpentry and joinery accommodation into four lecture rooms and the conversion of the existing automotive engineering facilities for electrical trades courses. Subject to the availability of funds, it is possible that this project may be called to tender in 1984.

MORUYA PUBLIC SCHOOL

Mr HATTON asked the Minister for Education—

- (1) Is there an expansion of the primary school population in Moruya?
- (2) Is Tuross Head in the Moruya Public School catchment area an appropriate location for another primary school?
- (3) If so (i) has land been acquired, and (ii) when will the school building commence?
- (4) If not, what other plans has the Department of Education to satisfy these needs?

Answer—

- (1) Yes.

- (2) Yes. Whilst present numbers are insufficient to justify the construction of a school at this stage, demographic and town planning studies indicate that the village of Tuross will require a primary school at some stage in the future.
- (3) (i) Eurobodalla Shire Council has been asked to reserve a school site in the Council's Strategy plan for the area.
- (ii) The construction of the school will depend upon—
- (a) demographic indication of the need for a new school;
 - (b) the decision as to the viability of building as opposed to conveying children to adjoining schools;
 - (c) the availability of accommodation in other schools accessible to Tuross Head;
 - (d) the priority of this project is relative to the needs for new schools across the State in light of the funding available.
- (4) School buses currently transport children the twenty kilometres to Moruya Public School—this approach would be continued until the new school is built.

PRIMARY SCHOOL FOR BATEMAN'S BAY

Mr HATTON asked the Minister for Education—

- (1) Has a site been determined for a second primary school to relieve overcrowding at Batemans Bay?
- (2) If so, what is (i) the location, (ii) the size of the site, and (iii) the scheduled commencement date?
- (3) What is the Department of Education estimate of the Batemans Bay Primary School population in the year of the opening of the second primary school?

Answer—

- (1) Yes.
- (2) (i) Sunshine Bay.
- (ii) 2.8 ha. Negotiations are proceeding for the acquisition of a further 0.6 ha.
- (iii) No date can be fixed as the site is yet to be finalized, planning must then proceed and funds provided.
- (3) Steady enrolment growth is expected to continue in the Batemans Bay district. It could be anticipated that by the time a primary school is opened at Sunshine Bay, the enrolment will be 600–700 at Batemans Bay.

NAROOMA PRIMARY SCHOOL

Mr HATTON asked the Minister for Education—

What is the timetable for and details of each of the stages in improvements to be affected at Narooma Primary School?

Answer—

Stage I—Library (completed), \$245,000.

Stage II—(in progress), \$277,000.

- (a) Conversion of existing administration/science laboratory building to provide administration facilities and staff amenities.
- (b) Conversion of home science, art room and woodwork room to five (5) classrooms with practical activities areas.

Stage III—Upgrading of timber classrooms.

Stage IV—Food service unit and Communal area.

N.B. Stages III and IV will depend on availability of funds.

ILLEGAL GAMBLING

Mr HATTON asked the Minister for Police and Minister for Services—

- (1) Was Henry Michael Noonan named in the CIU report of March 1977 which was tabled in part in this House in 1979?
- (2) Was the association connected with illegal casinos, starting price betting and George Freeman?
- (3) If so, what are the details of (a) the association at that time, and (b) illegal gambling associations since?
- (4) Do Internal Affairs reports on Sergeant Christopher Robyn Jones, including the one referred to by the Premier in Parliament recently, make any reference to links between George Freeman, Michael Noonan and Sergeant Jones?
- (5) If so, what are the details?
- (6) Will he call for further investigations and a public report on the Parramatta Police Boys' Club and so protect the reputation of the Police-Citizens Boys' Club movement as a whole?

Answer—

- (1) Yes.
- (2) and (3) Noonan was reported as being suspected of acting as a starting price betting agent for the man Freeman in premises at Leichhardt. The first report of the suspected operation of the business was on 21 January, 1977. Until 22 June, 1979, a number of habitation checks suggested the premises continued to be occupied by Mr Noonan. However, during the period concerned no factual evidence of betting actually taking place on the premises could be obtained.

A habitation check on 22 June, 1979 revealed the premises are now used as a boutique with a different occupier and a fresh address given for the man Noonan.

(4) and (5) Report prepared by the Internal Affairs Branch indicate that there is no evidence of any association between Jones and the men Freeman and Noonan.

(6) The Parramatta Police-Citizens Boys' Club and the Boys' Club movement as a whole have always been held in extremely high regard by the community.

BERMAGUI WATER SUPPLY

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

- (1) Will this summer precipitate critical water supply problems in the Bermagui District?
- (2) When will Bega Valley Shire Council be offered subsidy for the necessary augmentation?
- (3) What is the estimated water rate per allotment necessary to cover the cost of the scheme?
- (4) In view of the expansive nature of the Brogo scheme catering for years ahead will he consider another form of subsidy to relieve the heavy financial burdens on present ratepayers?

Answer—

(1) The Public Works Department does not believe that critical problems will arise in relation to the water supply to Bermagui.

Two bores were sunk in the Bobundera Swamp in late 1980. While the output of water from these bores was satisfactory, the quality was poor. The Department recommended emergency treatment facilities for the groundwater, which the Bega Valley Shire Council adopted. This groundwater source has been operational during the past summer. Moreover, the Council is increasing the storage capacity of Tilba Dam, and given reasonable winter rainfalls, there should be increased surface storage available at the beginning of next summer.

(2) The Council has been advised that an investigation report will be available by the end of July next. The report will compare the costs of a local water supply scheme with the alternative of a pipeline from the Brogo Dam. It will be necessary for the Council to assess this report and to determine its attitude to the recommendations made. In the event of the Council concurring in the recommendations of my department, then I will be prepared to consider the Council's request for immediate financial assistance. I will, however, have to consider the urgency of the works along with all other projects awaiting government financial assistance, as well as the availability of government funds at the time.

(3) The determination of local water rates is a matter for the local water authority, in this case the Bega Valley Shire Council. Assuming that the capital cost of the project is to the order of about \$3 million, and that the number of lots served is to the order of 900, then the increase in minimum rating would be to the order of \$270, assuming that the proposed works attract a 50 per cent government subsidy.

(4) The Government's present policy provides for a maximum subsidy of 50 per cent towards the capital cost of water supply projects. The Public Works Department has recognized the expense of the Brogo scheme, and as I have indicated, is investigating in detail a less expensive scheme utilizing local streams to provide a new source of water for Bermagui. The Department will also be recommending to the Council staged augmentation of the scheme so as to reduce the impact of initial capital charges when the rate base is small. I understand that the Council is also levying a headwork charge for all new development, which will reduce the rate burden on the existing ratepayers.

DAVIDSON STATE RECREATION AREA

Mr T. J. MOORE asked the Minister for Education—

- (1) Did the Department of Education resume the proposed East Lindfield High School site on portion of county open space land now otherwise incorporated in Davidson State Recreation Area?
- (2) When the Department of Education decided not to proceed with construction of a high school, why was the land not reverted to the Davidson State Recreation Area?

Answer—

- (1) The site was acquired by negotiated purchase on 28 July, 1965, from J. Irvine, M. Nygh, M. Pereira, and A. L. Poole. The site comprises Lots 1–25 inclusive, Deposited Plan 219818, Parish of Gordon, County of Cumberland. Subsequent to the purchase, the Department of Lands dedicated a section of Ulmarra Place for school purposes on 24 February, 1967, to consolidate the site.
- (2) In 1977 the Property Advisory Management Committee was established to arrange the disposal of any surplus government owned property.

The Lindfield East High School site was one of the sites declared surplus and submitted to the Property Advisory Management Committee. Subsequently the Property Advisory Management Committee advised the Department on 1 June, 1978, that the Lindfield East High School site had been approved for acquisition by the Land Commission for development for public housing purposes. Resumption of the site by the Land Commission was notified in the *Government Gazette* on 6 June, 1980.

Mr CHRISTOPHER JONES

Mr HATTON asked the Minister for Police and Minister for Services—

- (1) Did former Sergeant Christopher Jones, former secretary of Parramatta Police Boys' Club, undertake a trip to the U.S.A. in late 1978?
- (2) Was this trip official?
- (3) If so, what are the details?
- (4) If not, have Police Internal Affairs investigated, (a) what was the purpose of the trip; (b) who paid the fare; and (c) who paid for the accommodation associated with the trip?

Answer—

- (1) No. However, he did undertake a trip to the United States of America from 11 March, 1977, to 21 March, 1977.
- (2) Yes.
- (3) A feasibility study had been made to promote a big name American entertainer to give a Sydney Concert, the profit to benefit the Parramatta Police–Citizens Boys' Club. The trip to the U.S.A. was to canvass many well-known entertainers to ascertain their willingness to come to Australia for a charity promotion.
- (4) Not applicable.

Mr CHRISTOPHER JONES

Mr HATTON asked the Minister for Police and Minister for Services—

- (1) Did ex-Sergeant Christopher Jones live at 185 Macquarie Street, Parramatta?
- (2) Did police discover that Jones was living in Police Boys' Federation premises at 185 Macquarie Street, Parramatta, with a woman named Sandra Lillian Fenech who was alleged to be nursing his illness?
- (3) Did this use of Police Boys' Club premises continue until at least 19 September, 1981?
- (4) What rental was charged?
- (5) Is there a means test or similar guidelines attached to the leasing or rental of homes owned by the Federation?
- (6) If so, did rental of the premises to ex-Sergeant Jones comply with these guidelines?
- (7) Was the Police Citizens Boys' Club house referred to left vacant prior to its occupation by ex-Sergeant Jones?
- (8) If so, for what period?
- (9) If not, by whom was it occupied and why?
- (10) Were these or any other Police Federation premises or facilities used by ex-Sergeant Jones in his work for the recent election campaign?
- (11) Why were telephone accounts at the Police Boys' Federation premises at 185 Macquarie Street, Parramatta, listed in the names of J. Halliday and M. McMurray?
- (12) Were these telephone accounts found to be connected to ex-Sergeant Jones' betting activities?
- (13) Was a registered racehorse recently kept in the backyard of the house?
- (14) Was or is this racehorse registered in the name of ex-Sergeant Christopher Jones?
- (15) If not, to whom does the horse belong?

Answer—

- (1) Yes.
- (2) Yes.
- (3) The ex-Sergeant vacated the premises at 185 Macquarie Street, Parramatta, on a date approximating 19 September, 1981.
- (4) \$65.00 per week.
- (5) Homes owned by the New South Wales Police-Citizens Boys' Clubs are rented to serving members of the Police Force attached to the Police-Citizens Boys' Club Organization on a percentage of salary basis applicable to all other Police occupants of Police Departmental residences. In other cases, the rent paid by the occupier is the result of a contract entered into by that occupier

and the Management committee of the Club concerned. The Management committee assesses that rent on the basis of what they believe to be an appropriate amount according to current rentals paid in the particular area.

(6) Yes.

(7) Yes.

(8) Approximately 15 months, except for a period of about two months when it was rented to a private individual under similar conditions to which ex-Sergeant Jones held his tenancy.

(9) See (8) above.

(10) Police are not in possession of evidence which indicates that ex-Sergeant Jones used any Federation premises or facilities in connection with the recent election campaign.

(11) J. Halliday and M. McMurray were former tenants of the house.

(12) Police have found no evidence to suggest that ex-Sergeant Jones was involved in any illegal betting activities.

(13) On the occasions that Police have visited 185 Macquarie Street, Parramatta, there was no horse kept in the backyard of the subject house. Whether or not that was ever the case, and if affirmative, the identity of the owner of the horse or whether it was registered as a racehorse in ex-Sergeant Jones' name, only Mr Jones can say. Mr Jones is no longer a member of the Police Force and is now not bound to subject himself to any further inquiry or to respond to any further questioning in relation to this matter and he politely, but adamantly, refuses to do so.

(14) See (13) above.

(15) See (13) above.

Mr CHRISTOPHER JONES

Mr HATTON asked the Minister for Police and Minister for Services—

(1) Is the Police Internal Affairs Branch investigating allegations that ex-Sergeant Christopher Jones threatened Ellie Azzopardi with violence?

(2) Did the investigating police conclude that the words used, including references to "the biggest belting of your life" and "you'll be wearing cement shoes" did not constitute a threat?

(3) Did the investigating police interview former Sergeant Jones?

(4) During their investigation did they experience difficulty in interviewing Mr Jones because of an alleged illness and if so, what was the nature of that illness?

(5) Did this investigation reveal that ex-Sergeant Christopher Jones and Henry Michael Noonan are members of a select business section of the Oaklands Golf Club?

(6) In the course of the investigations was it discovered that ex-Sergeant Christopher Jones placed bets for himself and for other members of the police force?

(7) If so, (a) was this activity in police time, and (b) which other members of the police force are involved and were illegal betting outlets used?

(8) Were any bets placed with Henry Michael Noonan?

(9) Will he investigate whether ex-Sergeant Jones was involved in arranging illegal gambling nights in the Parramatta area to raise election campaign funds?

(10) Did Parramatta Police Boys' Club organize professional gamblers for such functions?

Answer—

(1) Yes.

(2) No.

(3) No. Police had a telephone conversation with the ex-Sergeant in which he denied the allegations. The ex-Sergeant was then not a member of the police force and declined to be further interviewed.

(4) It is considered that the disclosure of the nature of the ex-Sergeant's illness would be a breach of his privacy.

(5) No.

(6) No.

(7) Not applicable.

(8) Not applicable.

(9) and (10) At no time during the course of extensive police investigations has any evidence been obtained that such functions were held.

Mr CHRISTOPHER JONES

Mr HATTON asked the Minister for Police and Minister for Services—

(1) Did the Police Internal Affairs Branch earlier this year investigate allegations that ex-Sergeant Jones had accepted a bribe?

(2) Did these allegations relate to a purported claim by ex-Sergeant Jones to be able to persuade police to treat with excessive leniency a man charged with a drink-driving offence?

(3) Did the investigation reveal that ex-Sergeant Jones had not so persuaded the police involved, and that he offered to return half of the alleged bribe?

(4) What was the result of that investigation?

(5) Was the result of that investigation a factor in the sudden decision for ex-Sergeant Jones to be discharged from the police force as medically unfit?

(6) Is former Sergeant Jones currently resident on the New South Wales North Coast and receiving a pension approximately equal to the average weekly wage (\$280 week)?

(7) Is this because the Commissioner of Police and/or the police medical board ruled that a work-related illness was the primary reason for ex-Sergeant Jones' enforced departure?

(8) If so, what is the nature of this illness, and did it occur in the line of police duty since November 1979?

(9) Will he continue his recent efforts to restore public confidence and police morale by ordering a full public inquiry into the activities of ex-Sergeant Jones while he was a member of the police force attached to the Parramatta Police Boys' Club?

Answer—

(1) Yes.

(2) Yes.

(3) No.

(4) The investigation is still not completed for the simple reason that the complainant has refused to co-operate in arrangements for identification of ex-Sergeant Jones, notwithstanding the fact that the ex-Sergeant is prepared to present himself for identification by any means, including subtle identification without his knowledge. The description given of the member of the service with whom the complainant is supposed to have had contact is nothing like the physical appearance of ex-Sergeant Jones and the investigators believe that if the incident occurred as alleged, then it may well be that it was not ex-Sergeant Jones who was involved. In any case and in view of the obvious disparity in physical description, some form of positive identification is essential.

(5) The decision to discharge ex-Sergeant Jones from the police force on medical grounds was not "sudden" and was taken in accordance with established procedures.

(6) It is considered that the disclosure of ex-Sergeant Jones' current residential address and the level of his pension entitlement would be a breach of his privacy.

(7) and (8) Again, it is considered that the disclosure of information relating to the nature of ex-Sergeant Jones' illness and the manner in which it was occasioned would be a breach of his privacy.

(9) The activities of ex-Sergeant Jones have been the subject of detailed police investigations over a lengthy period. During this time all allegations made against him have proved to be unsubstantiated. Accordingly, unless fresh evidence comes to light, no point is seen in ordering additional inquiries.

Mr CHRISTOPHER JONES

Mr HATTON asked the Minister for Police and Minister for Services—

(1) Did the Police Internal Affairs Branch receive allegations relating to ex-Sergeant Jones' private use of a house belonging to the Police Boys' Club and a Police Boys' Federation car?

(2) Did police decline to investigate these allegations because the Police Boys' Federation is a private company?

(3) If so, did you refer the allegations to the Attorney-General's office or the Corporate Affairs Commission?

(4) Was registration plate CIB 555 attached until August, 1981, to a red Ford sedan owned by the N.S.W. Police Boys' Federation, and stationed at the Parramatta Police Boys' Club?

(5) Was this plate then transferred to a new black Ford registered in the name of Lillian Sandra Fenech?

(6) Is the red Ford mentioned above less than two years old and now registered as LIZ 465 in the name of the Police Boys' Federation?

(7) Why did the former secretary of the Parramatta Police Boys' Club, ex-Sergeant Christopher Jones, arrange and pay for the insurance of the vehicle LIZ 465 approximately one month after he left the police force?

(8) Does Mr Jones still have use of this car?

(9) If so, on what terms?

Answer—

(1) Yes.

(2) No. The results of investigations of private use of the house are set out in answers to other questions relating to ex-Sergeant Jones. Allegations relating to the car were made by telephone by Mr Edgar Azzopardi to the Internal Affairs Branch which inquired into the matter.

(3) Not applicable.

(4) Yes.

(5) Yes (through the proper channels).

(6) The red Ford was recently disposed of by the management committee of the Parramatta Police-Citizens Boys' Club.

(7), (8) and (9) Ex-Sergeant Jones is now the owner of the vehicle, having purchased it from the management committee of the Parramatta Police-Citizens Boys' Club as a result of a successful tender submitted by him when the vehicle was disposed of by the management committee.

PARRAMATTA POLICE-CITIZENS' BOYS CLUB

Mr HATTON asked the Minister for Police and Minister for Services—

(1) Did the Norfolk Island Company, Sasson Securities Pty Ltd, buy a house from Mr Robert Hodge for \$110,000 which was then sold on the same day for an additional \$39,000 to the Parramatta Police Boys' Club?

(2) Did Robert Hodge not long before build a near identical house for ex-Sergeant Christopher Jones, the Police Boys' Club Art Union promoter?

(3) As ex-Sergeant Jones and Robert Hodge knew each other will he inquire as to why arrangements were not made direct in order to obtain a house as the Art Union prize at a cost which would have doubled the Police Boys' Club profit?

(4) Will he investigate whether a secret commission was involved?

(5) Is there any relationship between ex-Sergeant Christopher Jones and Mr Henry Michael Noonan, the winner of the Parramatta Police Boys' Club Art Union?

(6) Is this the same Henry Michael Noonan named in the CIU report of March, 1977 as an S.P. agent for George Freeman?

(7) Who sold the winning ticket to Henry Michael Noonan?

(8) How many tickets were sold at \$100 per ticket in the Art Union No. 15 conducted by the Parramatta Police Boys' Club?

Answer—

(1) Sassoon Securities Pty Ltd, purchased a property from Hamali Pty Ltd and then offered it for sale to the Parramatta Police—Citizens Boys' Club Management Committee. Documentation for both purchases was completed at approximately the same time. Sassoon Securities profited from the dealings. However, Police reports indicate that there is nothing to suggest that this was anything but a clever and efficient business transaction.

(2) Yes.

(3) This would have been a matter for the Management Committee of the Parramatta Police—Citizens Boys' Club which was responsible for the organization of the Art Union.

(4) Police inquiries do not indicate a suspicion of a secret commission. It should be noted that the transaction was between the Management Committee of the Club and the vendor, supervised by the Club's Solicitor.

(5) Police reports indicate that there is no evidence of any association between ex-Sergeant Jones and Henry Michael Noonan.

(6) Yes.

(7) The method of sale of tickets in the Art Union was for application forms to be forwarded to various organizations or individuals who, if interested, returned the completed form with the purchase price to the Parramatta Police—Citizens Boys' Club. The tickets were then made out in the purchaser's name by a female member of the Club's clerical staff and forwarded to the individuals concerned. In most instances this was by mail.

(8) The number of tickets sold in the Art Union as disclosed in the Balance Sheet submitted to the Department of Services was 2 312.

SOUTH COAST PUBLIC SCHOOLS

Mr HATTON asked the Minister for Education—

(1) What capital improvements were made in South Coast schools in each of the last three years?

(2) How much money was given to each school in the South Coast Electorate for maintenance over the last three years?

Answer—

(1) \$4,124,927 total.

(2) \$632,440 total.

MONARO ELECTORATE SCHOOL TRANSPORT

Mr AKISTER asked the Minister for Education—

What is the cost per annum of—

- (a) School bus services to and from Government and Non-government schools in the Monaro Electorate?
- (b) Private vehicle Conveyance Allowance paid to parents to convey children to Government and non-government schools in the Monaro Electorate?
- (c) Subsidies to parents in the Monaro Electorate to convey their children to—(i) Non-government schools outside the Monaro Electorate and, (ii) Government schools outside the Monaro Electorate?

Answer—

The costs incurred in 1980–81 financial year amounted to the levels indicated.

- (a) \$1,870,875.00.
- (b) \$78,500.00.
- (c) (i) \$7,413.00.
(ii) Nil.

PRIMARY SCHOOL FOR WEST TWEED HEADS

Mr BOYD asked the Minister for Education—

- (1) What progress is being made with the planning of the West Tweed Heads Primary School?
- (2) Will planning take into consideration the \$100 million building approvals in Tweed Shire for 1987?
- (3) When will work on the school commence?

Answer—

- (1) Planning is presently at development plan stage.
- (2) Such consideration is always taken into account in demographic surveys.
- (3) At this stage, before planning has even been completed it is too early to indicate a firm date.

CHATSWOOD EVENING COLLEGE

Mr COLLINS asked the Minister for Education—

- (1) Will the number and variety of courses available through Chatswood Evening College at Chatswood High School be reduced?
- (2) Which courses will be cut back?
- (3) How many students will be affected by such reductions?

Answer—

(1) In 1982 at Chatswood Evening College, 18 departmental and 42 self funded courses have been established. The variety of courses has not been reduced.

(2) Two woodwork courses and one course in upholstery have been discontinued.

This decision was made after careful consideration by the college principal and the Regional Director of Education involving the rationalization of courses.

(3) In term 1 1981 the enrolment was 1 082 in the various courses. This enrolment has decreased to 1 042 in 1982.

WILLOUGHBY PUBLIC SCHOOL

Mr COLLINS asked the Minister for Education—

(1) In July 1981, did the Department of Education call tenders to carpet classrooms in the infants and primary departments of Willoughby Public School?

(2) Has the department since cancelled plans for this project?

(3) If so, why?

(4) Is it standard departmental policy to carpet infants and primary classrooms?

Answer—

(1) The school principal submitted an application for carpeting of specific classrooms at the school. The District Inspector of Schools requested the principal to submit competitive quotes to support his application.

(2) and (3) At no time was the installation of carpet in this instance a planned project.

(4) When new accommodation is constructed in schools it is policy to supply carpeting for those rooms.

It has been found that carpet provides an improved educational environment and is more economical in the long term as cleaning costs are significantly less than other types of flooring.

It should be noted that Willoughby Public School and Willoughby Girls High School which occupy the same site have been the subject of recent upgrading to the cost of more than \$2 million.

Mr CHRISTOPHER JONES

Mr HATTON asked the Minister for Police and Minister for Services—

(1) Did Sergeant Jones reside at a house at 185 Macquarie Street, Parramatta, following his dismissal from the N.S.W. Police Force?

(2) Did John Brown, M.H.R., and Barry Wilde, M.P., make representations seeking to allow Sergeant Jones to reside at 185 Macquarie Street, Parramatta?

(3) Has the Crime Intelligence Unit any record of ex-Sergeant Christopher Jones' gambling activities?

(4) Do police records show any association of Christopher Jones with George Christos, alias George Christopoulos, and George Poulos?

(5) How many convictions has George Christos for illegal gambling activities?

(6) What are the details of the convictions including location?

Answer—

(1) Ex-Sergeant Jones was not dismissed from the Police Force. He was discharged medically unfit on 26 August, 1981. As indicated in my answer to Question 193 ex-Sergeant Jones resided for a time at 185 Macquarie Street, Parramatta, and vacated the premises on a date approximating 19 September, 1981.

(2) No.

(3) No. See answer to question No. 193 (12).

(4) No.

(5) and (6) Information requested in these questions is considered confidential.

Mr CHRISTOPHER JONES

Mr HATTON asked the Minister for Police and Minister for Services—

(1) Was the daughter of ex-Sergeant Christopher Jones employed at Parramatta Police Boys' Club?

(2) Did she use the address of the Police Boys' Club on her personal motor vehicle registration certificate?

(3) Are other employees of the Police Boys' Club also using this arrangement?

(4) If so, what are the details?

Answer—

(1) Yes.

(2) No.

(3) No.

(4) Not applicable.

Mr CHRISTOPHER JONES

Mr HATTON asked the Minister for Police and Minister for Services—

(1) How much was paid by ex-Sergeant Jones to the N.S.W. Police Federation of Boys' Clubs for a red Ford Falcon, No. LIZ 645?

(2) Who was responsible for the transferring of the registration plates?

(3) Who authorized the sale of this particular motor vehicle to ex-Sergeant Jones?

(4) Was the sale effected after his dismissal from the New South Wales police force?

Answer—

(1) Ex-Sergeant Jones paid \$3,500.00 for a red Ford Falcon, registration No. LIZ 465 (not LIZ 645).

(2) An officer acting on behalf of the Parramatta Police-Citizens Boys' Club.

(3) The Management Committee of the Parramatta Police-Citizens Boys' Club.

(4) As indicated in replies to other questions, ex-Sergeant Jones was not dismissed from the Police Force, he was discharged medically unfit. The sale was effected on 6 August, 1981, when the ex-Sergeant was still a member of the Force.

Mr E. AZZOPARDI

Mr HATTON asked the Minister for Police and Minister for Services—

(1) Was Mr A. V. P. Johnson, M.P., approached by a police inspector to lay off the Azzopardi matter?

(2) Did the police department regard this as a threat?

(3) Will he reveal all details of the incident?

(4) Will he name the inspector?

Answer—

(1) No.

(2) Not applicable.

(3) Not applicable.

(4) Not applicable.

MURWILLUMBAH TECHNICAL COLLEGE

Mr BOYD asked the Minister for Education—

(1) Have teaching hours at the Murwillumbah Technical College been reduced by 15 per cent?

(2) If so, has this action resulted in the abolition of six classes for the 1982 teaching year?

(3) Does this restraint on technical education apply only to Murwillumbah, or is it being applied uniformly throughout New South Wales?

Answer—

- (1) No, 2.5 per cent.
- (2) No, two classes.
 - 1 Homecraft Woodwork Class.
 - 1 Ceramics Class.

The following new or additional courses have been introduced this year at Murwillumbah:

Builders Business.

Accounting Certificate Stage I.

Automotive Trade Stage II—2 groups—(1 group in 1981).

Carpentry & Joinery Stage III—2 groups—(1 group in 1981).

Real Estate—2 groups—(1 group in 1981).

(3) Enrolments at TAFE Colleges throughout New South Wales this year are expected to reach a record level of 318 000. This figure represents a 4.5 per cent increase over last year, and is double the enrolments of ten years ago. Accordingly, the number of teaching positions have been increased by 10.4 per cent from 7 159 in 1981 to 7 900 this year while the Department's recurrent funds have been increased by almost \$27 million and capital funds by over \$12 million for the same period.

MARITIME SERVICES BOARD

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

- (1) Does the Maritime Services Board require shipping companies to complete M.S.B. Form 25 from information already provided on the "Hazardous Cargo" list?
- (2) Does this represent unnecessary duplication as well as presenting the possibility of dangerous errors in compilation?
- (3) What justification is there for the retention of this requirement?

Answer—

(1) The Maritime Services Board does require shipping companies to complete a dangerous goods list (Form 25, Schedule 2 of the Regulation of the Dangerous Goods Act, 1975), providing information on identification, quantity, classification, properties and location of dangerous goods proposed to be handled by shipping companies through the ports of New South Wales. This information is extracted by shipping companies from manifests of all cargo handled including general cargo and dangerous goods.

In some cases, a separate "Hazardous Cargo" list does form part of a ship's manifest, but not all shipping companies provide such lists.

(2) The above procedure does not represent an unnecessary duplication, as some details which are specifically required on Form 25 often do not appear on the "Hazardous Cargo" lists. As far as the possibility of errors occurring in the compilation of Form 25 is concerned, this is a matter for care and responsibility on the part of the shipping companies.

(3) In regard to justification for the retention of the requirement for completion of Form 25, this is a requirement under State legislation (Dangerous Goods Act and Regulation).

The collated information is also most valuable in port disaster planning as a ready source of information on hazardous materials being handled during an emergency.

BYRON BAY DEVELOPMENT

Mr BOYD asked the Minister for Planning and Environment—

- (1) Has the Byron Shire Council sought permission to develop stage two of the Sandhills subdivision at Byron Bay?
- (2) Is this permission being frustrated by the restraints of the Coastal Protection legislation?
- (3) As stage one of the development is situated between this area and the sea and has been almost fully developed will he seek the co-operation of the Deputy Premier, Minister for Public Works and Minister for Ports to have the restraints of the Coastal Protection legislation relaxed to enable stage two of the development to proceed.

Answer—

(1) The Byron Bay Shire Council sought to purchase from the Crown an area of land broadly described as the "Sandhills" area at Byron Bay. This request was made at the end of a submission by the Council that the Government should develop the sandhills area notwithstanding the findings of the "Byron Bay—Hastings Point Erosion Study".

In view of the circumstances the Council's purchase offer was declined. I assured Council on 7 January, 1982, that my Department will be in a position to bring the development to early fruition in the event of a decision being made to proceed.

(2) Further advice from the Department of Public Works is necessary before any additional subdivision can proceed.

(3) During a recent visit to Byron Bay I discussed the matter with Council. Subsequent to this I wrote to the Hon. L. J. Ferguson, M.P., Minister for Public Works and Ports, suggesting that an officer of his Department should meet with the Council (and also Ballina Shire) to fully explain the Government's policies on land which is flood prone and subject to coastal erosion.

PUBLIC SCHOOLS FOR TWEED HEADS

Mr BOYD asked the Minister for Education—

In view of increased enrolments in all schools servicing the Tweed Heads area, this year, can he indicate when (a) work will commence on the primary school at West Tweed Heads; (b) the third high school in Tweed Shire, and (c) the Tweed Heads technical college?

Answer—

- (a) Planning is in progress for the new school at Tweed Heads West. A development plan is expected to be presented to the school community in the next couple of weeks. At this early stage it is not possible to be specific as to when planning will be completed and work commenced.
- (b) Several sites selected by the Department of Education for the new high school have not resulted in acquisition because of strong local opposition to the loss of prime agriculture land.

An acceptable site has been identified at Kingscliff and negotiations are proceeding for its acquisition.

- (c) The regionalization policy of the TAFE Department provides for the initial consideration by the Director-General of TAFE of proposed major capital works project and priorities submitted by the appropriate District Council. These are appointed by the Minister. In its most recent review of district needs, the North Coast District Council of Technical and Further Education afforded higher priorities to the further development of existing college facilities at Lismore and Taree and the establishment of a TAFE college at Port Macquarie than to the construction of permanent facilities at Tweed Heads.

TAFE District Councils review their works priorities each year.

As with other parts of the State, the TAFE Department is closely monitoring the demand for vocational education courses at Tweed Heads against the background of demographic and economic change.

POCKET PUBLIC SCHOOL

Mr BOYD asked the Minister for Education—

- (1) Have two teachers been appointed to the single classroom school situated at the Pocket via Mullumbimby as a result of enrolments reaching 34 pupils?
- (2) If provisions exist for the supply of a demountable classroom to this school when will it become available?

Answer—

- (1) Two teachers were appointed to this school as a result of increased enrolments.
- (2) A demountable classroom was supplied on 12 February, 1982.

MOTOR VESSEL FAIRSTAR

Mr PETERSEN asked the Minister for Health—

- (1) Has he received further representations from me concerning another cruise voyage of the MV *Fairstar* in December, 1981, alleging severe dysentery suffered by the passengers during this cruise?
- (2) What do his Department's investigations reveal concerning these allegations?

Answer—

(1) Yes.

(2) Action taken by the Health Commission of New South Wales has been reported in answer to a previous question (No. 342).

Associate Professor C. R. Boughton, Infectious Diseases Unit, Prince Henry Hospital, travelled on the ship from 13 to 30 December, 1981, to examine facilities on board for the provision of safe drinking and washing water, and hygiene and food handling techniques and procedures in galleys and dining rooms. Associate Professor Boughton has reported his findings in detail to the Managing Director of Sitmar Cruises.

In summary, Professor Boughton has found that there was an increase in the incidence of diarrhoeal illness among passengers on the MV *Fairstar* following the ship's departure from Singapore during Cruise 67, with outbreaks during the 3 subsequent cruises. A certain amount of diarrhoeal illness on any cruise results from over-indulgence in food and alcohol. The increase was presumed to be due to infection, but no cause was determined.

Water quality on the ship appeared to be good. Recommendations were made to ensure safe food handling and good environmental hygiene on the ship. These will be followed up from time to time by Health Commission officers when the ship is in Sydney.

INJURIES TO SCHOOLCHILDREN

Mr MURRAY asked the Minister for Education—

(1) Does the Education Department have an insurance policy covering children injured whilst playing sport at school or representing that school at inter-town or inter-state fixtures?

(2) If not, why?

(3) Could children playing sport at State Schools be covered in the same manner as other sportsmen, under the Sporting Injuries Compensation Fund?

Answer—

(1) No.

(2) and (3) The Department of Education does not provide insurance cover for students. The provision of insurance cover for students attending New South Wales government schools is a matter for individual parents.

The cost to the Department of Education of such an insurance scheme would be considerable and out of all proportion to possible benefit.

When claims are made against the Department they are considered in the light of the facts and circumstances of the individual case and from time to time *ex gratia* payments are made, in the interests of the child, for out-of-pocket expenses.

The Sporting Injuries Committee, which has the responsibility for the administration of the N.S.W. Sporting Injuries Insurance Scheme established by the Sporting Injuries Insurance Act, 1978, has proposed the establishment of a

working party to examine the provision of personal accident insurance to accommodate injuries occurring in sporting activities conducted within the school system.

I have arranged for the Department of Education to be represented on the working party.

WATER BOARD LAND PURCHASES

Mr COLLINS asked the Minister for Local Government and Minister for Lands—

(1) Is it the practice of the Metropolitan Water, Sewerage and Drainage Board to appoint individuals or companies as purchasing agents on the board's behalf in the acquisition of privately owned property for board purposes?

(2) If so, what are the terms and conditions under which such agencies are permitted to exist?

(3) Are such agents permitted to make capital gains from property transactions undertaken on the board's behalf?

Answer—

The Metropolitan Water, Sewerage and Drainage Board advises me:

(1) No.

In the case of the purchase of properties in George Street (between Bathurst and Wilmot Streets) an agent was engaged to preserve the Board's anonymity and thus prevent exorbitant prices being asked for the other adjoining properties in the block, "gazumping" being a real possibility.

(2) Richard Ellis Sallmann and Seward, Property Consultants, Valuers and Estate Agents, were used as purchasing agents on the Board's behalf and were paid a fee in accordance with the scale of the Real Estate Institute of N.S.W.

(3) No.

WATER BOARD LAND PURCHASES

Mr COLLINS asked the Minister for Local Government and Minister for Lands—

(1) Does the Metropolitan Water, Sewerage and Drainage Board plan to acquire property in George Street, Sydney, including 580 George Street by either commercial purchase or forced resumption?

(2) If so, how much of the land is to be used solely for government purposes and how much will be retained by or made available to private investors?

(3) Why has there been no public disclosure of such board plans to affected property owners and the public?

(4) Has property at 580 George Street, Sydney, been valued at \$525,000 for resumption purposes?

(5) If so, how was this figure calculated?

(6) What is the association between the Metropolitan Water, Sewerage and Drainage Board, Richardson & Wrench Pty Ltd and Anthony McClellan Pty Ltd?

(7) What profit will be payable from the proposed Metropolitan Water, Sewerage and Drainage Board development to either Richardson & Wrench and/or Anthony McClellan Pty Ltd?

Answer—

The Metropolitan Water, Sewerage and Drainage Board advises me—

(1) Yes.

The board owns all properties in George Street between Bathurst and Wilmot Streets with the exception of four. Attempts to negotiate the purchase of these have been continuing since the beginning of November 1981.

(2) A single tower building of office accommodation is to be erected on the site solely for government purposes. An open space with appropriate shops to compliment the area will be included at or about street level.

Private investors are not involved.

(3) Articles about the development did appear in the *Sunday Sun* of 8 November, 1981, the *Financial Review* of 10 November, 1981, and the *Sydney Morning Herald* of the same date. Further publicity was not considered necessary.

(4) No.

Valuations were obtained for negotiation purchases and financial calculations. The figure of \$525,000 was used to commence negotiations with the owner of 580 George Street and was included in two letters to the owner dated 18 November, 1981, and 13 January, 1982.

(5) The figure was calculated and supplied by the Valuer-General's Department in July 1981. It was on the basis of what the property was worth in the market.

(6) There had formerly been a deed of trust executed by A. Anthony McClellan Pty Ltd in favour of the board in respect of a number of the George Street properties between Bathurst and Wilmot Streets whereby the company was trustee and the board was beneficial owner. A transfer has now been lodged making the board the legal owner.

Richardson and Wrench Pty Ltd were engaged as agents to act on the board's behalf in the purchase of the remaining properties required for the development because of their expertise in this type of negotiation in the city.

The board knows of no association between A. Anthony McClellan and Richardson and Wrench.

(7) None.

BICYCLE TRAINING PROGRAMME

Dr METHERELL asked the Minister for Education—

(1) Is he aware of the programme "Bike Ed", designed for Victorian school children?

(2) Will he consider the introduction of a similar comprehensive bicycle education course for 9 to 13-year-olds as an official school curriculum unit?

Answer—

(1) Yes.

(2) The materials developed in the programme were utilized in the Newcastle Area Bike Plan which was on trial during 1981. An evaluation of this trial programme is currently being undertaken. Results of this evaluation will enable further consideration to be given to possible curriculum activities.

LOCAL GOVERNMENT RATES

Mr ROBB asked the Minister for Local Government and Minister for Lands—

(1) Is the new method of local councils in New South Wales to base their rates on land values system from 1982, instead of unimproved capital values, causing pensioners and property owners to consider selling their properties?

(2) If councils are to abide by the Government's decision of setting a local government rate increase of 12 per cent why was the Sutherland Shire permitted to charge rate increases in excess of 30 per cent?

(3) Will a firm policy be adopted to explain increases in council rates instead of valuation decisions by the Valuer-General permitting councils to exceed the 12 per cent rate restriction limit which causes concern and confusion to rate-payers expecting a 12 per cent local government rates increase?

(4) Will a separate land valuation system be considered by the Valuer-General for rural and residential land where no development and services in the surrounding district have to be taken into consideration?

Answer—

(1) I am not aware that the use of land value as the basis of rating is causing pensioners and property owners to consider selling their properties.

(2) As part of the Government's policy to restrain the impact of local government rates, legislation has been introduced which places a limit on the permissible increase in councils' total income from general purpose rates. This provides a method by which the quantum of general purpose rates which can be levied from year to year is controlled on a continuing basis. For 1982 the permitted variation is a maximum increase of 12 per cent.

The basis of the legislative scheme is a standard rate which operates on a continuing basis from year to year subject to any increase by a specified percentage as the Minister may make. The percentage variations are accumulative so that in a subsequent year a council may avail itself of any unused capacity in determining the rate structure for that year.

In the case of Sutherland Shire Council, its estimated total income from general purpose rating for 1982 is within the permissible limit.

(3) Valuation decisions by the Valuer-General do not permit councils to exceed the permissible limit in income from general purpose rating. So far as valuation increases are concerned, where there is a revaluation of a council's area, there is a formula in the Local Government Act which has the effect of reducing the standard rate in the same proportion as the proportional increase in valuation. However, it is stressed that the control applies to the total rate yield and not to individual assessments.

Some individual rate increases may move beyond the limit due to valuation variations on individual properties. It is considered a matter for each council to explain to its ratepayers the situation in its particular area.

(4) The basic concept of local government rating is that rates on individual properties shall be paid according to the valuation determined by the Valuer-General. These values are based on market prices and have regard to the potential of the land. No doubt, the absence of development and services in the vicinity of specific land would be reflected in the market value of the land.

ILLEGAL GAMBLING

Mr HATTON asked the Minister for Police and Minister for Services—

(1) What are the details of the premises that have been raided by the special Gaming and Betting Squad in the last two years in—

- (a) Parramatta;
- (b) Blacktown;
- (c) Harris Park;
- (d) Mount Druitt, and
- (e) St Marys.

(2) What are the names of the people who have been charged?

(3) Have any of these people been identified as principals in illegal gambling operations?

(4) What are the names of the people arrested and not charged?

(5) What has been the outcome of any court action in each case?

Answer—

(1), (2) and (5)

(a) Parramatta:

<i>Address</i>	<i>Date Raided</i>	<i>Persons Charged</i>	<i>Offence</i>	<i>Outcome</i>
Westfield Towers Tavern.	22-11-80	Connell, Leslie ..	Street Betting ..	Fined \$750
450 Church St, Parramatta.	1-2-81	Allem, Michael ..	Conduct Unlawful Game.	Fined \$100
		Hannan, Raymond	Play unlawful Game.	Fined \$30
		Kourra, Joseph ..	.. ..	..
		Kharmanjain, Sam	.. ..	..
		Poulos, Chris ..	.. ..	..
		Biz, Jack .. ..	.. ..	Failed to appear in Court.
		Moussa, Neleid ..	.. ..	..
		Ima, John .. ..	.. ..	..
87 Gladstone St, Nth Parramatta.	14-3-81	Aklee, Charlie ..	.. ..	..
		Moroon, Arthur ..	.. ..	..
		Johnson, Stanley ..	Place Betting ..	Fined \$200

3832 ASSEMBLY—Questions upon Notice

<i>Address</i>	<i>Date Raided</i>	<i>Persons Charged</i>	<i>Offence</i>	<i>Outcome</i>
450 Church St, Parramatta.	21-3-81	Wehad Amad ..	Conduct Unlawful Game.	Fined \$150
		Merhi, Peter ..	Play Unlawful Game.	Fined \$40
		Grbin, Frank ..	" "	"
		Nakat, Adnan ..	" "	"
		Gigi, Toni ..	" "	"
		Hadid, John ..	" "	"
		Barbar, Peter ..	" "	"
		Halls, Nick ..	" "	"
Chrara, George ..	" "	"		
Albion Hotel, George St, Parramatta.	17-7-81	Heath, Walter ..	Street Betting ..	Fined \$100
41 Phillip St, Parramatta.	31-7-81	Pawlaw, John ..	Conduct Gaming House.	Fined \$100
Commercial Hotel, Parramatta.	22-8-81	Blacklaws, Wayne ..	Street Betting ..	Fined \$500
91 Argyle St, Parramatta.	26-12-81	Kitsos, Steve ..	Conduct Unlawful Game.	Fined \$600
		Poulos, Chris ..	Play Unlawful Game.	Failed to appear in Court.
		Zikas, Bill ..	" "	Fined \$100
		Nicholoupoulos, George.	Found in Gaming House.	"
		Poulos, John ..	" "	"
		Moisi, Nick ..	" "	"
		Chbrite, Charlie ..	" "	"
		Petropoulos, Jim ..	" "	"
		Fipdoel, George ..	Found in Gaming House.	Fined \$100
		Szaba, Andrew ..	" "	"
Anagakos, Arthur ..	" "	"		
(b) Blacktown—Nil.				
(c) Harris Park:				
18 Ruse St, Harris Park.	30-12-81	Zaiter, Simon ..	Conduct Unlawful Game.	Fined \$200
		Chaheen, Jacob ..	Play Unlawful Game.	Fined \$100
		Abdow, Michael ..	" "	"
		Sissi, Peter ..	" "	"
		Hanna, Tony ..	" "	"
		Elias, Michael ..	" "	"
		Zaiter, Joseph ..	" "	"
		Hekak, Raymond ..	" "	"
(d) Mount Druitt:				
14 Old Mt Druitt Rd, Mount Druitt.	22-12-81	Augoloupis, George	Conduct Gaming House.	Fined \$100
		Petropoulos, Jim ..	Found in Gaming House.	Failed to appear in Court.
		Tzanenas, Chris ..	" "	Fined \$100
		Papas, Peter ..	" "	"
		Labehi, Abraham ..	" "	"
		Karaous, George ..	" "	"
		Martino, Luciano ..	" "	"
		Appio, Raffaele ..	" "	"
		Kyriakidas, Nick ..	" "	"
		Alam, Tony ..	" "	"
		Rabahi, Robert ..	" "	"
		Ragip, Sadedin ..	" "	"

<i>Address</i>	<i>Date Raided</i>	<i>Persons Charged</i>	<i>Offence</i>	<i>Outcome</i>
(e) St Marys:				
Car Park, North St Marys Hotel.	11-4-81	Donovan, Richard	Street Betting ..	Fined \$200
43 Queen St, St Marys	30-5-81	Ticic, Ralph ..	Place Betting ..	Fined \$200
		Gordon, Rodney ..	Found Betting Premises.	Fined \$80
		Applebee, Dennis ..	" "	"
		Quinn, Jeffrey ..	" "	"
		Sarmis, George ..	" "	"
		Dooley, David ..	" "	"
43 Queen St, St Marys	6-6-81	Makas, Arthur ..	Place Betting ..	Fined \$400
		Quinn, Jeffrey ..	" "	"
		Cook, Peter ..	Found Betting Premises.	Fined \$100
		Villany, Lagos ..	Conduct Gaming House.	Plea of "Not Guilty" entered. Court proceedings pending.
Suite 6, 1st Floor, 102 Queen St, St Marys.	18-12-81	Cassimatis, Peter ..	Found in Gaming House.	Fined \$100
		Hyriakides, Nick ..	" "	"
		Martino, Lou ..	" "	"
		Savage, Graeme Barry.	" "	"
		Holder, Raymond Bruce.	" "	"
		Alam, Tony ..	" "	"
		Manios, Max ..	" "	"
		Protopsaltis, Spiros	Found in Gaming House.	Fined \$100
		Herrington, Gordon George.	" "	"
		Papanicolaon, Peter	" "	"
		Hall, Anthony Mark	" "	"
Labehi, Abraham ..	" "	"		

The above information relates to action taken by the No. 21 Mobile Division from November, 1980 to October, 1981 and by the Special Gaming Squad since this time. Information requested prior to November, 1980 is not readily available.

(3) Persons charged with "Conduct Gaming House", "Conduct Unlawful Game" or "Street or Place Betting" come within this category.

(4) Police have no record of persons being arrested but not charged.

DEPARTMENT OF TECHNICAL AND FURTHER EDUCATION COURSES

Mr McILWAIN asked the Minister for Education—

(1) What courses are conducted by the Department of Technical and Further Education to enhance the career development of immigrants disadvantaged by lack of English language communication skills?

(2) Where are these courses conducted?

(3) Will these courses be introduced at Meadowbank College of Technical and Further Education?

Answer—

(1) Migrants who want to learn English or to improve their ability to read, write, understand and speak English can do so through a number of courses conducted by the Department of Technical and Further Education. There are courses suitable for people at different levels, including:

New-comers and others who have no knowledge of English at all.

Those with some knowledge who want to become more fluent.

Those who can understand and speak English fairly well but cannot read or write.

Those with a good command of the spoken language who need to improve their standard of expressing themselves in writing or for examination purposes.

Four English courses for migrants are available at various metropolitan and country colleges of technical and further education, depending on the demand and resources available. Three of these courses, Spoken English as a Second Language, Special English and Tutorial English, are conducted by the School of General Studies.

(2) The courses referred to above are conducted at various metropolitan and country colleges according to demand. The Special English course is conducted at Sydney, Bankstown, East Sydney, Granville, Hornsby, Liverpool, Maitland, Meadowbank, Mount Druitt, Newcastle, North Sydney, Petersham, Randwick, St George and Seaforth.

Five on-campus classes of Special English are operating at Meadowbank College of TAFE, two day classes and three night classes. A further class is provided off-campus at a community centre located at the Arnotts Biscuit Factory in George Street, Homebush.

(3) The Special English course is conducted at Meadowbank College of TAFE and other courses for migrants disadvantaged by lack of English language communication could be conducted depending on the demand for such programmes and the availability of resources at the College.

MIMOSA NATIONAL PARK

Mr HATTON asked the Minister for Local Government and Minister for Lands—

(1) Does the New South Wales Forestry Commission's Eden Project Map dated October, 1977, show the land east of the Tathra to Bermagui Road as national park?

(2) When will he revoke the areas of State forest necessary to keep the Government's undertaking that all areas east of the Tathra to Bermagui Road will become part of the Mimosa National Park?

Answer—

(1) Yes.

(2) That part of Tanja State Forest that used to lie east of the Tathra to Bermagui Road has already been revoked. The part of the Mumbulla State Forest that lies east of the same road will be included in the revocation schedule that will be tabled during the next sitting of Parliament.

DEATH OF Mr ALAN FOREMAN

Mr HATTON asked the Minister for Police and Minister for Services—

- (1) On the 9 July, 1981, was Alan Foreman, a pedestrian, knocked down by a motor vehicle?
- (2) Did Alan Foreman die on 19 July, 1981, as a result of injuries received in that accident?
- (3) Was Alan Foreman on a pedestrian crossing at the time of the accident?
- (4) Did the driver of the motor vehicle have two previous drink driving charges recorded against him?
- (5) Did the driver of the vehicle also have a speeding charge recorded against him?
- (6) Did the magistrate, H. S. Larcombe, at the Coroner's Court on the 21 September, 1981, have that information made available to her?
- (7) Was the driver of the motor vehicle concerned, Jeffrey Charles Negus?
- (8) Was a blood alcohol level of .140 recorded at the time of the accident?
- (9) What comment did the coroner make about the defendant's driving ability as a result of the blood alcohol level?
- (10) Were there any changes in the street lighting at the scene of the accident between the date of the accident and the 21 September, 1981?
- (11) Was it established that the defendant and the only witness to the accident were very good friends?
- (12) Was this made known to the Court?
- (13) Was the matter before the Coroner concerning the death of Alan Foreman dismissed?
- (14) Were there inconsistencies in the statement made by the eyewitness and the evidence given before the Court?

Answer—

- (1) Yes.
- (2) Yes.
- (3) No.
- (4) Yes.
- (5) Yes.
- (6) No. Previous convictions are only relevant to the question of sentence to be imposed following conviction and are not made known to a Court until this time. As the Magistrate dismissed the information against the defendant the matter of his previous convictions was not raised.
- (7) Yes.
- (8) Yes.
- (9) The Coroner stated:

“Negus is charged with driving a motor vehicle whilst under the influence of intoxicating liquor when through impact with the said motor vehicle the death of one Alan Foreman was occasioned. I have heard the evidence, and there is no doubt of course that the defendant had been drinking alcohol. On the breath analysis he had a reading of .140 nonetheless, there is no evidence that the defendant was effected by that consumption of alcohol. In particular in the evidence as regard to the manner of walking, his eyes, his manner of speaking. Furthermore, there is no evidence before me that there was nothing untoward in the manner of the defendant’s driving, and the third point is that the deceased by his action in running onto the road in a poorly lit area, made it I would find, difficult for the defendant to see the deceased until it happened, as it did, that he hit the deceased. In summation, I consider that there is no nexus between the consumption of alcohol and the death of the deceased and certainly not evidence sufficient to warrant the defendant put on trial for an indictable offence, and I therefore dismiss the information and the inquiry”.

(10) Police are not aware of any changes being made to the street lighting at the scene of the accident.

(11) It was established during the hearing at the Coroner’s Court that the only witness to the accident and the defendant had been friends for ten or twelve years.

(12) Yes (see (11) above).

(13) Yes (see (9) above). However, the defendant had also been charged with “Drive with the prescribed concentration of alcohol” and on 21 October, 1981, he appeared before the Campsie Court of Petty Sessions where he pleaded guilty to the charge. His previous convictions were made known to the presiding Magistrate when sentencing options were being considered and he was sentenced to six months’ periodic detention, disqualified from holding a motor driver’s licence for a period of three years and fined \$750.

(14) It is understood the only inconsistency in the eyewitness’s account of events was that in his statement to Police he stated that Foreman walked quickly from the kerb into the path of the motor vehicle and when giving evidence before the Court he stated that the deceased ran from the kerb.

MURRAY STEWART RILEY

Mr HATTON asked the Minister for Corrective Services—

(1) Is the ten year imprisonment of Murray Stewart Riley due to end in August, 1988?

(2) Has any remission been earned on this sentence?

(3) When is Murray Stewart Riley likely to be released?

(4) Where is he currently serving his sentence and in what section of the gaol?

Answer—

(1) No.

(2) Yes. Mr Riley has earned one-quarter ordinary remission on his total sentence, plus 32 days’ special strike remission.

(3) At the present time, the earliest date Mr Riley can expect to be released is when his sentence expires by way of remissions on 18 February, 1991. However, Mr Riley did have a non-parole period specified to expire on 20 December, 1984—which was ruled null and void by the Parole Board of New South Wales. Due to a recent court decision in another prisoner's case, Mr Riley's non-parole period is again under review and may be reinstated.

(4) Metropolitan Reception Prison, Long Bay Complex of Prisons.

BAIL FOR DRUG OFFENDERS

Mr HATTON asked the Attorney-General, Minister of Justice and Minister for Aboriginal Affairs—

(1) Do pages 185 to 188 of the Woodward report show how a syndicate can produce enormous sums of bail money when it is required by offenders?

(2) What action has he taken on recognition of the fact that major drug offenders can easily obtain large amounts of bail money and abscond?

Answer—

(1) This section of the Report of the Royal Commission into Drug Trafficking describes a number of prosecutions in which those charged with drug offences were able to raise large sums of cash bail.

(2) The decision as to whether accused persons should be allowed bail or held in custody is a matter solely for the courts. The courts have on many occasions indicated they are aware that persons charged with serious drug offences, usually brought under Commonwealth legislation, may have considerable financial resources. When bail is granted, stringent conditions are invariably imposed so that the rate of successful absconding is very low although the ease with which people can obtain false passports and leave the country is disturbing.

BURRAGA WATER SUPPLY

Mr R. J. CLOUGH asked the Deputy Premier, Minister for Public Works and Minister for Ports—

(1) What are the results of tests made to water supplies near Burraga which are being considered for reticulation to that village?

(2) If the tests have shown that the water is suitable for human consumption, has an application from Evans Shire Council been received seeking a subsidy for the work?

(3) If an application has been received, will he give consideration to giving a top priority to such work, particularly in view of the low costs involved?

Answer—

(1) A sample from the proposed source of water has been analysed, and it appears that the water is suitable for a town supply to Burraga, provided that chlorination of the water is included. The levels of iron and colour are higher than desirable, but would not pose any health risk.

(2) No.

(3) In the event of Evans Shire Council making application for government financial assistance, it will be necessary for the Council to wait its normal turn on the priority list.

SELENIUM TABLETS

Mr GREINER asked the Minister for Health—

(1) Has the Health Commission of New South Wales banned the sale of selenium tablets?

(2) If so, what were the grounds for such a decision?

Answer—

(1) No. However, it is proposed to include selenium in all forms for internal human use in Schedule 4 of the New South Wales Poisons List—that is, it will be available only on the prescription of a registered medical practitioner.

(2) This action follows a detailed review of toxicity data and is recommended by both the National Health and Medical Research Council and the New South Wales Poisons Advisory Committee.

ASSAULT ON RAILWAY GUARD

Dr METHERELL asked the Minister for Transport—

(1) Were 1 000 train passengers off-loaded at Lidcombe Station on Thursday, 25 February, 1982, from the 5.25 p.m. train from Town Hall to Cambelltown?

(2) If so, was this action taken as a result of a belligerent passenger refusing to leave the train when instructed to do so by the guard?

(3) Were passengers off-loaded at Lidcombe after a 20-minute delay and was the train then backed into a siding so that Police and the Stationmaster could pursue the matter further?

(4) Will he give an assurance that there will be no repetition of such action by the State Rail Authority which created so much inconvenience for peak-hour train travellers?

Answer—

(1) No. On Thursday, 25 February, 1982, the 5.25 p.m. train from Town Hall to Cambelltown ran with only minor delays *en route* and arrived at Cambelltown five minutes behind schedule.

However, on Wednesday, 24 February, 1982, the aforementioned train terminated at Lidcombe at 5.52 p.m. because the Guard had been assaulted, by an unknown person, and conveyed to Auburn Hospital suffering from facial injuries and lacerations inside the mouth.

(2) Yes. On Wednesday, 24 February, 1982.

(3) No. At approximately 5.58 p.m. on Wednesday, 24 February, 1982, after the passengers had detrained, the train was then placed in the Cemetery Siding at Lidcombe to wait for another Guard to arrive to work the train and not to enable Police inquiries to be made.

(4) No. It is the duty of the Guard to investigate any disturbance on his train and if necessary, remove the offender therefrom. In this instance, as the Guard was in hospital there was no alternative but to stow the train until a qualified employee arrived to work it to its destination.

CUDGEN PRIMARY SCHOOL

Mr BOYD asked the Minister for Education—

- (1) Is the Cudgen Primary School considered to be the oldest existing school in Tweed Shire?
- (2) Will it be celebrating the opening of new school facilities on 1 May, 1982?
- (3) If so, will he attend the celebrations?
- (4) Will he allow additional time to inspect other educational needs in the Byron electorate?

Answer—

(1) Cudgen Public School is not the oldest existing school in the Tweed Shire. At least Murwillumbah Public School 1876 and Tumbulgum Public School 1875 were established earlier.

(2) Yes. Cudgen Public School will be celebrating the opening of new school facilities on 1 May, 1982.

(3) and (4) I regret that, because of other commitments, I will not be able to attend the official opening ceremony and visit schools in the Byron Electorate on the date nominated. I will, however, keep the honourable member's request in mind for a future visit.

KIDNEY DONORS

Mr ROBB asked the Minister for Health—

- (1) Are renal failure patients in New South Wales faced with overburdened dialysis facilities caused by an absence of donor kidneys?
- (2) Is there a shortage of donor kidneys in New South Wales?
- (3) Is the shortage largely due to doctors overlooking the need for donor kidneys?
- (4) Will encouragement be given to people and doctors in country centres of New South Wales to be made aware of the emergency service which travels to remote areas to get a donor kidney?

Answer—

- (1) No. Whilst a shortage of donor kidneys has increased the workload on dialysis units no patient is denied dialysis and units are not overburdened.
- (2) Yes. One proposal that, if implemented, might assist in alleviating the current shortage would be for persons who are willing to become donors of various organs after death to indicate their intention on a document, such as a driver's licence. However, it cannot be anticipated when a scheme along these lines will be introduced.
- (3) No. It would not be fair to place the blame for a shortage of donor kidneys with the doctors. Rather is the shortage due to a lack of community awareness of the desirability of and the procedure for becoming donors.
- (4) Yes. The emergency team travelling to country areas takes the opportunity of advertising the service and its importance. The Health Commission of New South Wales is also in the process of reviewing its renal policy and this particular aspect is, of course, included in the review.

EDUCATION OF GIFTED CHILDREN

Mr COLLINS asked the Minister for Education—

- (1) Did the Department of Education conduct a study into the education of gifted and talented children in 1977?
- (2) Was a curriculum consultant for talented children appointed as a result of that study within the Directorate of Studies?
- (3) Does that position still exist?
- (4) If not, why was the position abolished?
- (5) Are curriculum consultants currently employed for other areas within the Directorate of Studies?
- (6) If so, for which areas?
- (7) Has a policy paper on gifted and talented children been (a) prepared and (b) approved?
- (8) When will that policy paper which is vital to the needs of gifted and talented children be released?

Answer—

- (1) No. The then Minister for Education appointed a Committee to inquire into the education of gifted and talented children. The Committee's report was submitted to the Minister and published in April, 1977.
- (2) As a result of one of the recommendations, a consultant for curriculum development was deployed within the Directorate of Studies in May, 1979.
- (3) The position ceased in December, 1980 after it had been extended for twice the normal period.
- (4) The position was terminated because it had served its purpose. Further, in line with current overseas and local thinking on this matter, responsibility for the development of support material is now being assumed by a central and regional subject consultants.

- (5) Curriculum consultants are employed within the Directorate of Studies.
- (6) The consultancy covers all the major subject areas for both primary and secondary education.
- (7) A policy paper has been prepared and approved.
- (8) It is anticipated that the policy statement will be released shortly.

LOCAL GOVERNMENT ELECTIONS

Mr SCHIPP asked the Minister for Local Government and Minister for Lands—

- (1) Which councils elect the mayor by popular vote?
- (2) How can these councils revert to an aldermanic elected mayor?
- (3) Does government policy encourage the popular election of mayors of local councils?

Answer—

(1) Electors of the following areas elect the mayor/president of the councils of those areas—Cities of Blue Mountains, Broken Hill, Greater Cessnock, Newcastle, Queanbeyan, Shoalhaven, Sydney and Wollongong, Municipalities of Canterbury, Casino, Lake Macquarie and Shellharbour, the Shire of Bellingen and (from September 1983) the Shire of Mudgee.

(2) Except in the cases of the Lord Mayors of Sydney, Newcastle and Wollongong only the electors of the area can determine by a poll taken pursuant to section 25A of the Local Government Act that the election of a mayor by popular vote be discontinued. The Council of any such area may initiate the taking of such a poll.

Amending legislation would be necessary to alter the provisions respecting the election of the three Lord Mayors. There is no intention to introduce amending legislation.

(3) The Local Government Act provides for the electorate of each area to be consulted on whether the head of the council shall be popularly elected. There is no policy of seeking to influence this process.

ROSEBERY MOTOR REGISTRY

Mr PAGE asked the Minister for Transport—

- (1) Does the Motor Registry at Rosebery serve the entire Eastern Suburbs?
- (2) As Bondi Junction is the most important commercial centre in the Eastern Suburbs and there is no direct public transport service from the Waverley Electorate to Rosebery, will he consider establishing a regional office in Bondi Junction?

Answer—

(1) Rosebery is the only location in the area where Eastern Suburbs residents have access to the full range of motor registry facilities. However, Payment Offices are situated in the City at the Government Insurance Office Building, 60

Elizabeth Street, Sydney (close to the Martin Place Railway Station—7 minutes train travel from Bondi Junction) and N.R.M.A. House, 151 Clarence Street, Sydney.

(2) Several investigations have already been carried out into the feasibility of establishing a Payments Office in Bondi Junction, the last being towards the end of 1980. However, suitable premises at appropriate rentals were not available. The position is being kept under review.

MOTOR VEHICLE REGISTRATIONS

Mr ARMSTRONG asked the Minister for Transport—

- (1) When a motor truck is registered and used for the carrying of stock inside a crate, is the crate required to be weighed with the truck for registration?
- (2) If so, why are water tanks, bulk grain bins and containers not registered by the same method?
- (3) Is a livestock crate secured by “J” bolts considered to be part of the body of the truck?
- (4) Is a crate secured by chain, rope or wire considered not to be part of the tray body?
- (5) If there is a difference in (3) and (4) above, what is the reason?

Answer—

(1) Where a crate is affixed, by whatever means, to a motor lorry used for carting livestock for more than 50 per cent of the time the vehicle is to be used on the public streets, the crate is included in the unladen weight of the vehicle.

(2) Water tanks which are permanently affixed or fitted in a special cradle that is permanently affixed to a motor lorry are included in the unladen weight of the vehicle.

Grain bins which are affixed to a motor lorry for more than 50 per cent of the time the vehicle is used on a public street, are included in the unladen weight of the vehicle.

Containers which are not permanently affixed are regarded as part of the loading and are not included in the unladen weight of the vehicle.

- (3) As in (1).
- (4) As in (1).
- (5) Not applicable.

PHYSICAL EDUCATION

Mr MURRAY asked the Minister for Education—

- (1) Is Physical Education classified as a practical subject?
- (2) If not, why not?
- (3) What is the requirement for Physical Education to be classified as a practical subject?

Answer—

- (1) No. While the emphasis in Physical Education is on the involvement of pupils in physical activities, including gymnastics, games skills and dance, there is a theoretical component in the syllabus.
- (2) There is no Department classification for practical subjects.
- (3) There is no such recognized classification.

DEPARTMENT OF YOUTH AND COMMUNITY SERVICES

Mr AKISTER asked the Minister for Youth and Community Services—

Is it a contravention of any law of New South Wales for a solicitor, lawyer, accountant, taxation adviser or broker to knowingly facilitate the investment of moneys which are knowingly the result of criminal activities?

Answer—

Much depends on the precise fact situation but sections 188–189B of the Crimes Act, dealing with the offence of receiving, could well be applicable in the circumstances outlined. In addition, it is possible that if the offence from which the moneys were derived could be categorized as a felony, the person facilitating investment might be charged as an accessory after the fact. If the offence could be categorized as a misdemeanour, such person would be charged as a principal. Furthermore, depending on the time at which knowledge of the offence was acquired, the common law offences of conspiracy and misprision of felony may be applicable.

TERMINATING BUILDING SOCIETIES

Mr PICKARD asked the Minister for Housing, Minister for Co-operative Societies and Minister Assisting the Premier—

- (1) Are Terminating Building Society interest rates to be increased?
- (2) If so, are the rates on Terminating Building Societies to be progressively increased until they reach the current interest rates in other lending authorities?
- (3) Will such Government policy force people on low incomes to face interest increases beyond their capacity to meet the payment and also risk surrendering their family homes?

Answer—

- (1) The question, no doubt, refers to a recent Government decision that interest rates charged on all loans advanced by co-operative housing societies (as they are now known), or the State Bank, from allocations of funds made available prior to 1 July, 1976, under the Commonwealth/State Housing Agreement, be increased from 5 per cent per annum to 7.5 per cent per annum with effect from 1 July, 1982.

(2) On 1 July of each succeeding year the interest rate is to be increased by 0.5 per cent per annum until a rate is reached equivalent to 1 per cent below the prevailing rate charged by the Commonwealth Savings Bank on housing loans. Thereafter the rate charged will be adjusted according to any up or down variation in that rate. This arrangement will place the pre-July 1976 loans from the above source on the same basis in relation to interest rates and payment calculations as will apply to loans now being made from Housing Agreement allocations.

Borrowers' loan repayments will not be recalculated each time the interest rate is varied. Instead, monthly repayment on all loans affected will be increased as from 1 July, 1982 by \$20 and thereafter:

- (i) on those loans advanced from allocations made available between 1 July, 1973, and 30 June, 1976, monthly repayments are to be increased on 1 July of each year by \$10 until the end of the tenth financial year after the allocation was made. At the beginning of the eleventh financial year and every year thereafter until the loans are repaid, repayments will be increased by \$20 per month; or
- (ii) on those loans advanced from allocations made available prior to 1 July, 1973, monthly repayments are to be increased annually by \$20 until the loans are fully repaid.

(3) No. It is considered that the above increases in loan repayments by borrowers on low incomes will not be beyond their capacity to repay. In most cases family incomes and loan repayment ability would have increased considerably during the six years or more since the loans were made. Families which received these early loans enjoyed low and stable loan repayment rates when later borrowers from other home loan finance sources have had to meet increasing loan interest rates and repayment commitments. At present a borrower who received a maximum loan of \$20,500 in 1976 is only paying \$120 per month and this will be increased by \$20 as from 1 July, 1982 with subsequent annual increases. Whilst this represents only a modest increase, there is a provision that genuine cases of hardship may seek, through the appropriate society, relief from increases.

The Commonwealth Government has considerably reduced advances to the State for low interest housing loans while the size of waiting lists for these loans is steadily increasing. Increased repayments on pre-1976 loans will augment these advances and provide funds for more loans without too great a financial burden being imposed on those who were fortunate enough to obtain low interest loans in a much more favourable home purchase situation.

The following Questions upon Notice and answers were circulated in *Questions and Answers* to the date of prorogation.

COMMUNITY HEALTH CENTRES

Mr GREINER asked the Minister for Health—

- (1) What is the policy of the Government with respect to charging users of Community Health Centres who are covered by private medical insurance?
- (2) Do many Community Health Centres such as the Mount Druitt Polyclinic, not charge any of their clients regardless of insurance status?

(3) Does this policy represent an unnecessary loss of significant funds to the Government?

Answer—

(1) In general, no charges are raised on persons attending community health centres in New South Wales. The main exception is centres administered by public hospitals where the declared outpatient charge of \$18 is applicable.

(2) Outpatient charges are levied by Mount Druitt Polyclinic, only on workers' compensation and third party insurance patients at a rate applicable to the outpatient services provided by Blacktown Hospitals.

(3) The Government's policy is to charge only for those services for which health insurance benefits are payable. Services provided by those Community Health Centres which are not administered by public hospitals cannot attract benefits under Commonwealth legislation unless a medical service is provided. Where a medical service is available (e.g., the Peakhurst Community Health and Welfare Centre) the Centres have been instructed to bulk-bill the Commonwealth for Pensioner Health Benefit and Health Care Card holders. Most community health services are free because the Government recognizes that charges which are not insurable are inequitable and may deter people in need from seeking necessary health care. As many of the people using community health services are disadvantaged, their revenue potential is negligible.

DEATH REGISTRATION CERTIFICATES

Mr T. J. MOORE asked the Minister for Police and Minister for Services—

(1) How long is the delay in provision of copies of death certificates after applications are made?

(2) If this delay is over one month, why is that the case?

(3) If so, is embarrassment occasioned to applicants for death certificates who need to provide them for dealings with overseas' authorities?

Answer—

(1) A certified copy of a death registration is normally issued within one week after application has been made to the Sydney General Registry of Births, Deaths and Marriages or to a local registrar, provided the death has been registered. In some cases, an application is received prior to receipt of all documents or information required for registration, but during 1981 the average time lapse between the date of death and registration was 17 calendar days.

(2) The most common reason for delay of over one month in the issue of a certified copy of a death registration is that the applicant specifically requested inclusion of the cause of death, notification of which had not been received from the Coroner. The reason for such delay is notified to the applicant who is given the opportunity to accept a certificate without the cause of death. This may be sufficient for the purposes required, e.g., application for probate.

(3) The Registry of Births, Deaths and Marriages is unaware of any instance of embarrassment to relatives of deceased persons requiring certificates for dealings with authorities in other countries.

DAVIDSON STATE RECREATION AREA

Mr T. J. MOORE asked the Minister for Housing, Minister for Co-operative Societies and Minister Assisting the Premier—

(1) Did the Department of Education resume the proposed East Lindfield High School site on portion of county open space land now otherwise incorporated in Davidson State Recreation Area?

(2) When the decision not to proceed with construction of a high school was taken, why was the land not reverted to the Davidson State Recreation Area?

Answer—

(1) The Department of Education did not resume the proposed Lindfield East High School site. The site was acquired by negotiated purchase on 28 July, 1965, from J. Irvine, M. Nygh, M. Pereira and A. L. Poole. The site comprises lots 1–25 inclusive, Deposited Plan 219818, Parish of Gordon, County of Cumberland. Subsequent to the purchase, the Department of Lands dedicated a section of Ulmarra Place for school purposes on 24 February, 1967, to consolidate the site.

(2) The Department of Education was informed by the Premier, Mr Wran, on 6 May, 1977, that a committee was being established to arrange the disposal of any surplus Government owned property, and instructed to compile a list of all surplus school sites to be submitted for review by the Property Advisory Management Committee. Accordingly, the Lindfield East High School site was one of the sites declared surplus and submitted to the Property Advisory Management Committee. Subsequently, the Property Advisory Management Committee advised the Department on 1 June, 1978, that the Lindfield East High School site had been approved for acquisition by the Land Commission for development for public housing purposes. Resumption of the site by the Land Commission was notified in the *Government Gazette* on 6 June, 1980.

BIRTHS, DEATHS AND MARRIAGES RECORDS

Mr GREINER asked the Minister for Police and Minister for Services—

(1) Has the Tasmanian Government recently placed on open public access all the indexes and records of births, deaths and marriages prior to the year 1900?

(2) Has the South Australian Government announced a similar intention?

(3) Will he give urgent consideration to taking similar action in New South Wales?

(4) If not, why not?

Answer—

(1) It is understood that a decision was made recently in Tasmania to transfer pre-1900 records from the control of the Registrar General for that State to the Archives Office after prior microfilming of the records and indexes thereto. The public has access to the microfilm copies and on postal application Archives Office staff will search for a specified name if the place of the event and a 5-year span is given. A charge is made for the cost of prints made from the microfilm.

(2) I am not aware of any such announcement.

(3) and (4) The Principal Registrar of Births, Deaths and Marriages has advised that there is no objection in principle to placing pre-1900 records on public access. This will be done as soon as resources are available to allow the necessary arrangements to be made.

BIRTHS, DEATHS AND MARRIAGES RECORDS

Dr METHERELL asked the Minister for Police and Minister for Services—

(1) How many reels of microfilm would be required to film the pre-1900 New South Wales records for births, deaths and marriages during the periods (a) pre-1856; and (b) 1856–1900?

(2) How many reels of microfilm would be required to film the relevant indexes?

(3) What is the estimated cost of microfilming (a) the pre-1900 records; and (b) the indexes?

(4) Has he approved a timetable for the progressive microfilming of these records and indexes?

(5) What is the current cost of the processing of personal and postal genealogical inquiries by the Registrar General's Department?

(6) When a decision is taken to microfilm these invaluable historical records, will the Government ensure that copies of the microfilms are made available on open access at the Mitchell Library, the State Archives and the headquarters of the Society of Australian Genealogists located at Richmond Villa?

Answer—

(1) to (4) A proposal is now being prepared for microfilming all records of the Registry of Births, Deaths and Marriages. A timetable will be considered when investigations have been completed. As there are over 2 million pre-1900 records (for which the indexes are contained in 184 volumes) considerable cost will be involved.

(5) The Registry of Births, Deaths and Marriages has been a branch of the Department of Services since 1975. The current fee for a certified copy of a recording in a register or a certificate of result of search, including a fee for a search under any one name in respect of a period not exceeding 5 years, is \$6. The fees are designed to cover the cost of the service provided.

(6) The Principal Registrar of Births, Deaths and Marriages has advised that there is no objection in principle to placing pre-1900 records on public access. This will be done as soon as resources are available to allow the necessary arrangements to be made.

TAXICAB FARES

Mr HATTON asked the Minister for Transport—

- (1) What was percentage increase in taxi fares granted on 1 November last?
- (2) Will applications for future fare increases come through the Urban Transit Authority?
- (3) Is the taxi industry representative on the UTA Mr Reg Kermode?
- (4) Is this the same Reg Kermode who represents the N.S.W. Taxi Council, who had made all previous fare applications in the metropolitan districts of Sydney, Wollongong and Newcastle?
- (5) Does Mr Reg Kermode own Green Cabs?
- (6) How many cabs are in the Green Cab fleet?
- (7) What mechanism will be used to ensure that any fare application is not biased towards fleetowners and co-operatives?
- (8) Have fare increases in the past been automatically passed on to the driver by way of the same percentage or higher increase in pay-ins?
- (9) Are taxi drivers responsible for buying petrol in most cases?
- (10) Is there false and misleading information in the current schedule of operating costs?
- (11) In this schedule is the tyre component of cost increase application based on new radial tyres?
- (12) Does this component make no allowances for any discounts received?
- (13) Do Combined, Legion, RSL, St George, ABC and Cumberland taxis all use tyre retreads?
- (14) Was he advised about the writing up of the tyre component in this schedule in March 1980, by statutory declaration?
- (15) Have there been two cab fare increases since then?
- (16) On the first cab fare increase what action did he take to combat the inflated figures for tyres?
- (17) Are cab drivers paid holiday and sick pay in accordance with the amounts listed in the schedule of operating costs used to determine cab fare increases?
- (18) Has he been informed that inflated figures on sick and holiday pay were used for cab fare increases over the last few years?
- (19) For each of the increases granted to the taxi industry in the last three financial years, what action did he take to combat the inflated figures?
- (20) For the fare increase granted in 1979 did he state that it would flow on to drivers?
- (21) Did the union support this increase on that basis?
- (22) Did that flow-on not occur?
- (23) What was the percentage of that increase?

- (24) What action did he take in ensuring applications for fare increases to discount the money improperly gained by the owners in the December, 1979, increase?
- (25) What has been the total compound percentage increase granted in fares in the cab industry in the last three calendar years?
- (26) Does the administrative cost for one cab average far less than \$500 per year?
- (27) In the recent application for fare increase did industry advice claim it had paid an average of \$2,397.00 per cab?
- (28) What documentary justification has been presented for administration costs?
- (29) Did the schedule of costs list \$2,738.00 as the average sick and holiday payment to each cab driver?
- (30) What documentation has he seen to justify this average figure?
- (31) Do the executive of the N.S.W. Taxi Council supply the industry figures in the schedule of costs to the Department of Motor Transport?
- (32) Did the executive of the Taxi Council produce their books to justify the cost?
- (33) If not, will you ask them to do so for each of the increases in the past three calendar years?

Answer—

- (1) 8.86 per cent.
- (2) Present planning is toward UTA involvement.
- (3) Yes.
- (4) Fare increases are applied for by the New South Wales Taxi Council on behalf of taxi proprietors in Transport Districts. Mr Kermode is the President of that organization.
- (5) Mr Kermode has indicated in writing that he no longer owns any shares in Green Cabs.
- (6) 21.
- (7) Increases generally have been based on movement in the Department's Cost Index and apply equally to a single owner or a co-operative. However, the last increase was based on the movement in the C.P.I.
- (8) This is a matter for negotiation between the driver and the licensee.
- (9) See (8) above.
- (10) No.
- (11) Yes.
- (12) Yes.

(13) Retreads, which must conform to Australian Standard 1973–1976 are acceptable on taxicabs.

(14) I am aware of the views of some drivers about the purchase by some owners of cheaper tyres and the costs for steel belted tyres shown on the "Index".

(15) Yes.

(16) The Department advises that it has no evidence about the number of Taxi proprietors who do not use new tyres. In any case, irrespective of whether retreads or new tyres are used, the cost components are based on a percentage increase and there would be an increase in the cost of retreads as well as new tyres between fare increases. In addition, it would be expected that new tyres would outlast retreads and, therefore, the owner using retreads would need to replace his tyres more often.

(17) Yes, as far as the Department is aware. However, award conditions of employment are matters outside my jurisdiction.

(18) It was alleged that some owners are not making award payments.

(19) The increases granted over the last three financial years have been less than the increases sought by the New South Wales Taxi Council.

(20) It was agreed that the amount of flow-on would be worked out by discussion between representatives of owners and drivers.

(21) The T.W.U. supported increases on the understanding that negotiation would take place between the Taxi Industry and the T.W.U. as to the extent to which drivers would benefit.

(22) There was a percentage flow-on following negotiation between the two parties.

(23) The overall increase was 22.9 per cent (21 December, 1979).

(24) There is no evidence that money was improperly gained in 1979.

(25) Increases were granted on 15 December, 1978, 21 December, 1979, 19 December, 1980, and 1 November, 1981. Compound percentage increase for distance rate is 50.0 per cent.

(26) No.

(27) Yes.

(28) An amount in the vicinity of 10 per cent of total operating costs has been considered a reasonable figure for administrative costs.

(29) Yes.

(30) Supplied by New South Wales Taxi Council.

(31) Yes.

(32) No. Figures not considered by Department to be excessive for items nominated.

(33) No. The Department has indicated it has no reason to doubt the validity of claims already made.

NEW SOUTH WALES TOURISM CO-ORDINATION PLAN

Mr ROBB asked the Minister for Sport and Recreation and Minister for Tourism—

- (1) Will the historical and scenic attractions of the Sutherland Shire, such as its waterways, gardens, national parks, beaches and other natural benefits be considered for inclusion in the New South Wales Tourism Co-ordination Plan?
- (2) Will the Sutherland Shire be considered in the selection of suitable sites for new Sydney tourist hotel projects?

Answer—

(1) The New South Wales Tourism Co-ordination Plan is currently being finalized, taking into account the many comments received on the Draft Tourism Plan which was published and widely circulated in late 1981.

The Final Plan will establish a framework for the development of tourism at State, regional and local levels. Emphasis will be placed on co-ordinating the activities of government at all levels with the tourist industry.

Under this co-ordination approach a range of strategies related to the development, management, marketing and operation of tourism will be pursued for the State as a whole rather than for individual areas.

The successful implementation of the Plan will depend upon co-ordinated input from all those involved in tourism in New South Wales.

I am sure that everyone involved in tourism in the Sutherland Shire and other areas of historic and scenic significance will contribute to and benefit from implementation of the New South Wales Tourism Co-ordination Plan.

(2) The selection of suitable sites for new tourist hotel projects is largely a matter for individual entrepreneurs. Site selection is also determined by the provisions of Local Government Planning Schemes.

Officers of the New South Wales Department of Tourism frequently provide information and advise to individuals and organizations interested in tourist hotel projects in many parts of the Sydney area, including the Sutherland Shire.

BYRON ELECTORATE HEALTH SERVICES

Mr BOYD asked the Minister for Health—

- (1) Does he contemplate visiting the Byron Electorate shortly?
- (2) If so, will he release details of the visit so that due preparation can be made to an itinerary that will enable those people with problems concerning his portfolio to make representations?

Answer—

- (1) A visit is envisaged later this year.
- (2) When a final date is set, details will be released.

TENDERS FOR PRINTING

Mr GREINER asked the Minister for Police and Minister for Services—

- (1) In the financial years 1979–80 and 1980–81 how many tenders for printing work were let by the Government Printer?
- (2) What was the dollar value of such tenders?
- (3) What proportion of the total printing required by the New South Wales Government and its authorities was carried out by organizations other than the Government Printing Office?

Answer—

- (1) The Government Printer let 3 405 tenders for printing in the 1979–80 financial year and 3 465 tenders for printing in the 1980–81 financial year.
- (2) During these financial years, amounts of \$5,579,509.00 and \$5,267,388.00 respectively were spent by the Government Printer on contract printing.
- (3) Of the total value of printing provided by the Government Printer for the New South Wales Government and its authorities in the financial years 1979–80 and 1980–81 22.22 per cent and 18.31 per cent respectively were done by private contractors on behalf of the Government Printer. (It should be noted that the total money spent on contract printing in any financial year does not directly relate to all contracts let during that year because contracts let towards the end of a year are not paid for until the following year.)

UNITED CHRISTIAN NURSING HOME AT BYRON BAY

Mr BOYD asked the Minister for Health—

- (1) Has there been an application by the United Christian Nursing Home Committee at Byron Bay to secure tenure of land reserved for future Hospital development overlooking Clark's Beach?
- (2) If so, will he agree to the transfer of this land to the Committee to enable them to proceed with the erection of a badly needed nursing home to service the Byron Bay area?

Answer—

- (1) No.
- (2) At present, there are difficulties in the transfer of Third Schedule Hospital land to community organizations for use as Nursing Home Sites.

An amendment to the Public Hospitals Act is now being considered. This amendment would allow the Minister for Health/Health Commission to approve of the transfer of land.

Following appropriate amendments, the application would need to be considered in the light of approval by the Commonwealth/State Co-ordinating Committee for Nursing Home Accommodation.

SAILOR'S BAY POLLUTION

Mr COLLINS asked the Minister for Health—

- (1) Does the Department of Health monitor pollution levels from sewerage and other sources in and around Sailor's Bay at Northbridge?
- (2) How do such readings, if any, compare with readings taken near major sewerage works such as Manly, Bondi and Little Bay?
- (3) What is the anticipated increase in pollution levels in Sailor's Bay if the number of boat moorings therein is increased from 87 to 150 by 1983?

Answer—

- (1) No. Monitoring ceased in 1979 when conditions were considered to be good except following heavy rains, when sewers tend to overflow.
- (2) Readings in normal conditions are much below those of major sewerage outlets.
- (3) It is considered that an increase in pollution levels with an increase in the boat moorings from 87 to 150 would be minimal. Boats on moorings are not constantly inhabited and are not considered to be the main cause of any pollution problems which may occur during heavy rains.

POSTAL VOTES

Mr MURRAY asked the Minister for Police and Minister for Services—

- (1) Is a Postal Vote available for a person who is working during the full ten hours of voting on election day?
- (2) If not, why not?
- (3) Will he consider an amendment to the Postal Voting section of the Act, to allow a Postal Vote under these circumstances?

Answer—

- (1) Section 114A of the Parliamentary Electorates and Elections Act, 1912, provides amongst other things that an elector may apply for a postal vote if he or she—
 - (b) will not, throughout the hours of polling on polling day, be within 8 kilometres by the nearest practical route of any polling booth open in the State for the purposes of an election.
 - (c) will, throughout the hours of polling on polling day, be travelling under conditions which will preclude him from voting at any polling booth.

Application for a postal vote may be made to any District Returning Officer but must be made before 6 o'clock on the afternoon of the third day immediately preceding polling day.

Alternatively, an elector may make a pre-poll vote for similar reasons under section 114F of the Act. A pre-poll voting application must be made to the Returning Officer for the District in respect of which the elector is enrolled and must be made before 7 p.m. on the second day preceding polling day. The pre-poll vote enables the elector to vote immediately in the Returning Officer's office.

Section 96 of the Parliamentary Electorates and Elections Act provides that every employer shall at the request of any elector employed by him allow that elector to go at a reasonable time to a polling place and record his vote at any election.

(2) Refer (1) above.

(3) With the availability of the aforementioned provisions there is little likelihood of persons being disfranchised by having to work during the full term of polling hours and an amendment to the legislation is not considered necessary.

BICYCLE PARKING AT RAILWAY STATIONS

Dr METHERELL asked the Minister for Transport—

- (1) How many railway stations within the metropolitan area have facilities for parking bicycles?
- (2) How many bicycles can be parked at Sydney railway stations?
- (3) Are these facilities of the lock-up type?
- (4) If not, will consideration be given to the introduction of bicycle lockers at suburban railway stations on a trial basis?

Answer—

- (1) There are 13 stations providing accommodation for bicycles in cloak rooms and open racks.
- (2) A daily average of 97 bicycles are parked at the 13 stations mentioned above. Further to this a further 450 bicycles are parked at random on State Rail Authority property at 70 railway stations.
- (3) At Penrith permission has been given to a private individual to provide lock-up bicycle facilities on a trial basis. The same person also provides lock-up type facilities on council land at Campbelltown Station.
- (4) The brief of the Urban Transit Authority is to look after the needs of all commuters, be they bicycle riders or others. The Authority will provide bicycle parking facilities at railway stations where there is a need and subject to suitable sites and availability of funds.

MULTI-MODAL TICKETS

Dr METHERELL asked the Minister for Transport—

- (1) Has consideration been given to the introduction of a multi-mode ticket, similar to the Victorian "Travel Card", to provide unlimited travel on the day of issue on trains, ferries and buses, whether run by government or private enterprise?
- (2) If so, why has such a multi-mode ticket valid for government and private services not been introduced in New South Wales?

Answer—

(1) Yes.

The Victorian "Travel Card" System would not appear suitable for New South Wales because:

- (a) The combined multi-modal fares in Victoria are high, in comparison to New South Wales and, in some cases, the cost of such "Travel Card" tickets would be higher than the sum total of the individual train and private bus fares applicable in New South Wales. This is especially the case with periodical tickets, where the periodical ticket discount rate is far less in the Victorian "Travel Card" scheme than in the New South Wales rail-weekly-ticket scheme.
- (b) The administrative work associated with the Victorian scheme is more complex.

(2) The development of multi-modal ticketing improvements for New South Wales is well advanced and negotiations have already been held with the private bus industry. It is anticipated that, as is the case with other New South Wales transport fares and ticketing systems, any new multi-modal tickets will be more favourably priced than those recently introduced in Victoria.

HUNTER RIVER POLLUTION FROM MINES

Mr FISHER asked the Minister for Planning and Environment—

- (1) Is water from underground coalmines pumped into tributaries of the Hunter River?
- (2) Does this water contain salts and other suspended matter in concentrations sufficient to adversely affect irrigators and domestic use of this water?
- (3) Is pollution of this river by these mining companies in breach of the Clean Waters Act?
- (4) What action is being taken by him to ensure that the provisions of the Clean Waters Act are strictly enforced in the Hunter River?

Answer—

(1) Yes. Water is pumped from mines to enable mining operations to continue in areas that would otherwise fill up with the seepage of underground water thus rendering mining impossible. The State Pollution Control Commission has issued licences to underground mines to discharge wastewater to tributaries of the Hunter River. They are:

In the upper Hunter—

Muswellbrook Coal Company Pty Ltd—Muswellbrook. The company holds a licence permitting discharge to Muscle Creek. No water has been discharged since 1978. Discharge is unlikely unless areas of water are encountered or there are flood rains.

Clutha Development Pty Ltd—Foybrook Colliery. The company holds a licence permitting discharge to Bowmans Creek. Discharge is irregular. Because of mining and coal washing requirements, water is often pumped into disused open-cut workings, now being used as storage dams, for re-use in Clutha's Newdell Washery at Liddell.

Lower Hunter—

Newcastle Wallsend Coal Company—Cessnock. Excess water is discharged to Black Creek, after requirements for mining purposes and coal washery have been met. This is a new licence issued on 1 October, 1981, as a result of mine expansion.

Coal and Allied Industries Pty Ltd—Cessnock. Minewater is discharged to Black Creek after treatment to neutralize acidity and after other mine requirements are met.

Bloomfield Collieries Pty Ltd—Rathluba Colliery, East Maitland. Minewater is discharged to Wallis Creek.

(2) Water discharged from underground mines contains salt and suspended matter. Concentration of suspended matter is controlled to the requirements of the State Pollution Control Commission before waters are discharged and would have no adverse effect on irrigators and domestic users of the water. Concentrations of dissolved salts from some mines are at a level which may render the direct discharge unfit for domestic or irrigation use. Whether or not this adversely affects domestic users or irrigators downstream depends on base flowrates and other conditions in the stream between the point of licensed discharge and the intended point of use.

On some occasions receiving waters have salinities approaching or exceeding that of mine discharges as a result of the marine geology of the catchment. Past agricultural practices have, in many areas, exacerbated the problems and during dry conditions natural drainage is frequently unsuitable for domestic or agricultural use. Under these conditions it is unlikely that the discharge of mine waters would adversely affect the potential use of the waters.

On other occasions, following rainfall, the flow rates in the receiving streams are such as to dilute the salt content of the mine discharge to a level where it does not affect the subsequent use of the waters for domestic or agricultural purposes.

However, periods occur when conditions in the receiving waters are such that the discharge of saline minewaters increases the salt levels to a point where a stream which would have otherwise been suitable for domestic or irrigation use is rendered unsuitable for these uses immediately downstream of the discharge. This is an infrequent occurrence affecting short lengths of minor tributary creeks. There is no evidence that this situation has ever occurred in the Hunter River or its major tributaries.

Unfortunately, underground minewaters cannot be stored and discharged at times to suit the condition of receiving waters to the degree possible with open-cut mines due to the fact that high rainfall periods do not coincide with increased infiltration rates.

The practicability of reducing or desalinating discharges is a matter subject to review from time to time. The State Pollution Control Commission has actively pursued a policy of re-use of these waters and reduction in the quantity of saline water discharged.

(3) The licensing provisions of the Clean Waters Act, 1970, allows for the discharge of treated effluent containing salts, suspended material and other pollutants, provided a licence is held in respect of the discharge and the quality and quantity of the discharge complies with the conditions of the licence.

Therefore, any mine discharging minewater is not in breach of the Clean Waters Act, 1970, provided its discharge is licensed and complies with the conditions imposed by the Commission.

Licences applying to mines discharging minewaters have restrictions on volume, suspended matter and acidity. Very few have limitations on salinity. This results from the highly variable levels of salinity in the discharge and from the fact that the salinity is not a result of mine operating practices but rather as a result of the natural geological strata of the area.

The Commission's approach has been to adopt alternatives to discharge for these saline waters where alternatives are available and to limit the concentrations of pollutants to what can be achieved by the best practicable means.

(4) Every effort is being made to protect the quality of the Hunter River. These efforts include:

- (a) The regular inspection of mines and other industries and frequent review and improvement of processes and activities generating wastewaters and the disposal methods used. Where alternatives to wastewater discharge are available or improved treatment techniques can be adopted, companies are served notices under the Clean Waters Act, 1970, requiring them to adopt these measures.
- (b) Periodic surveys and analyses of water occurring on, or contaminated on, industrial premises.
- (c) Active research programmes such as investigating the impact of open-cut coal mining on the quality and hydrology of ground and surface waters in the Hunter Valley compared to that of the traditional agricultural land uses. The CSIRO has been contracted to produce a salinity hazard map of the Hunter. This will identify potential problem areas for future development proposals. Schemes are also being developed to identify potentially acid-producing strata and to examine leachate from mine overburden.
- (d) Annual licence review and renewal to update conditions attached to permitted discharges.
- (e) Pursuing a policy of maximum effluent re-use and on-site disposal and only permitting a licensed discharge as a last, unavoidable alternative. Re-use, in such activities as coal washing and beneficiation, and the suppression of dust on conveyors and roadways, is actively encouraged.

REGISTRATION OF PSYCHOLOGISTS

Dr METHERELL asked the Minister for Health—

- (1) Is a Mr Josef Harriman currently practising as a psychologist at the Royal North Shore Hospital's Diabetic Clinic giving "relaxation therapy"?
- (2) Does Mr Harriman describe himself as "Dr Harriman" despite the fact that he is neither a registered medical practitioner nor does he hold a doctorate from a recognized university?
- (3) Was Mr Harriman recently expelled from the Australian Society of Clinical and Experimental Hypnosis?

(4) Is action being taken against him by the Australian Psychological Society for misrepresenting his qualifications and associating with and promoting unqualified psychologists?

(5) Why has the Government failed to register psychologists to safeguard citizens from unqualified psychologists?

Answer—

(1) Jusuf Harriman does not practise as a psychologist at the Diabetic Clinic at the Royal North Shore Hospital nor is he employed by the hospital.

(2) Jusuf Harriman does describe himself as “Dr Harriman”. A copy of a certificate shows him to have been granted a degree of Doctor of Psychology in counselling psychology and clinical hypnotherapy from the Columbia Pacific University.

(3) It is understood that Dr Harriman resigned from the Australian Society of Clinical and Experimental Hypnosis in August 1981.

(4) As of 20 April, 1982, inquiries have not indicated action is being contemplated by the Australian Psychological Society against Dr Harriman.

(5) The Government is mindful of the need for the registration of various groups of health providers. The registration of psychologists is a matter currently receiving consideration.

HIGHWAY PATROL MOTOR CYCLES

Mr ROBB asked the Minister for Police and Minister for Services—

Will police highway patrol motor cyclists operating in Sutherland shire be allocated the newly approved BMW 1 000 cc motor cycles?

Answer—

Yes, one is to be allocated in the immediate future and possibly another soon afterwards.

AIR AMBULANCE CHARGES

Mr SCHIPP asked the Minister for Health—

(1) Are air ambulance charges for transport of patients between recognized public hospitals a charge against the transferring hospital's budget?

(2) Does this policy create the possibility that cost-conscious hospitals might err on the negative side in marginal cases thus putting the patient at risk?

(3) Will this possibility be closely monitored especially in view of the introduction of a new maximum fee of \$1,800 from 1 January, 1982?

Answer—

(1) Yes.

(2) This is a remote possibility. The matter is currently the subject of a review being undertaken by the Ambulance Directorate within the Health Commission of New South Wales when inter-hospital transports for the months of November 1981 and February 1982 will be studied.

(3) Yes.

ALCOHOL COUNSELLORS

Mrs FOOT asked the Minister for Health—

(1) Does an instruction exist that alcohol counsellors in Regional Health Clinics are not to advise clients of the existence of or services provided by Alcoholics Anonymous?

(2) If so, why, and will he have the directive removed?

Answer—

(1) The Health Commission is not aware of the issue of such an instruction. However, if Mrs Foot has knowledge of the existence of such an instruction the Health Commission would appreciate receiving details.

(2) It is a matter of professional judgment as to which agency a counsellor refers a client. The Commission would consider it unnecessary to intervene in the referral practices of counsellors unless some form of professional impropriety could be demonstrated.

XPT TRAIN SERVICES

Mr R. J. CLOUGH asked the Minister for Transport—

(1) Does the XPT unit to be introduced to the Central West on 8 April, 1982, replace the *Central West Express*?

(2) Does the *Central West Express* provide for first class and economy class passengers?

(3) Does the XPT provide only for first class passengers?

(4) Is the fare structure for the *Central West Express* economy class approximately half that advertised for the XPT?

(5) Will he take urgent steps to introduce economy class seating on the XPT, or failing this provide "standby" bookings for vacant seats within an hour of departure time, at economy class rates?

Answer—

(1) Yes.

(2) Yes.

(3) Yes.

(4) Yes. However, the level of service being offered on the XPT, particularly in the areas of on-train comfort and faster journey times is superior to that on existing trains such as the *Central West Express* which also offer economy class travel.

(5) Over the years, there have been numerous requests for one class accommodation to be extended beyond metropolitan and interurban services. Opportunity has been taken with the introduction of XPT trains, which provides a far superior service to any at present in use in Australia, to extend the principle of one class only, at the same time setting the fare structure at a competitive level with other modes of transport.

The question of “standby” fares has been investigated and considerable differences identified in the conditions prevailing in the Railway system to the airlines. Nevertheless, investigations will continue in an attempt to identify a satisfactory approach that would not preclude the development of a satisfactory ticketing and reservation scheme.

SYDNEY CRICKET GROUND

Mr R. J. CLOUGH asked the Minister for Sport and Recreation and Minister for Tourism—

- (1) Will he request the Sydney Cricket Ground Trust to acknowledge my complaint concerning various matters directed to them in early January?
- (2) Will he direct the Trust that discrimination between children admitted on a Members ladies pass, and ladies, in the Members stand proper should cease?
- (3) Will he direct the Trust to upgrade catering facilities available at the ground in all sections, and ensure that pricing of available foodstuffs and drinks is within normal retail boundaries?

Answer—

- (1) I am informed that the Secretary of the Sydney Cricket and Sports Ground Trust acknowledged receipt of the honourable member’s complaint on 15 February, 1982, indicating that the matters raised would be brought before the Trustees and that further advice would be forthcoming following consideration by the Trustees.
- (2) The Sydney Cricket and Sports Ground Trust is the body charged with the responsibility for the administration of the Sydney Cricket Ground and it would be inappropriate for me, as Minister, to interfere in matters of internal administration such as determinations on which persons should be allowed in which areas.
- (3) Again, this is not a matter in which I would readily interfere. However, I am aware that the Trust’s Catering Sub-committee is now meeting regularly with the caterers in order to improve methods and solve problems as they come to notice. I am advised that the pricing is kept in line with similar organizations which of necessity have to pay heavy penalty rates.

RAILWAY LEVEL CROSSINGS

Mr BROWN asked the Minister for Transport—

- (1) How many rail crossings in New South Wales do not have lights or warning bells?
- (2) Will he give consideration to installing at each of these crossings, battery operated, flashing amber lights?

Answer—

(1) There are approximately 2 300 public level crossings in New South Wales which are not equipped with flashing lights and warning bells. All of these, however, are either protected by manned or unattended gates or by appropriate signs to warn the motorist of the existence of the crossing.

(2) The question of providing battery operated flashing amber lights at level crossings has previously been considered. The scheme is not practical for several reasons, but particularly in regard to safety where it is essential that visual light equipment be "fail safe". The present system of automatic flashing lights and warning bells which has been installed at over 200 public level crossings in New South Wales is the standard equipment adopted by all railways systems in Australia and is covered by the Motor Traffic Act and Regulations. It has also been used successfully in America and other major overseas' railway systems.

WILLOUGHBY LAND EASEMENT

Mr COLLINS asked the Minister for Local Government and Minister for Lands—

(1) Was an application made to the Registrar General on 12 June, 1981, relating to property owned by Mr and Mrs N. Stillone requesting that a right of way shown on their property at 18 Forsyth Street, Willoughby, be written off the title?

(2) Was the application approved on 16 July, 1981?

(3) Did the Registrar General on 17 December, 1981, advise Mr and Mrs Stillone that the previous decision had been reversed?

(4) Will he provide the reasons for the above action and consider either—

(a) writing off the right of way as previously determined; or

(b) compensating the property owners for any inconvenience and expense occasioned to them.

Answer—

(1) Yes.

(2) Yes.

(3) Mr and Mrs Stillone were notified of the reverse of decision by letter dated 25 November, 1981.

(4) The problems in this matter arise from the difficulties which are sometimes occasioned in ascertaining the land which has the benefit of easements created before the 1930 amendments to section 88 of the Conveyancing Act, 1919.

In this case, a right of way "4 ft wide" is shown on the title to the subject property as affecting a strip of land along the western boundary. The right of way was expressed to be created in a transfer dated 28 October, 1919, and clearly indicates the land burdened. Accordingly, a notification that the land was burdened by the easement was on the title to the land when Mr and Mrs Stillone purchased it.

As the easement was created in a transfer by Alfred Moore of part only of the land he owned, it was inferred that the benefit of the easement attached to the land be retained. An appurtenant notification to this effect was made at that time on the relevant title.

When the application by Mr and Mrs Stillone was first considered, the view was taken that the transfer creating the easement did not effectively identify the dominant tenement. It was subsequently realized that this action did not take into account the decision of *Re Maiorana and Another and the Conveyancing Act* (1970) 92 W.N. 365. In this case, it was held that so far as the general law is concerned (and that was the position applying in 1919) it was not necessary for the instrument creating the right of way to expressly identify the dominant tenement. Where there is no express identification, the Court held that regard may be had to surrounding circumstances in order to make good the omission.

At that point it was considered proper to restore to the register the notification which had stood for over 60 years. The view is held that it is for the Courts to decide the validity or otherwise of this class of easement. It follows that consideration cannot now be given to writing off the right of way from the title.

With regard to compensation to the property owners, the solicitor for Mr and Mrs Stillone has indicated that action will be taken against the Registrar General for damages. Under the circumstances, the question of compensation will undoubtedly be resolved if loss or damage can be established in accordance with the provisions of the Real Property Act, 1900.

PARRAMATTA PARK

Dr METHERELL asked the Minister for Transport—

(1) Of the members of the working party formed to consider transport aspects of the proposed Parramatta Park redevelopment, did the following members oppose the Parramatta Park option and make submissions in favour of the alternative Clyde site:

- (a) the Urban Transit Authority?
- (b) the Department of Main Roads?
- (c) the Police Department?
- (d) the Department of Motor Transport?

(2) If all or some of the above government departments and statutory bodies opposed the Parramatta Park redevelopment, what were the reasons for their objections?

(3) Is the proposed redevelopment also opposed by the consumer group called Action for Public Transport?

Answer—

In the light of a recent Court decision in relation to the Parramatta Park Redevelopment, the whole matter remains under review.

XPT TRAIN

Dr METHERELL asked the Minister for Transport—

(1) What was the total cost of advertising and promotion associated with the XPT in 1980–81?

(2) What is the total budgeted cost of advertising and promotion associated with the XPT in 1981–82?

- (3) What has been the cost to date of the following XPT activities,
- (a) advertising, including special XPT literature and stickers,
 - (b) public relations advice,
 - (c) country trials,
 - (d) metropolitan trials, including the \$1 promotional fare from Parramatta to Penrith, and
 - (e) public displays?

Answer—

- (1) \$23,712.91.
- (2) \$50,000.
- (3) (a) \$51,737.85.
- (b) Nil.
- (c) The country trials were undertaken for the purpose of staff training, staff familiarization, assessment of public reaction, timetable validation and evaluation of the train performance, as would occur with any new rolling stock.
- (d) \$6,248 net.
- (e) Nil.

LOGGING OF NORTH COAST FORESTS

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

- (1) Did a group of Government members visit the North Coast during the first week of March, 1982, to inspect logging operations?
- (2) If so, did this group visit Terania Creek and other forests under the control of the Forestry Commission?
- (3) What arrangements were made to have members from the electorates visited accompany this group to explain the essential difference between “Maiden’s Blush”, “Bollygum”, “Midginbill” and “Bog Onion”.

Answer—

- (1) A group of Government members did visit the North Coast in the first week of March and logging operations were included in their inspections.
- (2) The group did not visit Terania Creek but did visit a number of other State Forests.
- (3) No arrangements of this description were made. However, Forestry Commission officers were present during the field inspections.

FARM WOODLOT LOANS

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

- (1) Will he give details of the item mentioned in the Quarterly Review of Public Accounts for the period ended 30 September, 1981, relating to \$4,750,000 in the General Loan Account for expenditure in reafforestation, including advances for farm woodlots?

(2) How much of this amount will be available to private land owners and on what terms?

Answer—

(1) There were no applications on hand for Farm Woodlot Loans during this quarter hence no General Loan Funds were expended on Woodlot advances.

The amount of \$4,750,000 was expended as follows:

	\$M
Plantation Silviculture	1.51
Indigenous Silviculture .. .. .	.42
New Construction—capital assets (principally roads)	1.03
Land Purchase .. .. .	.94
Maintenance—Plantations .. .. .	.35
Protection—Plantations .. .. .	.20
Overheads .. .. .	.30
	\$4.75 M

(2) Nil—the money is already spent.

TRAFFIC SIGNALS AT BAY STREET, TWEED HEADS

Mr BOYD asked the Minister for Transport—

(1) Do aged people have difficulty crossing the Pacific Highway at the traffic lights adjoining Bay Street in Tweed Heads?

(2) If so, will he investigate the timing of these lights to allow greater opportunities for these aged people to cross, to avoid the dangers of fast moving traffic?

Answer—

(1) I am informed by the Department of Main Roads that some difficulties have been experienced by pedestrians at these traffic signals.

(2) Rather than adjust the timing of the signals, refuge areas for pedestrians are to be constructed by extending the median islands in the Highway. This work will be carried out shortly.

KINGSCLIFF DEVELOPMENT

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

(1) How many of the 37 companies, who registered an interest in the Crown land development south of Cudgen Creek at Kingscliff, were Australian owned?

(2) Who were these companies and who were the companies which claimed foreign ownership?

Answer—

(1) Proposed developers of the tourist complex were invited to register their interests and to indicate their financial, managerial and design capabilities for the development of the area. No note was taken as to the nature of any foreign ownership and there was no requirement for this information to be stated on registration.

(2) A list of the 37 registrants is attached. Two of these registrants were identifiable as foreign companies and these were:

- (a) Far East Hotels and Entertainment Limited, 121 Des Voeux Road, Central 18FL, Hong Kong, which was eventually selected to carry out feasibility studies and further negotiation.
- (b) The Hong Kong Land Company Limited (Registration lodged by the Land Company Pty Limited, 39th Level, North Point, 100 Miller Street, North Sydney 2060). This interest was subsequently withdrawn.

List of Registrants

Kingscliff Resort Development

- | | |
|---|---|
| 1. Project International,
159 Deepwater Road,
Castle Cove 2069 | 9. Enacon Limited,
19th Floor, National Mutual
Centre,
44 Market Street,
Sydney 2000 |
| 2. Coral Investments Pty Limited,
"Centrepont", 1st Floor,
3290 Gold Coast Highway,
Surfers Paradise, Qld 4217 | 10. Lend Lease Development Pty
Limited,
Level 38, Australia Square,
Sydney 2000 |
| 3. Mr P. Vaggelas,
P.O. Box 845,
Surfers Paradise, Qld 4217 | 11. Balmore Realty,
P.O. Box 65,
Alstonville 2477 |
| 4. Lewis Development Pty Limited,
P.O. Box 693,
Potts Point 2011 | 12. J. F. & P. Group Consultants
Pty Limited,
P.O. Box 634,
South Brisbane, Qld 4101 |
| 5. Davenport, Campbell and Part-
ners (Aust.) Pty Limited,
3 Spring Street,
Sydney 2000 | 13. Bimas Pty Limited,
3 Goulburn Street,
St Ives 2075 |
| 6. WT Partnership,
Level 25, Northpoint,
100 Miller Street,
North Sydney 2060 | 14. Jones Lang Wootton,
Exchange Centre,
20 Bond Street,
Sydney 2000 |
| 7. Kingscliff Resort Pty Limited,
6th Floor,
22 Sir John Young Crescent,
Woolloomooloo 2011 | 15. Mr B. R. Thomas, N.A.S.A.,
Public Accountant,
Suite 19,
"The Forum",
42 Marine Parade,
Southport, Qld 4215 |
| 8. Lenon Developments Pty
Limited,
P.O. Box 101,
Moorooka, Qld 4105 | |

16. Dan Roberts and Associates Pty Limited,
9th Floor,
34–36 Carrington Street,
Sydney 2000
17. The Fletcher Organization Pty Limited,
The Fletcher Building,
491 Kent Street,
Sydney 2000
18. Davis Heather and Dysart Pty Limited,
22 Playfair Street,
The Rocks,
Sydney 2000
19. The South Australian Land Company Pty Limited,
200 North Terrace,
Adelaide, S.A. 5000
20. Ward Holt Pty Limited,
Allandale Square,
77 St George's Terrace,
Perth, W.A. 6000
21. Dalle Pty Limited,
P.O. Box 439,
Avalon 2107
22. RDC Holdings Limited,
16 O'Connell Street,
Sydney 2000
23. Jennings Industries Limited,
Development Section,
Southport, Qld 4215
24. Urban Scope (Aust.) Pty Limited,
24th Floor, C.B.A. Centre,
George Street,
Sydney 2000
25. Mr A. E. Earle,
41 Price Street,
Nerang, Qld 4211
26. Ipec Holdings Limited,
31 Bligh Street,
Sydney 2000
27. Inge Bros Group of Companies,
P.O. Box 56,
Kew, Vic. 3101
28. The Land Company Pty Limited,
39th Level,
North Point,
100 Miller Street,
North Sydney 2060
29. Bowen-Vale Pastoral Company,
P.O. Box 447,
Grafton, N.S.W. 2460
(on behalf of County Pastoral Corporation Pty Limited,
Carlton, Victoria)
30. Far East Hotels and Entertainment Limited,
121 Des Voeux Road,
Central, 18 FL,
Hong Kong
31. Modulux Kit Homes,
333 Queen Street,
Brisbane, Qld 4000
32. Costain Australia Limited,
4 Cliff Street,
Milsons Point 2061
33. Tweed Shire Council,
P.O. Box 816,
Murwillumbah 2484
34. Howden & Wardrop,
Architects, Engineers and Town Planners,
141 Sturt Street,
South Melbourne, Vic. 3205
35. Grundy Leisure Pty Limited,
P.O. Box 231,
Surfers Paradise, Qld 4217
36. Price Waterhouse Associates Pty Limited,
50 Bridge Street,
Sydney 2000
37. Telford Property Fund Limited,
Telford House,
8th Floor,
300 George Street,
Sydney 2000.

SALE OF RAILWAY LAND AT BYRON BAY

Mr BOYD asked the Minister for Transport—

- (1) What land has been sold by the State Rail Authority and its predecessor the Public Transport Commission in Byron Bay during the last six years?
- (2) To whom was land sold and at what price?

Answer—

(1) and (2) Mr Edward Frederick Gallagher, fettler, employed by the State Rail Authority, sought to purchase railway land at 25 Cavanbah Street, Byron Bay, upon which he had built a residence under a Residential Site Permit and been in occupation for many years. As the Authority no longer required the land, an Agreement for Sale was entered into in 1979 for the sum of \$8,500. The necessary contract was subsequently signed and the sale completed on 22 June, 1981.

The price paid was indicated by the valuer of the Authority and a private valuer.

This land was the only land sold by the State Rail Authority or the Public Transport Commission in Byron Bay during the last six years.

PURCHASE OF LAND AT BYRON BAY

Mr BOYD asked the Treasurer—

- (1) What land has the Government Insurance Office purchased in Byron Bay during the last six years?
- (2) From whom was land purchased and at what price?

Answer—

(1) The Government Insurance Office has purchased one block of land in Byron Bay during the last six years, comprising Lot 6 in Deposited Plan 619224 and being part of the land in Certificates of Title Volume 13852, Folios 78 to 81 inclusive, at Jonson Street, Byron Bay, on 29 October, 1981.

(2) The land was purchased from four equal partners, C. Kenway Pty Limited, Mr and Mrs Bernard James Donlon, Mr and Mrs Ian Michael Watterson and Mr George Thomas Knott, for the sum of one hundred thousand dollars (\$100,000).

TRAFFIC ACCIDENT RESEARCH UNIT

Mr ROBB asked the Minister for Transport—

- (1) Is research being carried out by the Traffic Accident Research Unit on the behaviour patterns of the motorist who drives under the influence of marihuana?
- (2) Is the importance of this problem which leads to the traffic accidents and the human road toll being evaluated?
- (3) Are the hazards of marihuana abuse being overshadowed by drink-driving abuse?

Does the psychomotor and psychological affect of marihuana appear within 3 to 10 minutes, and do these effects persist for up to 8 hours, and how does it adversely influence driving skills?

(4) Can marihuana impair complicated tasks requiring memory or physical co-ordination?

(5) If so, would this impair the performance of the motorist under such influence?

(6) Is there any method available to permit roadside testing of motorists thought to be intoxicated by marihuana?

Answer—

(1) The Traffic Accident Research Unit has conducted extensive research on the effects of marihuana on behaviour. Ability to stand steadily, co-ordinate hand movements, react quickly and perform various mental functions have all been examined using paid volunteer subjects who had all used marihuana prior to the experiment. An initial Traffic Accident Research Unit report (1/80) has been published on this subject.

The Traffic Accident Research Unit has carried out the research jointly with Professor Starmer of the Pharmacology Department at Sydney University.

(2) The extent of marihuana's contribution to the road toll is difficult to evaluate. However, a study of marihuana in the blood and urine of crash-involved drivers attending Hornsby and Kuring-gai Hospital is being undertaken by Dr Harrison of the hospital with Professor Starmer and Dr Chesher of Sydney University. A previous study using urine samples only was unsatisfactory.

The Traffic Accident Research Unit is funding a study of the self reported drug use of drivers alcotested by the Police. This research is still going on.

(3) While it is recognized that marihuana may be a significant contributor to the road toll, the maximum estimate has been that almost a quarter of crash-involved drivers were under the influence of marihuana at the time. The study on which this claim was based would overestimate marihuana involvement since urine sample tests were used. A positive test on a urine sample can occur many days after the drug's intoxicating effects have dissipated. Thus the study indicates that marihuana is a contributing factor in well under 25 per cent of crashes.

In contrast alcohol appears to be a contributing factor in almost half the fatal crashes.

Therefore, it would be unfortunate if the problem of marihuana was to overshadow the more pressing problem of drink-driving.

The psychological and psychomotor effects of marihuana occur when blood containing the active components reaches the brain. The speed with which marihuana enters the bloodstream is largely dependent on the method of use. If it is taken orally it may take 20 minutes before an effect is detectable. On the other hand, if the drug is smoked it enters the blood directly from the air in the lungs. In this case intoxication may be detectable in 3 to 10 minutes and in fact the peak effect occurs at 10 to 15 minutes after smoking.

The persistence of the effects of marihuana depends on the size of the dose taken and again the method of use. Since the drug is absorbed more gradually if taken orally, the effects would last longer after ingestion than after smoking. With a very large dose intoxication could last eight hours. Experiments conducted at Sydney University by the joint Traffic Accident Research Unit, Pharmacology Department research team have detected detrimental effects on psychomotor performance up to 4 hours 40 minutes after oral dosing. However, it seems unlikely that most users would show behavioural effects 5 hours after use.

The drug adversely affects driving skills such as motor co-ordination and reaction speed. The main psychoactive component of marihuana is THC (tetrahydrocannabinol). THC acts as a central nervous system depressant. As such its effects are rather like those of alcohol.

(4) Marihuana has been shown to impair co-ordination (including hand co-ordination, standing steadiness and reaction speed) as well as cognitive abilities including memory.

(5) It is almost certain that the performance of a motorist under the influence of marihuana would be impaired.

Oversea studies have shown that reaction speed for example, does have a significant relationship with a driver's past record, such that those with slower reaction times when tested in the laboratory, had more collisions. Marihuana is known to impair reaction speed.

(6) Tests which could reasonably be conducted at the roadside are only available for testing urine samples, not blood samples. The urine sample test would detect the presence of marihuana or its metabolites. However, this does not necessarily reflect any intoxication at the time of the test since such metabolites may be present in the urine for many days after the intoxicating effects of the drug have gone.

However, even if a test was available it would be of limited use since the exact relationship between blood concentration of THC (marihuana) and intoxication has not been established. Research on this relationship is being conducted at Sydney University.

RECREATION RESERVES IN ALBURY ELECTORATE

Mr MAIR asked the Minister for Local Government and Minister for Lands—

In each of the Department of Lands recreation reserves and commons in the Albury electorate, what is the—

- (a) identifying number,
- (b) location,
- (c) title by which the reserve or common is locally known,
- (d) size,
- (e) purpose for which the reserve or common was established,
- (f) number of trustees, and
- (g) name and address of chairmen of trustees?

Answer—

The requested information is set out hereunder.

RECREATION RESERVES, SHOWGROUNDS AND COMMONS—ALBURY ELECTORATE

Reserve No. (or dedication date)	Location	Local name	Area	Purpose	Number of Trustees	Trust Secretary (name and address)
Ded. 6-5-1864 ..	Albury	Albury Botanic Gardens	12.55 ha	Botanic Gardens and Public Recreation.	..	Devolves (s. 344, L.G. Act)— Albury City Council.
Ded. 13-5-1887	Albury	Noreuil Park ..	1.636 ha	Public Recreation and Botanic Gardens.	..	Albury City Council, Trustee.
Ded. 13-5-1887	Albury	Aloysius Park ..	1.833 ha	Public Recreation ..	..	Devolves (s. 344, L.G. Act)— Albury City Council.
Ded. 13-5-1887	Albury	South Albury Club.	2.023 ha	Public Recreation ..	..	Devolves (s. 344, L.G. Act)— Albury City Council.
Ded. 13-5-1887	Albury	Browns Park ..	1.729 ha	Public Recreation ..	..	Devolves (s. 344, L.G. Act)— Albury City Council.
Ded. 20-9-1887 and 21-1-1890.	Albury	Alexandra Park ..	29.34 ha	Public Recreation ..	..	Devolves (s. 344, L.G. Act)— Albury City Council.
Ded. 16-7-1863	Albury	Albury Racecourse ..	57.06 ha	Racecourse ..	4	Mr M. S. White, P.O. Box 115, Albury 2640.
Ded. 22-8-1900 47082	Albury	Athletic Sports Ground Doctor's Point Lagoon...	4.856 ha 6.551 ha	Athletic Sports Public Recreation ..	..	Albury City Council, Trustee. Devolves (s. 344, L.G. Act)— Albury City Council.
51905	Albury	Billson Park (and Point Greenfield Park).	5.625 ha	Public Recreation ..	..	Albury City Council, Trustee.
58365	Albury	Diggerville Reserve ..	6 070 m ²	Public Recreation ..	..	Albury City Council, Trustee.
Ded. 12-8-1887	Albury	Friendly Societies Recreation Reserve.	4.856 ha	Public Recreation ..	5	Mr R. E. Sharp, 389 Eden Street, Lavington.
61086	Albury	.....	2.208 ha	Resting Place	..	Albury City Council, Trustee
62462	Albury	.....	10.12 ha	Public Recreation ..	..	Devolves (s. 344, L.G. Act)— Albury City Council.
65718	Albury	.....	1.351 ha	Public Recreation ..	..	Devolves (s. 344, L.G. Act)— Albury City Council.
67666 and 65952 68092	Albury	Lagoon Park ..	5.261 ha	Public Recreation ..	..	Albury City Council, Trustee.
	Albury	Hodge Island ..	1.416 ha	Public Recreation ..	..	Devolves (s. 344, L.G. Act)— Albury City Council.
68462	Albury	Albury West Public Hall	1 796 m ²	Public Hall ..	6	Mr G. A. Smith, 854 Black- more Street, Albury.
63123	Albury (Doctor's Point).	Triangular Reserve ..	2 656 m ²	Public Recreation ..	..	Devolves (s. 344, L.G. Act)— Albury City Council.
72879	Albury	Lambert Park ..	2.023 ha	Public Recreation ..	..	Devolves (s. 344, L.G. Act)— Albury City Council.

RECREATION RESERVES, SHOWGROUNDS AND COMMONS—ALBURY ELECTORATE (continued).

Reserve No. (or dedication date)	Location	Local name	Area	Purpose	Number of Trustees	Trust Secretary (name and address)
73373	Albury	.. .. Jelbert Park	11.36 ha	Public Recreation	..	Albury City Council, Trustee
74466	Albury	.. .. .	7 057 m ²	Public Recreation and Access.	..	Albury City Council, Trustee.
76712	Albury	.. .. .	1.758 ha	Public Recreation	..	Devolves (s. 344, L.G. Act)— Albury City Council.
80196	Albury	.. .. Mungabareena Reserve	56.66 ha	Public Recreation	..	Albury City Council, Trustee.
83242	Albury	.. .. Glen Park	5.489 ha	Public Recreation	..	Albury City Council, Trustee.
85120	Albury	.. .. .	1.568 ha	Public Recreation	..	Albury City Council, Trustee.
89133	Albury	.. .. .	3 540 m ²	Public Recreation	..	Albury City Council, Trustee.
89169	Albury	.. .. Nail Can Hill Reserve	(about) 100 ha	Public Recreation and Preservation Native Flora and Fauna.	..	Albury City Council, Trustee.
95172	Albury	.. .. .	1 037 m ²	Public Recreation	..	Albury City Council, Trustee.
68167	Bowna	.. .. Bowna Hall and Rec- reation Reserve.	5.059 ha	Public Recreation and Public Hall.	6	J. Keough, "Sweet Water", Mullengandra.
57073	Bungowannah	.. .. Bungowannah Recrea- tion Reserve.	2.833 ha	Public Recreation	3	Mr G. B. Lavis, R.M.B. 363, Albury 2640.
47781	Bungowannah	.. .. Bungowannah Public Hall.	4 047 m ²	Public Hall	7	Mr W. H. Chambers, R.M.B. 355, Albury 2640.
91503	Bungowannah	.. .. .	3 200 m ²	Public Recreation	..	Hume Shire Council, Trustee.
41865	Burrumbuttock North.	.. .. .	4.249 ha	Public Recreation	..	Devolves (s. 344, L.G. Act)— Hume Shire Council.
58120	Burrumbuttock	.. .. Burrumbuttock Recrea- tion Reserve.	4.229 ha	Public Recreation	7	Mr B. Filliponi, Howlong Road, Burrumbuttock.
42328	Cookardimia	.. .. .	4.047 ha	Public Recreation	..	Devolves (s. 344, L.G. Act)— Culcairn Shire Council.
77420	Cookardimia	.. .. Cookardimia Public Hall	3 901 m ²	Public Hall	..	Culcairn Shire Council, Trustee.
80299	Culcairn	.. .. Culcairn Recreation and Baths Reserve.	3.5 ha	Public Recreation and Public Baths.	..	Devolves (s. 344, L.G. Act)— Culcairn Shire Council.
90806	Cumboroona	.. .. .	4.259 ha	Public Recreation	..	Devolves (s. 344, L.G. Act)— Hume Shire Council.
90817	Gerogery West	.. .. .	1.523 ha	Public Recreation	..	Hume Shire Council, Trustee.
81613	Glenellen	.. .. Glenellen Recreation Reserve.	3.642 ha	Public Recreation	5	Mr M. Dixen, Glenellen, Jindera.
89567	Glenroy	.. .. .	8 780 m ²	Public Recreation	..	Albury City Council, Trustee.

RECREATION RESERVES, SHOWGROUNDS AND COMMONS—ALBURY ELECTORATE (continued).

Reserve No. (or dedication date)	Location	Local name	Area	Purpose	Number of Trustees	Trust Secretary (name and address)
89568	Glenroy .. .. .	.....	9 450 m ²	Access, Recreation and Parking.	..	Albury City Council, Trustee.
6453	Henty	Henty Park	2.147 ha	Public Recreation ..	..	Culcairn Shire Council, Trustee.
Ded. 5-6-1897 ..	Holbrook	Holbrook Park (Point) ..	9 864 m ²	Botanic Gardens ..	..	Holbrook Shire Council, Trustee.
36150	Holbrook	Holbrook Racecourse ..	32.14 ha	Racecourse and Athletic Sports.	7	Mr A. Clyde, P.O. Box 24, Holbrook.
37798	Holbrook .. .. .	.....	5.387 ha	Public Recreation ..	5	Mr L. A. Worries, 36 Bowler Street, Holbrook.
67156	Holbrook .. .. .	.....	2.023 ha	Public Recreation and Resting Place.	..	Holbrook Shire Council, Trustee.
78325	Holbrook	Holbrook Park (Point) ..	2 732 m ²	Public Recreation ..	..	Holbrook Shire Council, Trustee.
80183	Holbrook	Ten Mile Creek Reserve	11.36 ha	Public Recreation ..	..	Holbrook Shire Council, Trustee.
82247	Holbrook	Holbrook Well	2.433 ha	Public Recreation ..	..	Holbrook Shire Council, Trustee.
90912	Holbrook .. .. .	.....	858 m ²	Public Recreation ..	..	Devolves (s. 344, L.G. Act)— Holbrook Shire Council.
85118	Howlong .. .. .	.....	4.452 ha	Public Recreation ..	..	Hume Shire Council, Trustee. Land District Albury
85603	Hume Reservoir ..	.....	16.19 ha	Public Recreation ..	6	Not known. *
85540	Hume Weir .. .. .	.....	3.035 ha	Public Recreation ..	..	Hume Shire Council, Trustee.
86604	Near Hume Weir	.....	2.671 ha	Public Recreation and Resting Place.	..	Hume Shire Council, Trustee.
Ded. 11-11-1893	Jindera	Jindera Park	11.23 ha	Public Recreation ..	7	C. S. Keighran, 362 Parnell Street, Lavington.
86124	Jindera Gap .. .. .	.....	16.9 ha	Public Recreation ..	..	Albury City Council, Trustee.
88859	Jindera Gap .. .. .	.....	6 ha	Public Recreation ..	..	Devolves (s. 344, L.G. Act)— Albury City Council.
94491	Jindera .. .. .	.....	9.279 ha	Public Recreation ..	..	Devolves (s. 344, L.G. Act)— Hume Shire Council.
46070	Lavington	Memorial Oval	3.809 ha	Public Recreation ..	..	Albury City Council, Trustee.
49289	Lavington .. .. .	.....	8 094 m ²	Public Recreation ..	..	Albury City Council, Trustee.
60313	Lavington (East) ..	.....	3.065 ha	Public Recreation ..	..	Albury City Council, Trustee.

RECREATION RESERVES, SHOWGROUNDS AND COMMONS—ALBURY ELECTORATE (continued).

Reserve No. (or dedication date)	Location	Local name	Area	Purpose	Number of Trustees	Trust Secretary (name and address)
80522	Lavington ..	.....	3.093 ha	Public Recreation	..	Albury City Council, Trustee.
94082	Lavington ..	.....	3.048 ha	Public Recreation	..	Devolves (s. 344, L.G. Act)— Albury City Council.
87708	Little Billabong	Little Billabong Recrea- tion and Hall Reserve.	7.79 ha	Public Recreation and Public Hall.	5	Mr M. Locke, Wirruna, via Holbrook.
41584	Moorwatha Place ..	.....	7.047 ha	Public Recreation	..	Devolves (s. 344, L.G. Act)— Hume Shire Council.
74675	Mullengandra ..	Mullengandra Reserve and Public Hall.	1.427 ha	Public Recreation and Public Hall.	6	J. Keough, "Sweet Water", Mullengandra.
75422	Table Top ..	.....	3.344 ha	Public Recreation	..	Devolves (s. 344, L.G. Act)— Hume Shire Council.
79101	Talmalmo ..	.....	4.047 m ²	Public Recreation	..	Devolves (s. 344, L.G. Act)— Hume Shire Council.
81786	Talmalmo ..	Talmalmo Recreation Reserve.	5.134 ha	Public Recreation	..	Devolves (s. 344, L.G. Act)— Holbrook Shire Council.
68393	Thurgoona ..	.....	9.890 m ²	Public Recreation and Resting Place.	..	Mr A. S. Chick, P.O. Box 779, Albury 2640.
78727	Thurgoona	.....	6.374 ha	Public Recreation	..	Hume Shire Council Trustee.
Ded. 9-11-1951	Walbundry	Walbundry War Memorial Hall.	6.070 m ²	War Memorial (Hall)	..	Mr F. A. Lieschke, "Netherby", Walbundry.
12562	Walbundry	.....	1.012 ha	Botanic Gardens	..	Devolves (s. 344, L.G. Act)— Culcairn Shire Council.
47397	Walla Walla	Kings Reserve ..	10.12 ha	Public Recreation	..	Culcairn Shire Council, Trustee.
86802	Woomargama ..	.....	8.574 m ²	Public Recreation	..	Devolves (s. 344, L.G. Act)— Holbrook Shire Council.
85603	Wymah ..	Wymah Recreation Reserve.	16.19 ha	Public recreation	5	Mr J. Corrigan, "Springfield", Bowna 2640.
75503	Burra ..	Paddy's River ..	1.91 ha	Public Recreation	..	Land District Tumbarumba Devolves (s. 344, L.G. Act)— Tumbarumba Shire Council.
85440	Burra ..	.....	9.263 ha	Public Recreation, Resting Place and Preservation of Native Flora and Fauna.	..	Tumbarumba Shire Council, Trustee.
47919	Carabost ..	Carabost Recreation Reserve.	3.703 ha	Public Recreation	..	Mr C. H. Clegg, Carabost.

RECREATION RESERVES, SHOWGROUNDS AND COMMONS—ALBURY ELECTORATE (continued).

Reserve No. (or dedication date)	Location	Local name	Area	Purpose	Number of Trustees	Trust Secretary (name and address)
65877	Courabyra .. ..	.....	3.85 ha	Public Recreation	..	Devolves (s. 344, L.G. Act)— Tumbarumba Shire Council.
65879	Courabyra	Courabyra Public Hall..	2 023 m ²	Public Hall	..	Mr A. Kendal, Taradale Road, Tumbarumba.
84964	Parish Cowra, County Selwyn.	.....	9.308 ha	Public Recreation and Access.	..	Devolves (s. 344, L.G. Act)— Tumbarumba Shire Council.
64238	Glenroy .. ..	.....	19.2 ha	Public Recreation	..	Tumbarumba Shire Council, Trustee.
78798	Holbrook	Yarara Hall ..	4 047 m ²	Public Hall	..	Not Known.
85681	Jingellic	Jingellic Recreation Reserve.	2.537 ha	Public Recreation	..	Mr G. F. Hogg, Rippling Water Station, Tumbarumba.
86806	Jingellic	Jingellic Caravan Park..	7 955 m ²	Public Recreation (Caravan Park).	..	Tumbarumba Shire Council, Trustee.
89946	Kunama .. ..	.....	4 831 m ²	Public Recreation	..	Devolves (s. 344, L.G. Act)— Tumut Shire Council.
63409	Lankey's Creek ..	Lankey's Creek Recrea- tion Reserve.	1.62 ha	Public Recreation	..	Holbrook Shire Council, Trustee.
78138	Lankey's Creek ..	Lankey's Creek Recrea- tion Reserve.	1.214 ha	Public Recreation	..	Mr G. E. Hunter, "Dunkirk", Holbrook.
71823	Laurel Hill .. ..	.....	4.047 ha	Public Recreation	..	Devolves (s. 344, L.G. Act)— Tumut Shire Council.
89627	Murray's Crossing..	.....	15.6 ha	Public Recreation	..	Devolves (s. 344, L.G. Act)— Tumbarumba Shire Council.
82005	Ouranee .. ..	.....	5 059 m ²	Public Recreation and Access.	..	Devolves (s. 344, L.G. Act)— Tumbarumba Shire Council.
89259	Ouranee .. ..	.....	8 024 m ²	Public Recreation	..	Tumbarumba Shire Council, Trustee.
85803	Paddy's River ..	Paddy's River Falls	.. 22.66 ha	Public Recreation and Preservation of Native Flora and Fauna.	..	Tumbarumba Shire Council, Trustee.

RECREATION RESERVES, SHOWGROUNDS AND COMMONS—ALBURY ELECTORATE (continued).

Reserve No. (or dedication date)	Location	Local name	Area	Purpose	Number of Trustees	Trust Secretary (name and address)
58589	Rosewood ..	Rosewood War Memorial.	1 808 m ²	War Memorial	..	Tumbarumba Shire Council, Trustee.
89156	Tooma ..	.....	2 800 m ²	Public Recreation	..	Devolves (s. 344, L.G. Act)— Tumbarumba Shire Council.
10897	Tumbarumba ..	Tumbarumba Gardens.	6.475 ha	Botanic Gardens	..	Tumbarumba Shire Council, Trustee.
47288	Tumbarumba ..	.....	2 023 m ²	Public Recreation	..	Tumbarumba Shire Council, Trustee.
49875	Tumbarumba ..	Lyne Park ..	42.9 ha	Public Recreation	..	Tumbarumba Shire Council, Trustee.
54324	Tumbarumba ..	Addition to Lyne Park..	4 047 m ²	Public Recreation	..	Tumbarumba Shire Council, Trustee.
63877	Tumbarumba ..	Tumbarumba Race- course.	61.7 ha	Racecourse and Public Recreation.	7	Mrs M. Lauder, P.O. Box 50, Tumbarumba.
76257	Tumbarumba ..	.....	1.012 ha	Public Recreation and Access.	..	Devolves (s. 344, L.G. Act)— Tumbarumba Shire Council.
77478	Tumbarumba ..	.....	4.553 ha	Public Recreation	..	Devolves (s. 344, L.G. Act)— Tumbarumba Shire Council.
81211	Tumbarumba North	.....	2 959 m ²	Public Recreation and Access.	..	Tumbarumba Shire Council, Trustee.
82287	Tumbarumba North	.....	1.315 ha	Public Recreation	..	Tumbarumba Shire Council, Trustee.
84972	Tumbarumba ..	.....	2.023 ha	Public Recreation	..	Tumbarumba Shire Council, Trustee.
86466	Tumbarumba ..	.....	3.946 ha	Public Recreation	..	Tumbarumba Shire Council, Trustee.
89627	Tumbarumba ..	.....	15.6 ha	Public Recreation	..	Devolves (s. 344, L.G. Act)— Tumbarumba Shire Council.
8854:	Union Jack ..	Union Jack Hall Reserve	3.533 ha	Public Recreation and Public Hall.	6	Mr E. A. Blake, Adelong Road, Tumbarumba.
65128	Welaragang ..	Welaragang Recreation Reserve.	3.741 ha	Public Recreation	5	Mr G. H. Paton, "Millawa" Upper Murray, via Albury.

RECREATION RESERVES, SHOWGROUNDS AND COMMONS—ALBURY ELECTORATE (continued).

Reserve No. (or dedication date)	Location	Local name	Area	Purpose	Number of Trustees	Trust Secretary (name and address)
71561	Welarang	Welarang Recreation Reserve.	1 012 m ²	Public Recreation	5	Mr G. H. Paton, "Millawa", Upper Murray, via Albury, Holbrook Shire Council, Trustee.
77767	Yarara	Yarara Recreation Reserve.	4 047 ha	Public Recreation	..	..
78798	Yarara-Coppabella Estate.	.....	4 047 m ²	Public Hall	..	.....
Ded. 21-9-1917	Balldale	Balldale Recreation Reserve.	23.95 ha	Public Recreation	7	Land District Corowa L. V. Wilson, "Kavason" Balldale.
30390	Howlong	.. Lowe Square ..	14.27 ha	Public Recreation	4	Mr J. K. Farrelly, 63 Hawkins Street, Howlong.
72488	Howlong	.. Howlong Memorial Park	6.48 ha	Public Recreation	..	Devolves (s. 344 L.G. Act)— Hume Shire Council.
90961	Howlong	.. ..	8 094 m ²	Public Recreation	..	Devolves (s. 344 L.G. Act)— Hume Shire Council.
92987	Howlong	.. ..	7.3 ha	Public Recreation	..	Devolves (s. 344, L.G. Act)— Hume Shire Council.
Showgrounds Ded. 26-11-1948	Albury	.. Albury Showground and Stadium.	16.358 ha	Showground	7	Mr W. A. Shearer, Show- ground, Mate Street, Albury.
81748	Culcairn	.. Culcairn Showground..	13.79 ha	Public Recreation and Showground.	..	Culcairn Shire Council, Trustee.
Ded. 25-9-1925	Henty	.. Henty Showground	9.945 ha	Showground	7	Miss P. J. Scheuner, 14 First Avenue, Henty.
87734	Holbrook	.. Holbrook Showground..	7.691 ha	Showground and Public Recreation.	..	Holbrook Shire Council, Trustee.
85519	Tumbarumba	.. Tumbarumba Showground.	8.71 ha	Showground and Public Recreation.	..	Tumbarumba Shire Council, Trustee.
Ded. 9-11-1934	Walbundry	.. Walbundry Showground	9.963 ha	Showground and Public Recreation.	..	Culcairn Shire Council, Trustee.
Commons	Culcairn	.. Culcairn Common	51 ha	Commonage	5	Mr C. M. Webb, 21 McBean Street, Culcairn 2660.

RECREATION RESERVES, SHOWGROUNDS AND COMMONS—ALBURY ELECTORATE (continued).

Reserve No. (or dedication date)	Location	Local name	Area	Purpose	Number of Trustees	Trust Secretary (name and address)
....	Gerogery ..	Gerogery Common ..	62 ha	Commonage ..	5	Mr W. Hummerich, Station Street, Gerogery 2650.
....	Henty ..	Henty Common ..	295 ha	Commonage ..	5	Mr G. E. Gabriel, P.O. Box 27, Henty.
....	Howlong ..	Howlong Common ..	231 ha	Commonage ..	5	Mr I. Edwards, Kennedy Street, Howlong 2640.
....	Jindera ..	Jindera Common ..	53 ha	Commonage ..	5	Mrs V. Williams, c.o. Post Office, Jindera 2640.
....	Tumbarumba ..	Tumbarumba Common ..	45.8 ha	Commonage ..	5	Mr J. E. Lyons, 112 Gilbert Street, Tumbarumba 2653.
....	Woomargama ..	Woomargama Common ..	64.75 ha	Commonage ..	5	Mr L. L. Harrison, Woomargama 2644.
....	Holbrook ..	Holbrook Common ..	115.7 ha	Commonage ..	..	Holbrook Shire Council, Trustee.

CARINGBAH TO GYMEA RAILWAY DUPLICATION

Dr METHERELL asked the Minister for Transport—

- (1) Will he advise of progress in the work to duplicate the electric railway line between Caringbah and Gymea?
- (2) If there has been any substantial work undertaken on this project, when is it scheduled to be completed?

Answer—

(1) Earthworks are 90 per cent complete. Some 40 per cent of the masts for the overhead wiring have been erected.

Of the three bridges involved significant work has been done on the Kiora Road Bridge, where work is proceeding on the abutments.

Miranda Platform was extended towards Cronulla and 75 per cent of the new side of the platform has been constructed.

New Gymea Sectioning Hut complete to lock up stage.

(2) Work was curtailed in the current financial year due to financial constraints but will be continuing in the coming year. It is now anticipated that the project will be completed the following year.

MOUNT DRUITT HOSPITAL

Mr COLLINS asked the Minister for Health—

- (1) Will Mount Drutt Hospital commence operation in July, 1982?
- (2) Has the selection of specialist equipment been completed?
- (3) If so, has this been done in the absence of advice from medical specialists who are to operate the equipment, as to whether such equipment will be suitable for treatment programmes conducted by the particular specialists?

Answer—

(1) On present indications the building of the hospital is due for practical completion in June 1982. The first patient intake will be subject to the availability of staff and other resources.

(2) No. However, much of the equipment for this facility has been chosen and procurement processes are well advanced.

(3) Where equipment has been selected there has been consultation with specialist staff in those specialities where appointments had been made at the time. Where no appointments had been made, consultation took place between the hospital and specialist "consultants" external to the hospital. Consultation also took place with academic and senior clinical staff of the Westmead Centre, other specialists and various specialist advisory committees of the Health Commission. In respect of the balance of equipment needs, the hospital executive is consulting with its appointed staff specialists.

LOCAL GOVERNMENT RATES

Mr SCHIPP asked the Minister for Local Government and Minister for Lands—

- (1) Which councils have increased their rate revenue for 1982 above the standard rate increase of 12 per cent?
- (2) Which of these councils—
 - (a) activated residues from previous rating years to increase their 1982 rates above the set level, and
 - (b) sought ministerial approval to exceed the set level?
- (3) Of those using residual amounts which councils drew on one year, two year, three or more residues?
- (4) What were the residue percentages used by each of the councils from each of the years?
- (5) Which councils still have residues unused?
- (6) What amounts are involved for each of these councils?
- (7) Of the councils which sought ministerial approval for higher increases what reasons were given to support their application?

Answer—

(1) To comply with the rating limitation provisions of the Local Government Act each council must, before making general purpose rates, calculate its permissible limit of rating taking into account the general variation of standard rates determined by the Minister under section 131 (4) of the Local Government Act. Provision is made in section 131 (5) of the Act for the Minister to determine a special variation of a council's standard rate which has the effect of increasing the council's permissible limit of rating.

Without delaying the process of making and levying rates it is not practicable for councils, prior to making their rates, to furnish my Department for the purpose of verification with details of how their permissible limit of rating has been calculated and they are not required to do so. Submission of this information by 31 March, 1982, has, however, been required but a number of returns are still outstanding. Until all returns are to hand and have been checked it will not be possible to determine which councils, other than those which have sought a special variation of their standard rates, have increased their income from general purpose rates for the current year beyond 12 per cent.

- (2) (a) As indicated above, the information sought is not presently available to my Department.
- (b) The councils which have sought and were granted Ministerial approval to exceed the general variation of 12 per cent in 1982 are as follows:

Council

Ballina Shire
 Blue Mountains City
 Greater Cessnock City
 Great Lakes Shire
 Hornsby Shire

Hunter's Hill Municipal
Kiama Municipal
Liverpool City
Murray Shire
Newcastle City
Shoalhaven City
Singleton Shire
Uralla Shire
Wollondilly Shire.

(3) and (4) Councils are required to calculate each year their permissible limit of rating which includes the total amount of unutilized rating capacity from previous years. As the unutilized rating capacity is available for use irrespective of the year in which it accrued no purpose is seen by my Department in dissecting this figure. Statistics as to the year of accrual of the unused rating capacity and the residue percentages used from each year are, therefore, not available.

(5) and (6) As indicated in the answer to Question (1), the information requested is not at present available to my Department.

(7) The general variation of 12 per cent for 1982 was approved on the basis that it will enable councils to maintain the same quantum of works and services as was provided during 1981.

Of the councils which were granted a special variation for 1982, the principal reasons to support their applications were as follows:

- a low level of rating when the rate pegging legislation was introduced in 1978 resulting in a low limit of rating in subsequent years;
- substantial population growth creating the need for additional facilities and services;
- commitments to special capital projects during the year;
- necessity to rectify the council's inadequate Working Funds position;
- substantial infrastructure needs due to coal mining activity necessitating the provision of additional facilities and services;
- increases in wages and salaries above award provisions to attract and retain staff;
- necessity to offset the loss of rate income due to a substantial reduction in valuations on appeal.

REGISTRATION OF SPEECH PATHOLOGISTS

Mr PAGE asked the Minister for Health—

- (1) What is the current position regarding the registration of speech pathologists in New South Wales?
- (2) What is the current position regarding the registration of psychologists in New South Wales?
- (3) When will patients of osteopaths be able to claim for their treatment from health funds as is the case with persons receiving chiropractic treatment?

Answer—

(1) At the Australian Health Ministers' Conference held in Darwin in October 1981, the question of the registration of various groups of health providers was discussed and consideration given to the Standing Committee of the Health Ministers' Conference Report. Generally, it was agreed that the recommendation of the Committee that certain groups, which include speech therapists and psychologists, be not registered should be adopted.

In accordance with that agreement it is not proposed at this time to initiate action to register speech therapists and psychologists.

(2) See (1).

(3) The Chiropractic Act, 1978, provides for the registration of chiropractors and osteopaths.

Patients of registered chiropractors as well as registered osteopaths should be able to claim for their treatment from health funds. However, of the major funds, only Medibank Private (Health Insurance Commission) will not pay benefits for osteopathy services.

Health benefit organizations fall within the responsibility of the Federal Minister for Health.

DISABLED PERSONS

Mr PAGE asked the Minister for Local Government and Minister for Lands—

(1) Was the Department of Local Government given a brief to look at the problems of access for disabled people to public facilities?

(2) If so, has the Department completed its work in this area?

(3) Do recommendations include improved access to public transport?

(4) Are options for granting access to the Eastern Suburbs Railway by disabled people included?

(5) If so, what are these options and when are they likely to be implemented?

Answer—

(1) As part of its function to develop the building regulations the then Department of Local Government, in 1978, commenced a project to include in Ordinance No. 70 under the Local Government Act, 1919 provisions making it mandatory for buildings to contain special access and other facilities for the benefit of people with disabilities.

(2) No. The project was broken up into a number of stages. The first stage which was concerned with public-use buildings, was completed in 1981, the Ordinance amendment being gazetted on 25 September, 1981. It is proposed to consider requirements which might be applied to new single dwelling and residential flat buildings, all existing buildings of all classes of use as well as certain problem areas, such as schools and swimming pools, as soon as practicable.

(3) No.

(4) No.

(5) Not applicable in view of answer to Question (4).

PRISONER ALAN ADAMS

Mr SMITH asked the Minister for Corrective Services—

- (1) Did prisoner Alan Adams die at Prince Henry Hospital on 15 March, 1982, from the effects of swallowing razor blades at Maitland Gaol?
- (2) Why was he treated in Sydney rather than at Newcastle hospital?
- (3) Did his transportation to Sydney contribute to his death?

Answer—

Alan Adams died at Prince Henry Hospital on 15 March, 1982. However, as the death of Alan Adams is to be the subject of a Coroner's Inquest, at a date to be fixed, it is not possible to provide answers to the rest of these questions at this time.

GOSFORD MUNICIPAL COUNCIL

Mr SCHIPP asked the Minister for Local Government and Minister for Lands—

- (1) Has he received representations calling for the dismissal of Gosford Municipal Council?
- (2) If so, from whom and what evidence have they produced in support of their request?
- (3) Has he taken any action to dismiss Gosford Municipal Council and appoint an administrator?

Answer—

- (1) Yes.
- (2) I do not think it appropriate to have the names of those persons who have made representations of this nature or have conveyed their support for the call for the dismissal of the subject Council made by their local member, Mr B. H. McGowan, M.P., placed on public record without their authority. I would add that the requests in the main have been based on allegations without substantive evidence of serious maladministration.
- (3) No, but if any evidence of the above nature is produced, and is proven, action along the lines referred to will be considered.

It is not uncommon for ratepayers and/or electors from time to time to seek the dismissal of their local council when they are dissatisfied with the manner in which it performs its functions. However, it has been a longstanding practice not to recommend dismissal of a council unless there is clear evidence of maladministration as distinct from unpopular decisions taken within a council's discretion.

OVERDUE LOCAL GOVERNMENT RATES

Mr SCHIPP asked the Minister for Local Government and Minister for Lands—

- (1) Has he indicated to the Local Government Association that consideration is being given to amending the Local Government Act to permit councils to levy higher interest on overdue rates?
- (2) When will the amending legislation be introduced?
- (3) Is it proposed to include all overdue rates or will there be a threshold below which concessional interest will apply?
- (4) If so, what is the intended threshold level?
- (5) Why was this threshold chosen?
- (6) Why has the Government changed its policy from that of October, 1981, which placed the onus on councils to take recovery action in regard to overdue rates?
- (7) Has there been a significant increase in overdue rates?
- (8) Which councils have lodged complaints regarding the present interest rate level?
- (9) What amounts of overdue rates are owing to these councils?
- (10) What percentage of total rate revenue is represented by overdue rates for each of these councils?

Answer—

(1) At the annual conference of the Local Government Association in Port Macquarie in October, I advised delegates that the Government was aware that many councils were being disadvantaged by the action of some ratepayers who were withholding the payment of considerable rate bills, because the rate of interest charged on overdue rates was considerably less than current interest rates in the market place.

Under the current provisions of the Local Government Act, councils are obliged to charge interest on overdue rates at a rate between 5 per cent and 10 per cent per annum simple interest.

In January I released to the media a statement that in response to requests from local government, the State Government was considering amending the Local Government Act to permit councils to levy higher interest on ratepayers who owe amounts which are significantly in excess of the residential average. In view of the grave concern which local government representatives have expressed to me, pointing out the disadvantaged position of many councils, and with another year's rate notices then being distributed or about to be distributed, I undertook to closely monitor the position, and I assured councils that, unless the co-operation of major ratepayers was forthcoming, I would take action to amend the Local Government Act to increase the interest on overdue rates of significant amounts to equal the current overdraft rate. The interest on overdue rates owed by householders therefore would not be altered.

(2) As indicated, I undertook in January to closely monitor the position and at this stage no decision has been made in the matter.

(3) As I have previously said should it be decided to increase the interest rate such increase will only be in respect of those cases where the amount owing is significantly in excess of the residential average.

(4) Answer as for (3).

(5) To ensure that the interest on overdue rates owed by householders would not be altered.

(6) There has been no change in attitude to the matter of overdue rates. In October I advised councils that I agreed with the opinion of the previous Minister that the raising of the interest rate is no substitute for recovery action where warranted, and that councils should adopt a more positive approach to the collection of debts owing to them by instituting recovery action as soon as possible after the rates become due and payable.

(7) The latest figures readily available from publications of the Australian Bureau of Statistics indicate that between 1974 and 1978 there was a trend for the aggregate amount owing to councils in respect of unpaid rates for ordinary services to increase each year. However, in 1979 that trend was arrested. Similar figures for 1980 and 1981 have not yet been published by the Australian Bureau of Statistics.

(8), (9) and (10) The table below sets out the councils which have lodged complaints since 1st January, 1981, regarding the present interest rate level on overdue rates, the amounts of overdue rates owing to each of those councils and the percentage in relation to the total rates receivable. The figures are the latest readily available and relate to arrears of general purpose rates as at 31 December, 1980. They have been obtained from the councils' statements of accounts.

<i>Council</i>	<i>General Purpose Rates</i>		<i>Arrears of Total</i>
	<i>Arrears</i>		<i>Rates Receivable</i>
		\$	%
Albury		959,838	14.99
Burwood		70,852	2.59
Grafton		77,145	5.06
Holbrook		27,282	6.51
Lake Macquarie		1,293,860	9.26
Leichhardt		671,148	9.31
Narrandera		83,062	7.4
Queanbeyan		284,185	11.18
Rockdale		242,764	3.82
Scone		54,149	7.0
Southern Riverina (Water Supply Rates only)		19,803	1.88
Tamworth		67,026	2.25
Wagga Wagga		140,836	3.72
Warringah		704,967	4.51
Yallaroi		78,719	8.2
Yass—figures not available.			

GROSVENOR HOSPITAL

Mrs FOOT asked the Minister for Health—

- (1) Has the Grosvenor Hospital for the Intellectually Handicapped been affected by Government cutbacks?
- (2) Has the superintendent been advised by the Medical Defence Union that she will be personally liable at law for personal injuries caused by the reduction of health services at the hospital?

Answer—

- (1) The Grosvenor Hospital has been affected by the suspension of recruitment, advertising and appointments generally applicable within the Public Service. However, due to circumstances existing at the hospital, approval has been granted to an exemption from the suspension to permit the filling of twelve (12) nursing staff positions.
- (2) The Superintendent has not sought nor received any advice from the Medical Defence Union in this matter.

PENSIONER CONCESSION TICKETS

Mr PAGE asked the Minister for Transport—

- (1) Are Pensioner Concession tickets valid for travel by bus, train and ferry within an area bounded by Otford, Campbelltown, Emu Plains and Cowan, with the exception of hydrofoils, Blue Arrow services, Route 101 (except Saturdays) and Racecourse Specials?
- (2) Are Pensioner Concession tickets valid on Cricket Ground and Showground Specials?
- (3) Why are concession ticket holders not permitted to travel to Randwick Racecourse?
- (4) Why are older patrons of racing discriminated against?
- (5) Will he take action to remove this anomaly?

Answer—

- (1) Yes, on Government operated services.
- (2) Yes.
- (3) The Urban Transit Authority incurs considerable cost to provide the premium fare special bus services to and from Randwick Racecourse. Pensioner concession tickets are deliberately maintained at a low cost to facilitate travel by pensioners but it is not a practicable proposition for these tickets to be used on racecourse services. However, pensioner concession tickets may be used on any of the ordinary bus services which pass Randwick Racecourse, viz., Routes 339, 341, 372, 373, 374 and 399.
- (4) Regard must be had to the historical background of special buses operating to the Cricket Ground and the Showground. These services carry a large proportion of concession fare passengers, particularly children, to attend the annual

Easter Show and sporting fixtures. Consequently, it has been the policy to permit the use of concession tickets to these particular venues. Furthermore, these services are provided under different operating circumstances to those applying to the premium fare services to the Racecourse.

(5) In view of the foregoing, it would not be appropriate to alter the fare arrangements for Racecourse special bus services.

MISS ANNEKE ADRIAANSEN

Mr PICKARD asked the Minister for Police and Minister for Services—

- (1) Has he received written correspondence concerning the disappearance of Miss Anneke Adriaansen?
- (2) If so, what is the state of the inquiries into this matter?
- (3) When will he answer in writing the correspondence directed to his Department on this matter?
- (4) Is the Minister aware of the deep concern shown by the parents of this young lady, who are distressed by the failure of the Minister to supply an answer to the local Member of Parliament?

Answer—

- (1) Yes.
- (2) Since the disappearance of Anneke Adriaansen and Alan Martin Fox in January, 1979, intensive Police investigations have been carried out in the Hornsby, Byron Bay and Murwillumbah areas to locate the missing couple. Their descriptions and the circumstances of their disappearance have been circulated to Police in all States and there has been wide media coverage of the case. A substantial reward has also been offered for information leading to their location. Inquiries into the disappearance of the couple are continuing, however, at this stage, Police have no additional information which would indicate their present whereabouts.
- (3) and (4) A reply to representations made on the matter earlier this year by the honourable member for Hornsby was despatched on 7 April, 1982. I can appreciate the distress which the families of both missing persons must have suffered since their disappearance and they may be assured that Police efforts to solve the case will be maintained.

URBAN CONSOLIDATION POLICY

Mr MACK asked the Minister for Planning and Environment—

- (1) Does the urban consolidation policy mean that all single dwelling houses in the inner areas of Sydney must be eventually demolished?
- (2) Does the Government envisage that all single dwelling houses in the North Shore electorate will be demolished in the short term?
- (3) Has the Government examined the social effects of such a policy?

(4) As redevelopment of single dwelling houses means higher age structures and less children, does the Government intend to close schools in the North Shore electorate?

(5) Does the Government intend to increase nursing home beds and hospital facilities for older residents in the North Shore electorate?

(6) As the urban consolidation policy will result in the evacuation of virtually all children from the inner city areas, is the Government intending to replace the already large public infrastructure of children's facilities in the inner areas in the outer suburbs of Sydney?

(7) Has the Government investigated the cost involved in relocating such facilities?

(8) Has the Government considered the social effects of its urban consolidation policy in replacing low income accommodation with high income accommodation in the inner city areas?

(9) Why is the Government promoting the demolition of structurally and functionally sound housing stock in the Lower North Shore when a large percentage of the inner area of Sydney consists of disused land and sub-standard housing?

(10) Does the continued redevelopment of the Lower North Shore mean ejection of low income groups in favour of high income groups?

(11) Why is the Government promoting an Urban Consolidation programme in the Lower North Shore that in practice means a reduction of population and high income earners replacing low and middle income earners?

Answer—

(1) The urban consolidation policy does not mean that all single dwelling houses in the inner areas of Sydney must be eventually demolished. The Government's urban consolidation policy does not mean just redevelopment to high density flats in inner areas. Rather urban consolidation will be achieved by a variety of measures throughout the Sydney Region, including:

redevelopment to medium and high densities, including units, town houses and villa homes;

infilling of development, including use of vacant and under-utilized sites;

dual occupancy, which allows an additional dwelling to be built without demolishing the existing one;

addition of a number of dwellings to an existing one (for example, construction of two or three town houses on a large allotment while retaining the existing dwelling);

recycling for residential use of non-residential buildings;

resubdivision of very large allotments; and

an emphasis towards smaller allotments in newly developed areas and the inclusion of cluster, town and villa housing in new subdivisions.

Each area in the Sydney Region has its own characteristics in terms of location, topography, subdivision patterns, existing buildings and demographic structure. It should be emphasised that the opportunities each area offers for urban consolidation are related to these characteristics.

(2) The Government does not envisage that all single dwelling houses in the North Shore electorate will be demolished, either in the short term or in the long term. The result of urban consolidation policies in this area will be a mixed choice of housing types and a better use of available residential land.

(3) The Government has examined the social effects of the urban consolidation policy.

The policy has been designed to meet the increasingly diverse housing needs of a population which has undergone social and demographic change. It provides for a choice of housing types in any location and means that certain demographic groups, including aged persons, single parent families, young couples seeking their first home, and working and single people who wish to live close to employment and the city's facilities may have access to affordable housing that is most appropriate to their needs.

(4) Urban consolidation does not necessarily mean higher age structures and fewer children. This is a demographic trend which has occurred in many inner and middle ring areas of Sydney. Urban consolidation can be used to arrest this trend. Provision of a choice of housing types means that many elderly people who wish to remain in familiar surroundings, but without the physical burdens of large houses and gardens, are able to move to smaller, more suitable dwelling units in the same locality, such as units or town houses, thus "freeing up" larger detached houses for households with young families. Alternatively, elderly people may wish to remain in the same house but convert it into two dwelling units under the dual occupancy policy, thus providing an additional dwelling either for members of their family or for rental purposes. This type of rental accommodation is particularly suitable for single parent families as it provides not only a smaller dwelling but also a garden for the children.

Consequently the Government's urban consolidation policy will ensure that more young families and single parent families with children are able to live in established areas and hence this will mean that schools in such areas will be better utilized.

(5) This is primarily a question for the Minister for Health. However, the Government's policy is to ensure that health and hospital facilities are distributed according to population need and financial constraints.

(6) As explained in the response to question (4) the urban consolidation programme could in fact result in more children in established areas of Sydney. This will lead to better utilization of existing children's facilities such as schools, child care and playground areas.

However, as significant proportions of young families are continuing to locate in the new outer suburbs, the Government is also aware of the need for such facilities in release areas as part of the urban development programme.

It should be emphasized that urban consolidation, which directs some growth away from the fringe and into established areas, will reduce the costs of urban expansion in the provision not only of facilities for children but also in the provision of other components of the social and physical infrastructure of new areas. Urban consolidation will ensure that the infrastructure and facilities within the existing area are more efficiently utilized.

(7) The response to question (6) shows that urban consolidation will result in these facilities in established areas being used more efficiently. The Government, as part of the urban development programme, is currently costing the

provision of such facilities in outer areas which will continue to accommodate new growth. However, if some growth can be directed to established areas, then existing services and facilities for children can be better utilized and this will provide cost savings to the community.

(8) The Government is concerned with the potential impact of the urban consolidation policy on the availability of low income housing in the inner city and is currently examining measures that can be taken to prevent urban consolidation from reducing the low income housing supply, particularly in inner areas.

(9) The Government is not simply promoting the demolition of structurally and functionally sound housing stock in any area. As the response to question (1) showed, there are several options to achieve urban consolidation which involve retaining existing dwellings. The demolition of houses and redevelopment to higher densities is not the only option.

Disused land in inner areas would be suitable for infill development, as part of the Urban Consolidation Programme. The Government is currently examining the opportunities for using its vacant or unused land for medium density housing projects, throughout Sydney.

(10) As mentioned in response to question (8), the Government is currently examining measures that can be taken to retain the supply of low income housing in inner areas such as Lower North Shore whilst still achieving urban consolidation objectives.

(11) The Urban Consolidation Programme aims at least to retain current population levels in existing areas and at best to increase them. The policy is aimed to meet the changing nature of housing demand by providing a choice of housing types for the range of households that exist particularly in an area such as the North Shore. Another objective of the policy is to reduce the cost of housing. Smaller dwelling units are cheaper to rent or buy, thus making housing more available to different household groups in the Sydney Region.

LAND TITLE ENDORSEMENTS

Mr AKISTER asked the Minister for Local Government and Minister for Lands—

(1) Does the Registrar General automatically place an endorsement on land titles documents if any land referral on the title is subject to flooding?

(2) If not, will he make it compulsory for such endorsement to take place?

Answer—

(1) No.

(2) The Registrar General is empowered to enter in the Torrens Register notifications relating to proprietary interests in land.

The fact that land may be subject to flooding or suffers from any other physical defect is not such a proprietary interest, and is therefore not capable of forming the subject of a notification on title.

COMMERCIAL AIRCRAFT

Mr AKISTER asked the Minister for Transport—

What authority does he or the Department of Transport have in respect of commercial—

- (a) aircraft movements;
- (b) aircraft timetables;
- (c) airport, (i) runways, (ii) terminals, and (iii) other airport facilities?

Answer—

The extent of the powers of the State in relation to air transport is confined to the provisions of the Air Transport Act which provides for the licensing of aircraft used commercially for the conveyance of persons and/or goods between places within the State of New South Wales.

Courts have ruled on the constitutional issues and as a result the State is limited to a rationalization of intrastate services.

The “safety, regularity and efficiency” of air services which includes all operational matters such as the location, construction and operations of aerodromes, including flight scheduling, are the responsibility of the Commonwealth Government.

LOCAL GOVERNMENT ELECTIONS

Mr SCHIPP asked the Minister for Local Government and Minister for Lands—

- (1) What commitments have been given towards the introduction of four year terms for local government?
- (2) If so, when will amending legislation be introduced?

Answer—

(1) I have held discussions with the Local Government and Shires Associations at which agreement was reached on extending the term of office of council members to four years and I have undertaken to introduce legislation to effect the change as from the next local government triennial elections.

(2) Amending legislation will be introduced as soon as practicable.

PUBLIC FUNDING OF LOCAL GOVERNMENT ELECTIONS

Mr SCHIPP asked the Minister for Local Government and Minister for Lands—

- (1) Have any organizations other than local government bodies made requests for the introduction of public funding of candidates at local government elections?
- (2) If so, what action does he propose to take?

Answer—

- (1) No person or organization has requested the introduction of public funding of candidates at local government elections.
- (2) Not applicable.

AUTOMATED RAILWAY TICKET SELLING

Dr METHERELL asked the Minister for Transport—

- (1) Does the State Rail Authority have plans to extend the fully automated ticket selling and collection equipment to particular suburban lines?
- (2) If so, when and to which suburban lines?
- (3) If not, why not?

Answer—

- (1), (2) and (3) A “Task Force” has been set up within the State Rail Authority to examine the ticket selling equipment at stations within the Sydney Suburban Area.

At this stage a firm decision has not been made at which locations such equipment will be provided.

STATE RAIL AUTHORITY STAFF ALLOWANCES

Dr METHERELL asked the Minister for Transport—

- (1) How many staff of the State Rail Authority were in receipt of living-away-from-home allowances during each of the years:
 - 1978–79?
 - 1979–80?
 - 1980–81?
- (2) What was the total cost of such allowances in each of the above years?

(3) What was the average duration per worker of payment of such allowances in the above years?

(4) How many staff of the State Rail Authority received living-away-from-home allowances for periods in excess of one week in:

1978–79?

1979–80?

1980–81?

(5) What guidelines govern the decision of the State Rail Authority on the granting of such allowances?

Answer—

(1), (2), (3) and (4) Not known. Information not kept separately.

(5) Award provisions.

TRAFFIC SIGNALS AT WILLOUGHBY

Mr COLLINS asked the Minister for Police and Minister for Services—

(1) How many motorists have been fined in the period 1 January, 1982, to date for failing to comply with road arrow markings and traffic light signals at the intersections of Willoughby Road, Mowbray Road and Penshurst Street, Willoughby?

(2) What is the total amount of fines imposed on these motorists?

(3) Will the appropriate authority investigate the markings and signals at the said intersections with a view to recommending improvements?

Answer—

(1) During the period 1 January, 1982 to 13 April, 1982, 36 motorists were detected for infringing traffic regulations at these intersections. Details are as follows:

Disobey Traffic Control Lights	3
Not Make Left Turn in Prescribed Manner	3
Not Make Right Turn in Prescribed Manner	30

(2) \$2,025.

(3) Arrangements have been made for these matters to be examined by the Local Traffic Committee of Willoughby Municipal Council.

OMBUDSMAN

Mr HATTON asked the Minister for Police and Minister for Services—

(1) In the light of the Ombudsman's report on the role of the Ombudsman in respect of complaints against the police (March 1982), will he now agree to the granting of complete independence to the Ombudsman in matters of investigation of complaints against police?

- (2) If not, what additional powers would he agree to grant the Ombudsman?
- (3) If the status quo is to remain, what is the reason?

Answer—

The operation of the Police Regulation (Allegations of Misconduct) Act, 1978, is currently being examined in the light of the Ombudsman's report. However, no final decisions on the matter have yet been taken.

MOTOR VEHICLE TRANSFERS

Mr MURRAY asked the Minister for Transport—

How many second hand cars have been sold in New South Wales each month for the period from 1 January to 31 December, 1981?

Answer—

Monthly records of motor vehicle transfers maintained by the Department of Motor Transport do not differentiate between motor cars and motor lorries and it would be difficult to separate the number of cars from the total figures. In the circumstances, the figures shown hereunder are total figures of motor cars and motor lorries transferred each month in New South Wales during the period January–December, 1981:

January	..	..	..	..	..	..	..	70,809
February	..	..	..	..	..	..	..	77,577
March	..	..	..	..	..	..	..	84,661
April	..	..	..	..	..	..	..	78,406
May	..	..	..	..	..	..	..	80,538
June	..	..	..	..	..	..	..	78,226
July	..	..	..	..	..	..	..	90,425
August	..	..	..	..	..	..	..	77,318
September	..	..	..	..	..	..	..	87,897
October	..	..	..	..	..	..	..	78,265
November	..	..	..	..	..	..	..	77,862
December	..	..	..	..	..	..	..	78,349
								Total
								960,333

GAMING AND BETTING SQUAD

Mr HATTON asked the Minister for Police and Minister for Services—

Since Superintendent Beck's retirement as head of the special Gaming and Betting squad—

- (1) What changes have been made to numbers of clerical staff available to assist that squad?
- (2) What changes have been made to numbers of operations personnel?

- (3) Are there any plans to increase staffing levels in the squad, and if so, what are the details?
- (4) Has the request to lease unmarked cars been complied with? What are the details?
- (5) Has a request for additional specialized surveillance equipment including cameras been granted? If so, what are the details?
- (6) How many arrests have been made by the squad in each month since Superintendent Beck's retirement?

Answer—

- (1) No changes have been made to the number of clerical staff assisting the squad.
- (2) The strength of the squad during the term of former Superintendent Beck was 35 units of staff. Since Mr Beck's retirement, the strength has remained at 34 units.
- (3) The staffing needs of the squad and indeed the force as a whole are kept under close review and, bearing in mind the financial constraints placed on the Government, are adjusted whenever considered appropriate and practicable.
- (4) Yes. Since the formation of the squad vehicles have been leased for surveillance and other associated work on 15 occasions.
- (5) Police records indicate that all requests for specialized surveillance equipment by the squad have been granted. Currently, the squad operates the following equipment:
 - 3 Pairs of 10 x 50 PHM Binoculars.
 - 1 x 35 mm Nikon Camera Body.
 - 1 x 35 mm Nikon Motor Drive.
 - 2 x Nikon Telephoto Lenses.
 - 1 x Nikon Lens.
 - 1 x Nikon Wide Angle Lens.
 - 1 x Miniature Camera and associated equipment.
 - 2 x Polaroid Cameras.
- (6) The number of arrests made by the squad since former Superintendent Beck's retirement are as follows:
 - 14 February, 1982 to 28 February, 1982—70.
 - 1 March, 1982 to 31 March, 1982—203.
 - 1 April, 1982 to 28 April, 1982—140.

MOTOR TRAFFIC SIGNS

Mr T. J. MOORE asked the Minister for Transport—

- (1) Have the changes to "No Standing" rules increased difficulties in picking up and setting down commuters in the centre of Sydney?
- (2) If those difficulties exist, what steps are being taken to resolve them?

Answer—

(1) and (2) Following a review of the new Regulations which abolished “No Stopping” signs, it has been decided to revert to the previous arrangements whereby “No Stopping”, “No Standing” and “No Parking” signs will be used at varying locations as may be necessary for efficient traffic management.

MOTOR VEHICLE WARNING SIGNS

Dr METHERELL asked the Minister for Transport—

(1) Has the April, 1982 edition of *CART* (page 40), an official journal of the road transport industry, criticized the new law governing turning vehicles of 7.5 metres or more in length?

(2) Is it a fact that the recent amendments to the Motor Traffic Act state only that warning signs must be clearly displayed on the rear of the vehicle?

(3) Are there many misinterpretations of this regulation, including display of the sign in an unclear or wrong location and by vehicles of less than 7.5 metres in length?

(4) Do drivers of vehicles over 7.5 metres in length have no legal rights if involved in an accident when using more than one lane to make a turn?

(5) Will he ensure that clear instructions are issued and made available to all owners and drivers of such vehicles and that drivers' legal rights are adequately protected?

Answer—

(1) to (5) The April, 1982 edition of *CART* included an article which contained details of the law concerning the turning of vehicles of 7.5 metres or more in length, and commented on the obligations on drivers of these lengthy vehicles and other road users to ensure that care is exercised in turning situations.

The turning vehicle signs were introduced to assist lengthy vehicles when turning in difficult situations, and to give warning to other traffic of such possible manoeuvres. The use of the signs has been well received generally, but some problems have been noted in relation to the display of the signs on vehicles of less than 7.5 metres. The Government proposes to amend the legislation to prohibit display of the signs on vehicles which are not permitted to take advantage of the lengthy turning provisions.

TRANSPORT OF CONTAINERS

Dr METHERELL asked the Minister for Transport—

(1) Has the federal and New South Wales President of the Long Distance Road Transport Association strongly criticized the Government's decision to send all containers from Port Botany to depots at Villawood and Chullora by rail?

(2) Would road transport provide a more effective and reliable service than rail for containers from Port Botany, without subsidy or concession?

- (3) What will be the effects on the road transport industry of implementation of the recommendations of the Kirby Inquiry into the Chullora–Kyeemagh road?
- (4) What strikes, limitations and bans are currently imposed by the T.W.U. in support of its members' claims to transport more containers by road?
- (5) What is the estimated number of extra trucks per day that would be required to transport containers if the rail option were not implemented?

Answer—

- (1) It is believed a press release was issued to that effect.
- (2) There are many factors to be considered in determining what is the best arrangement overall for container transport. Rail haulage of Western Suburbs F.C.L.s using unit trains would in itself be an efficient rail operation. Road transport would be used in combination with the rail line-haul between the port and inland terminals. Although this combination of modes would impose some additional delay and cost, it was adjudged in the Kirby Inquiry Report (Volume 1) to be more than offset by the reduced impact in inner areas.
- (3) If the Kirby Inquiry recommendations were to be implemented in full, Western Suburbs F.C.L. imports would be transported by rail from Port Botany or Port Packson (except Darling Harbour) to Chullora, Villawood or any new inland depot, and from there to the customer by road. The reverse would apply for Western Suburbs F.C.L. exports.

Less than 20 per cent of total port container throughput would be affected if the recommendations were implemented. The number of truck pick-ups and set downs would be unchanged, while the line-haul component for road haulage would be somewhat reduced. All aspects of the implementation of the Kirby Inquiry recommendations are currently being examined by the Government.

- (4) There are currently no strikes, limitations or bans imposed by the T.W.U.
- (5) No extra trucks per day would be required if the rail option were not implemented. The bulk of Western Suburbs F.C.L. containers are currently transported by truck.

CYCLEWAY FOR RYDE

Mr McILWAINE asked the Minister for Transport—

- (1) Will he arrange for the State Bicycle Advisory Committee to examine the feasibility, and, if necessary arrange for the preparation, of a plan for a cycleway along the foreshore of the Parramatta River between the Silverwater Road Bridge and Charles Street, Ryde?
- (2) Will he ensure that provision is made at the Ryde Road, Meadowbank Rail and Silverwater Road Bridges for cycleway crossings of the Parramatta River?
- (3) Will he ensure that provision is also made to link these crossings with cycleways leading to the proposed parks and the Sydney Sports Centre in the Homebush Bay Area?

Answer—

(1) Although the question of planning cycleway facilities is generally one for consideration by Local Government in the first instance, I have arranged for the State Bicycle Advisory Committee to examine the feasibility of the proposed cycleway in conjunction with the local Councils involved.

(2) and (3) This would be dependent upon the outcome of the examination mentioned in (1) above.

CYCLEWAYS

Mr McILWAINE asked the Minister for Transport—

(1) Has the State Bicycle Advisory Committee prepared specifications for the construction of cycleways?

(2) If so, what is the general outline of those specifications?

(3) Do the specifications require the cycleways to be constructed in asphalt or concrete?

(4) What other materials and methods of construction are suggested?

Answer—

(1) The State Bicycle Advisory Committee has not prepared specifications for the construction of cycleways. However, the Traffic Authority which is represented on that committee is currently preparing guidelines for the design and construction of cycleways that, when approved, will be available to all councils.

In the meantime, general advice is provided by the Department of Main Roads, when requested by councils, along the lines that cycleways need not be constructed to high standards. (For example, gravel seal is adequate in many instances.) The aim is to construct a facility at economical cost, then assess its use with a view to sealing with bitumen or concrete and widening the cycleway, if assessment indicates that such action is warranted.

The emphasis nowadays is not so much on construction of special cycleways as on integrating bicycle traffic, where possible, and making existing roads safer for cyclists.

(2) Not applicable.

(3) See (1).

(4) See (1).

THE PLAIN TRUTH PUBLICATION

Mr PAGE asked the Minister for Transport—

(1) Is a publication entitled *The Plain Truth* available on stands within various railway stations?

(2) If so, under what conditions is the publication allowed on Government property and on which railway stations is the publication allowed?

Answer—

(1) Yes.

(2) It is understood that the publication entitled *The Plain Truth* is available from some railway station book stalls by arrangement with the respective private licensees. However, it is not possible to list exactly these book stalls from which the publication is available and to ascertain this would involve a considerable amount of work and time.

The World Wide Church of God (The Plain Truth) held an advertising contract with the State Rail Authority for five book stands at Wynyard, Martin Place, Bondi Junction, North Sydney and Chatswood Stations. The contract expired on 30 April, 1982, and following an executive decision the client was advised that the contract would not be renewed. The stands have been removed.

SCHOOL TRANSPORT IN MONARO ELECTORATE

Mr AKISTER asked the Minister for Transport—

What is the value of conveyance on public transport, provided free of charge, of schoolchildren from the electorate of Monaro to (a) private schools, (b) government schools outside the electorate?

Answer—

There are no Free Government Rail/Bus/Ferry tickets for travel to and from school issued to government and private schools in the Monaro electorate. There would be weekend rail tickets issued for travel to students attending private schools in other parts of the State as school boarders. It would not be practicable to utilize the services of an employee to research and collate the value of the free school tickets issued, having regard to present demands on staff.
