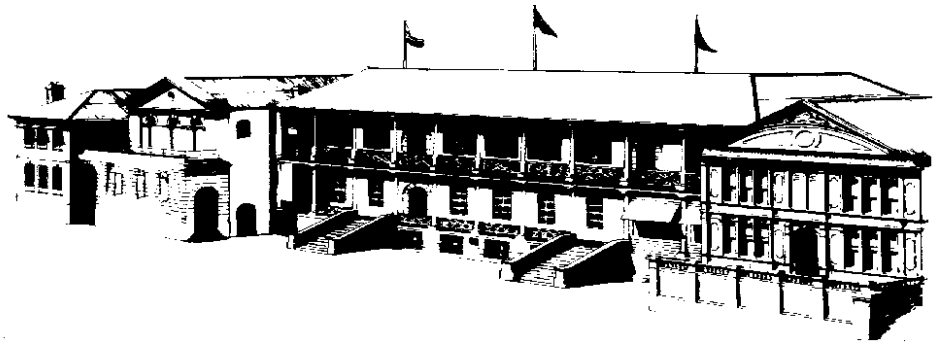
NEW SOUTH WALES



Legislative Assembly

PARLIAMENTARY DEBATES

(HANSARD)

FIFTY-FIRST PARLIAMENT
THIRD SESSION

OFFICIAL HANSARD

Wednesday, 8 April 1998

AUTHORISED BY
THE PARLIAMENT OF NEW SOUTH WALES

LEGISLATIVE ASSEMBLY

Wednesday, 8 April 1998

Mr Speaker (The Hon. John Henry Murray) took the chair at 10.00 a.m.

Mr Speaker offered the Prayer.

FIRE SERVICES JOINT STANDING COMMITTEE BILL

FIRE SERVICES LEGISLATION AMENDMENT BILL

Bills introduced and read a first time.

Second Reading

Mr LANGTON (Kogarah—Minister for Fair Trading, and Minister for Emergency Services) [10.01 a.m.]: I move:

That these bills be now read a second time.

The Rural Fires Act proclaimed last September established the New South Wales Rural Fire Service and a cohesive and integrated management structure for the delivery of fire services to almost 90 per cent of the State in areas affected by bushfires. Amendments to the Fire Brigades Act passed last year will generate significant funding for the construction of new and upgraded fire stations in the western and south-western parts of Sydney and in other developing areas. The legislation I introduce today, the Fire Services Joint Standing Committee Bill and the cognate Fire Services Legislation Amendment Bill, builds on and strengthens the improved fire protection arrangements for communities and the environments they inhabit.

In rejecting former Coroner Hiatt's recommendation for the amalgamation of the New South Wales Fire Brigades and the then Bush Fire Service, the Government chose to maintain separate fire services and to focus on improving their co-operation arrangements. To that end, my predecessor established a ministerial task force which identified opportunities for enhanced co-operation between the fire services across a range of areas including joint operational response, strategic planning, training, community education and research and development. Arising out of the task force, a joint fire services standing committee, comprising the respective fire service commissioners, senior officers of each service and representatives of the Rural Fire Service Association and the Fire Brigade Employees Union was established in August 1996 to oversee the development of co-operative firefighting arrangements.

Since its establishment this committee has completed some important and significant work, for example, the agreement to a memorandum of understanding between the New South Wales Fire Brigades and the New South Wales Rural Fire Service which, among other things, encourages the establishment of local mutual aid agreements at the interface of fire district and rural fire district boundaries. Mutual aid agreements already exist at Campbelltown, Bathurst and Shellharbour and work is well advanced towards formally establishing such agreements in other areas. The committee has also been responsible for the fire services jointly contracting for a range of firefighting equipment such as hose couplings, protective clothing and breathing apparatus; researching and developing appropriate protective clothing for firefighters; and conducting joint training exercises for firefighters of both services, which now occur on a regular basis. An essential area of activity for the committee is the preparation of joint strategic plans for fire service boundaries. Changing patterns of land use and increasing urban, industrial and commercial development warrant a joint and strategic approach to fire service delivery planning.

The Government expects the joint strategic planning process for the efficient delivery of fire services throughout the State to be ongoing and subject to regular review by the committee. The Fire Services Joint Standing Committee Bill simply formalises this committee and its activities by giving it statutory backing. The name of the committee has been changed to the Fire Services Joint Standing Committee, for administrative convenience. It will comprise the respective commissioners, a senior officer of each fire service and a representative from the Rural Fire Service Association and the Fire Brigade Employees Union. The committee's most important functions, as stated in the bill, are: to develop strategic plans for the delivery of a comprehensive, balanced and co-ordinated delivery of urban and rural fire services at the interface of fire district and rural fire district boundaries; to review periodically the boundaries of fire districts and rural fire districts and, if appropriate, to make recommendations concerning those boundaries; and to develop strategies to minimise duplication and

maximise compatibility between the fire services with particular reference to infrastructure planning, training activities, and a community education program. In addition, the Minister may refer any matter to the committee for its consideration and advice.

The committee normally meets every quarter and the practice to rotate the chairperson between the respective fire service commissioners every meeting is reflected in the legislation. Schedule 1 to the bill contains standard provisions relating to the members and procedures of the committee. The fire services have, over many years, independently developed considerable expertise to determine the level of firefighting resources required within their own areas of responsibility. Through the activities of the Fire Services Joint Standing Committee the fire services are now applying that expertise across fire district and rural fire district boundaries to ensure appropriate and co-ordinated levels of fire protection for communities living around boundaries.

As mentioned earlier, I am also introducing the Fire Services Legislation Amendment Bill. The provisions of this bill, among other things, fulfil an undertaking given by the former Minister to the Nature Conservation Council that the Government would extend the bushfire management planning regime to areas of urban bushland. Section 50 of the Rural Fires Act requires the bushfire co-ordinating committee to establish bushfire management committees for council areas that contain a rural fire district. Those committees are required to prepare bushfire management plans which comprise operational plans for dealing with bushfires and risk management plans for the reduction of bushfire hazards. However, there are areas of natural bushland solely within fire districts that are currently not subject to a consistent and integrated bushfire risk management planning framework. Examples of such areas include bushland adjacent to Lane Cove National Park, bushland at North Head and the Georges River State Reserve.

The bill amends section 50 to require a bushfire management committee to be established for a council area that falls within a fire district if there is a reasonable risk of bushfires in that area. The bushfire co-ordinating committee, which comprises senior representatives of the firefighting agencies, land management agencies, the Nature Conservation Council, the Local Government and Shires Associations, the New South Wales Farmers Association and other agencies, will determine what constitutes a reasonable risk of bushfire using historical records and other data available to the committee. As New South Wales Fire Brigades is the agency responsible for fire suppression within fire districts, its officers will provide executive support to the new bushfire management committees where established, and co-ordinate the committees' activities, in particular, the preparation of bushfire management plans.

The bill also amends section 52 of the Rural Fires Act to extend the period in which draft bushfire management plans must be submitted by a bushfire management committee. The Government has been advised by the Rural Fire Service and bushfire management committees that the three-month time frame for the preparation and submission of draft plans, particularly bushfire risk management plans, has proved to be insufficient. While operational plans to combat bushfires are largely in place across the State, the requirements for bushfire risk management plans introduced last September involve more than just plans for fuel hazard reduction. These plans should also refer to such things as local community education programs, smoke management and protection for threatened species. In recognition of the more sophisticated planning requirements the Government proposes to increase to 12 months the time frame for the preparation and submission of plans from bushfire management committees.

The bill contains minor consequential amendments to sections 67 and 68 of the Rural Fires Act which impose certain functions on fire control officers in connection with bushfire hazard reduction work. Not all local councils appoint fire control officers and so the bill amends sections 67 and 68 to confer on local councils the functions presently imposed on fire control officers, and permits local councils to delegate those functions to a fire control officer or a member of the New South Wales Fire Brigades as appropriate. The bill contains savings and transitional provisions as appropriate, and other minor housekeeping amendments. A range of organisations, including both fire services, the Nature Conservation Council, the Local Government and Shires Associations, the National Parks and Wildlife Service and State Forests, have been consulted on these amendments and have expressed no objections.

The other significant feature of the Fire Services Legislation Amendment Bill is that it amends the Fire Brigades Act to require the Commissioner of the New South Wales Fire Brigades to have regard to the principles of ecologically sustainable development (ESD), as described in the Protection of the Environment Administration Act 1991, in carrying out any

function that affects the environment. The amendment simply brings the New South Wales Fire Brigades into line with the New South Wales Rural Fire Service, which is also required to have regard to the principles of ESD.

The New South Wales Fire Brigades has been aware of its environmental responsibilities and the implications of its activities for the environment for some time. It has already introduced a number of practical measures to minimise the impact of its activities on the environment, such as using clean-burning fuels at its hot-fire training sites and the technique of small burns for areas of bushfire hazard reduction to reduce smoke pollution. The Fire Brigades is also completing a comprehensive environmental audit to identify the impact of its activities on the environment. Therefore the New South Wales Fire Brigades fully supports the proposed amendment. The introduction of these two bills continues to demonstrate the ongoing commitment by the Carr Government to the protection and safety of communities across New South Wales, and the environmental safeguards that will preserve our natural bushlands and habitats. I commend the bills to the House.

Debate adjourned on motion by Mr Cochran.

PUBLIC AUTHORITIES (FINANCIAL ARRANGEMENTS) AMENDMENT BILL

Bill introduced and read a first time.

Second Reading

Mr LANGTON (Kogarah—Minister for Fair Trading, and Minister for Emergency Services), on behalf of Mr Knight [10.13 a.m.]: I move:

That this bill be now read a second time.

The Public Authorities (Financial Arrangements) Act 1987, commonly referred to as the PAFA Act, regulates the investment and borrowing functions of government authorities. The Act confers upon the Treasurer a central supervisory role in respect of the investment and liability management activities of agencies to ensure the proper management of financial risks and the maximisation of returns from the investment of funds. Borrowing and investment activities of each agency require prior approval of the Treasurer and a special part, part 2C of the Act, extends these provisions to infrastructure projects that are financed by the private sector. These so-called joint financing arrangements involve long-term contractual obligations akin to an obligation to repay a debt, and although the obligations are normally related to undertakings to do some specific thing or things—rather than to repay a debt—they are considered by the Act in a similar light.

Borrowing by a government agency is guaranteed by the Government in a simple way in section 22A of the Act. When approval is given to an agency to incur a debt obligation, the unconditional guarantee of the Government is given at the same time. In this way lenders to government receive an assurance that the debts of an agency will be repaid despite reorganisation of the machinery of government or its agencies. In addition to debt repayment guarantees, the Act provides for the performance of other contractual obligations entered into by government agencies which have contracted with private sector parties to be guaranteed. The guarantee is that the agency will do what the contracts require. The form of these performance guarantees is to be determined by the Treasurer and is normally expressed in a short deed. It is intended to do no more than guarantee whatever obligations are set out in the primary contracts between the government authority and the private sector parties.

Its role is to assure the private sector parties that there will always be an entity, or otherwise the State, assuming the obligations of the body with whom they have contracted. In recent times it has become common for developers and financiers to seek additional clauses in the performance guarantee. The terms and conditions originally intended to be at the discretion of the Treasurer have become the subject of negotiations between the Government and private sector developers and project financiers. Bargaining over the terms and conditions of guarantees is common in the giving and receiving of guarantees amongst private sector firms, but it is unnecessary when a firm is dealing with a sovereign government with the reputation of the State of New South Wales. There are few firms with a comparable unbroken record of keeping their word. The bargaining process moreover can be a distraction from the main object of achieving the best value for money from the project under negotiation.

In all but the most extraordinary cases, a simple guarantee such as those supporting the obligation to repay the debt of the public authorities of this State would suffice. The legislation will amend the Public Authorities (Financial Arrangements) Act to provide for the guaranteeing of whatever obligations are in the finally negotiated primary contracts. The ability to give a more complex guarantee, with special terms and conditions at the Treasurer's discretion, will remain in section 22B, but such a guarantee is likely to be

given only in the most remarkable cases. I commend the bill to the House.

Debate adjourned on motion by Mr Phillips.

GUARDIANSHIP AMENDMENT BILL

Bill introduced and read a first time.

Second Reading

Mrs LO PO' (Penrith—Minister for Community Services, Minister for Ageing, Minister for Disability Services, and Minister for Women) [10.17 a.m.]: I move:

That this bill be now read a second time.

The Guardianship Amendment Bill 1998 reintroduces those provisions in the Guardianship Amendment Bill 1997 which ensure that people who cannot consent to their own treatment are not denied access to new treatments available only through clinical trials. Those provisions were removed from the Guardianship Amendment Bill 1997 by the Legislative Council. Subsequently they were referred to the Legislative Council Standing Committee on Social Issues for consideration. The bill also gives effect to the central recommendations of the Standing Committee on Social Issues in its report "Clinical Trials and Guardianship: Maximising the Safeguards". The all-party standing committee unanimously recommended the reintroduction of this legislation. Let me place the bill in context. Since the Guardianship Act came into force in 1989 it has always been possible to obtain a valid substitute consent to give new treatment, that is, new treatment which has not yet gained the support of a substantial number of medical practitioners, or dentists, specialising in the area of practice concerned, to people unable to give consent to that treatment—in cases in which it was clear that they would receive the treatment.

The Guardianship Tribunal was the consent authority. Occasional use was made of these provisions. A typical case was the use of newly developing anti-epileptic medications on those with serious epilepsy who were not responding to the established anti-epileptic treatments. The difficulty to be cured by this bill is as follows: the Therapeutic Goods Administration, the Commonwealth Authority responsible for overviewing the importation of medications into Australia, has been insisting that many new treatments should be available in Australia only through clinical trials in which most of the participants will get the new treatment but some, the control group, will not. In order for such clinical trials to be scientifically valid, they have to be double-blinded. This means that neither the treating doctors and nurses nor the trial administrators know which participants are receiving the treatment and which are in the control group. This means it is impossible to predict those participants in the trial who will receive the treatment and those who will not.

In cases where there is no existing treatment, some participants will receive a placebo only. In cases where there is an existing treatment, some will get that treatment and not the new treatment. As I said, the present substitute consent provisions in relation to new treatment in the Guardianship Act are based on the premise that a person will receive the new treatment. Because of the therapeutic goods administration policy—and there is no argument with that policy—people can gain access to many new treatments only if they join a clinical trial, but it cannot be guaranteed that they will receive the treatment. If they do not join the clinical trial they have no chance whatsoever of getting the treatment. The Government has been of the view, and now the all-party Standing Committee on Social Issues of the Legislative Council is unanimously of the view, that people who cannot consent to their own treatment should have access to new treatments, provided that certain stringent safeguards are met. Before outlining the structure of the legislation and pointing out the safeguards, I want to inform the House about the circumstances in which this matter arises.

Many of the trials for new treatments are for drugs to reduce secondary and substantial brain damage resulting from stroke, subarachnoid haemorrhage or cerebral aneurism. These treatments are for people who until they had a stroke were fully competent members of society. The new treatments are being developed to ensure that they suffer as little brain damage as possible. That means that their chances of returning fully to their former capacity is greatly enhanced. Other treatments are being developed to slow down or even halt the advance of dementia, particularly Alzheimer's disease. These provisions are primarily about giving previously healthy people access to new treatments for conditions that take away their capacity to live normal lives in the community. They are not about experimenting upon a group of people who have lost cognitive capacity. The provisions of the legislation make this point even clearer. For an adult who cannot consent to treatment to be given access to new treatment that is available only through a clinical trial, the Guardianship Tribunal will have to be satisfied that the clinical trial is one in which people who cannot consent to treatment should be allowed to participate.

Before the tribunal gives its consent to participation it must be satisfied that: one, the drugs or techniques being tested in the clinical trial are intended to cure or alleviate a particular condition which those taking part in the trial have; two, the trial will not involve any known substantial risk to participants or will not involve material risks greater than the risks associated with existing treatments for the condition concerned; three, the development of the drugs or techniques has reached a stage at which safety and ethical conditions make it appropriate that the drugs or techniques be available to persons with that condition, even if those persons are unable to give consent to taking part in the trial; four, the trial has been approved by the relevant ethics committee; five, the trial complies with any relevant guidelines issued by the National Health and Medical Research Council; and, six, having regard to the potential benefits as well as the potential risks of participation in the trial, it is in the best interests of those persons who have the condition to take part in the trial.

As recommended by the Standing Committee on Social Issues, the ethics committees, which must approve the clinical trial as a condition of the Guardianship Tribunal giving its consent, will have to be institutional ethics committees registered with the Australian Health Ethics Committee. If the tribunal does give consent to those who cannot consent to their own treatment gaining access to new treatment through a particular clinical trial, the tribunal can then decide whether to empower persons responsible to give or withhold consent to particular individuals taking part in the trial. That provision will ensure that in the overwhelming majority of cases the decision to take part in a clinical trial will lie with the person responsible, usually a spouse or an adult child. The Guardianship Tribunal's role is that of a watchdog on behalf of those who cannot consent to their own treatment. It will be bound to apply the safeguards that I have referred to.

The provisions in relation to access to treatments available only through clinical trials will be inserted into part 5 of the Guardianship Act, which is governed by two objects that provide further protection for people who cannot consent to their own treatment. The first object of part 5 is to ensure that people are not deprived of necessary medical or dental treatment merely because they lack the capacity to consent to such treatment. The second object is to ensure that any medical or dental treatment is carried out on such people only for the purpose of promoting and maintaining their health and wellbeing. Without this legislation those who cannot consent to their own treatment will be denied access to new treatments that will manifestly be of benefit to them, only because they have lost the capacity to consent. The provisions in the Guardianship Amendment Bill will give far greater protection for those who cannot consent to their own medical or dental treatment than is available in any other part of Australia. I commend the bill to the House.

Debate adjourned on motion by Mrs Skinner.

BUSINESS OF THE HOUSE

Order of Business

Motion by Ms Harrison agreed to:

That standing and sessional orders be suspended to allow consideration of Orders of the Day (Committee Reports) at this sitting.

PUBLIC BODIES REVIEW COMMITTEE

Report: Regulation of Competitive Tendering and Contracting in the New South Wales Public Sector

Mr NEILLY (Cessnock) [10.26 a.m.]: The report by the Public Bodies Review Committee entitled "Regulation of Competitive Tendering and Contracting in the New South Wales Public Sector" was tabled in the final phases of the last session of Parliament. The report packages in a succinct form a maze of mandatory and indicative guidelines associated with tendering and contracting in the New South Wales public sector. It concludes with a recommendation that the Public Bodies Review Committee and the Standing Committee on Public Works conduct a joint inquiry to further examine the tendering and contracting process in this State.

In the committee's view the tendering process can be improved. There should be a single set of guidelines and a single place where information about participation in the tendering and contracting process can be obtained. Some of the bodies involved are the Council on the Cost of Government, Premier's Department, Department of Public Works and Services—which has also published a green paper on tendering—Department of State and Regional Development and Department of Local Government. Guidelines have also been published by the Independent Commission Against Corruption.

The committee's interest was aroused not only by some reports that were handed down by ICAC

but also by reports of the New South Wales Auditor-General pursuant to Parliament recommending that the Auditor-General investigate some contracts that have been entered into in this State, such as the Eastern Distributor contract. In that case the Auditor-General made the comment that the evaluation of tenders should be undertaken by people with the necessary expertise, and case by case that expertise may differ. His assessment of the Eastern Distributor contract was that some of the people who were involved in the tender acceptance process did not have the financial skills to appropriately identify the major or best benefits that could be achieved from the various tenders.

One thing that highlighted the fact that this arena should be explored by both the Public Bodies Review Committee and the Public Works Committee was a simple aside made by an adviser to the Public Bodies Review Committee during its investigation into a couple of the annual reports that had been tabled in Parliament last year. On that occasion honourable members were advised that Mr Bob Gardner, a former colleague who had at one time been an adviser to the Public Accounts Committee and a member of the special audit division, which was formerly located in the Premier's Department, was now working for Olympic Gas in Western Australia. In the course of identifying the best potential tender for a gas pipeline in Western Australia Mr Gardner and his colleagues decided to fly over the route and match tenders against the work to be undertaken. During that flight they noticed that a farming property was close to a site on which a dam was to be located as part of the pipeline extension. They landed and asked the farmer how much it would cost to put in the dam. The farmer said he would do it for $50,000—some hundreds of thousands of dollars cheaper than the tendered price. The evaluation of tenders is a significant part of this process.

The report contains examples of a whole host of inefficiencies, ranging from people's lack of knowledge of the current guidelines—guidelines which the Government believes will be enhanced—to individuals deliberately trying to avoid the tendering process. That is done by splitting contracts, particularly in regard to local government, to ensure that they are not obliged to proceed to tendering. In the area of new technology and computers, certain contracts have been accepted which have almost locked the Government into a perennial problem. That was partially identified in the tenders accepted by the State Rail Authority for the ticketing machines, which were introduced by the former Government.

Problems related to tendering are not unique to politics. It is a question of best practice and, of course, best practice is relevant to any government. Governments have to comply with the national competition policy and, with such an arrangement in place, it is vital that the guidelines that are established for the participation of government departments in the tendering process are such that they are given a fair opportunity as participants in contracting out or tendering—whatever it is called in this State—and at the same time private enterprise has an opportunity to be an equal participant.

As a consequence of the investigation to be undertaken by the joint committee a unique arrangement can be packaged, which will be far more efficient than that which is already in place in this State. The State does not have adequate monitoring, as is borne out by certain investigations of the Independent Commission Against Corruption and the Auditor-General, to ensure that the best possible practice—as distinct from the process of commencing the contracting or tendering arrangements—is accepted. In saying that, I believe that the Government should initially identify what it wants and ensure that is precisely what it wants, because quite often within government organisations there is a tendency to ask for more than is necessary. This has been well and truly validated by my discussions both with the department in Western Australia that looks after the tendering process in that State and with Mr Bob Gardner. It is vital that a cost analysis be carried out.

Another pitfall is the inclusion of the capacity to extend or enlarge what is contracted for by contingencies at certain stages of the process. Tenders are then called, the best possible tender is identified, with the appropriate people participating in that examination. As works proceed it is important to ensure at each stage of the tendering process that no-one is being rorted and that if a situation arises in the future it is handled in the most appropriate way. Also as part of that process costs should be refined in tune with financial capacity to ensure that any increase in costs can be accommodated. In Western Australia when the contract is completed it is not accepted as final once the money has been paid. A thorough re-evaluation is carried out to ensure that in the future even better processes may be put in place. I believe that the recommendation of this committee and the joint committee will bear fruit and potentially enhance the State's finances.

Mr McMANUS (Bulli) [10.36 a.m.]: As a member of the Public Bodies Review Committee, I

join with the chairman in congratulating the committee on its work. It is a particularly apolitical committee. Members get on well together, and I congratulate my colleagues: the chairman, the honourable member for Cessnock; the honourable member for Murwillumbah; the honourable member for The Hills; and the vice-chairman, the honourable member for Wollongong, on the achievements of the committee over a number of years.

I became a member of this committee some years ago because of some concerns I had about the tendering process in New South Wales. I would like to refer the House to one of those concerns. In 1987 an issue was drawn to my attention regarding the calling of tenders for Merry Beach caravan park, and the encroachment of that area into the Murramarang National Park. In its wisdom the National Parks and Wildlife Service decided to call tenders for that caravan park. I have to say that over 10 years there was the most vindictive campaign against constituents of mine and other members' constituents by officers of the National Parks and Wildlife Service, under the direction of Mr Graham Warboys of Queanbeyan. That is continuing today, and it has to stop.

Some years ago it was decided to call for tenders for this caravan park, and only two tenders were received. The owner himself, the incumbent proprietor, put in a tender and there was only one other tender. When that tender was opened, to my surprise it was from a company called Breakaway Pty Ltd. It was interesting to note that when a check of the procedures and the directors of that company was carried out it showed that one of the directors was an employee of the National Parks and Wildlife Service who was on long service leave; and another was a former employee who had approached a bank to ensure that money was available for a loan to successfully secure the tender.

It became an issue of great concern to me that a departmental head, who should have known better, allowed his employees to tender for a caravan park when there was no other tender. This issue was referred to the Independent Commission Against Corruption, through the honourable member for Dubbo. Following its assessment, ICAC gave the National Parks and Wildlife Service what I consider to be a serious slap on the wrist, but the problem still exists. The tender of the proprietor, who leases an adjacent property at Pretty Beach from the National Parks and Wildlife Service, has now expired and the National Parks and Wildlife Service, under the same administration at Queanbeyan, has called for contract tendering.

The National Parks and Wildlife Service is moving my constituents and other members' constituents out of the caravan park. Money from those people is what enables the service to achieve what it has planned for five years time. I cannot get from the service any sort of financial plan which shows the sense in moving people out when they are the ones who provide the income for the work of the National Parks and Wildlife Service. All these matters are under the administration of the National Parks and Wildlife Service. One of the reasons for the establishment of the committee was to bring to the House concerns about government departments that are totally inept and that need to be brought back into line. I will continue to hound the National Parks and Wildlife Service until it gets its act together on these issues. And I will hound any government department that is as inefficient and inept as the service has been in its Queanbeyan office. I have enjoyed my time on the committee and I will continue to enjoy it. It is a worthwhile committee that was set up to ensure that there is probity in tendering in New South Wales.

Report noted.

COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION

Collation of Evidence: General Aspects of Operations

Mr NAGLE (Auburn) [10.42 a.m.]: The Committee on the Independent Commission Against Corruption holds hearings with the commissioner every six months as part of its monitoring role. This report contains a collation of evidence received at the public hearings in July 1997. The meetings are a valuable mechanism for oversighting the commission and enabling committee members to discuss with the commissioner such matters as the general functioning of the committee, trends in corruption complaints, the commission's budget, co-operation with other agencies, recent inquiries, staffing matters, and corruption prevention and education programs. At the general meeting held in July 1997 the commissioner noted the positive co-operation between the commission and the committee in the development of the commission's corporate performance indicators. He noted that committee members took part in the consultations with various interested parties and assisted in the development of draft performance indicators. The commissioner indicated that he valued the committee's input.

In regard to the joint parliamentary committee's oversight function, one matter which

was discussed at length was the committee's access to commission files. After obtaining advice from the Crown Solicitor the committee resolved not to pursue its request for access to information contained in what is now known as the Yeldham file held by ICAC as the matter was dealt with in the Wood royal commission's final report on the paedophile inquiry. The committee acknowledged that it is unable to examine a particular investigation, complaint or decision and it does not have the power to demand files. This is a matter that the committee intends to examine in the review of ICAC which it is currently undertaking.

The Operations Review Committee of ICAC and the accountability mechanisms in general were also the subject of discussion at the meeting. In this context the commissioner noted the joint briefing session between the members of the ORC and the parliamentary committee. The briefing session allowed the committee to gain an understanding of the processes of the commission and the function of the ORC in decisions about whether to investigate a complaint. The commissioner noted his contentment with the way in which the ORC is operating. The commissioner spoke positively about the likely reduction in corruption in the public sector, which he attributed in part to the commission's activities in exposing corruption, developing corruption prevention strategies and educating the public about corruption.

The commissioner was pleased to note the Premier's commitment to integrity in government and the public service and his unwillingness to tolerate corruption in the public sector. This is illustrated in a number of initiatives, including the introduction of codes of conduct for most government agencies and local governments, and the requirement that senior executive service and chief executive officer recruitment advertisements include a selection criterion relating to integrity in the workplace. In addition, the Premier and the commissioner were both involved in a two-day seminar involving discussions about integrity in government departments. These developments assisted in changing the climate for corruption in this State.

Reports produced by the commission in the past six months were discussed in the meeting, including reports arising from inquiries as well as corruption prevention reports and projects. They included: "Report on the Charter of Aircraft by the Police Air Wing", "Report on the Public Employment Office Evaluation of the Position of Director-General Department of Community Services", "Report on the Investigation Concerning the 1993 Byron residential strategy and associated matters", "Circumstances surrounding the offering of no evidence by the NSW DPP on an All Grounds Appeal at the Lismore District Court on 25 May 1995", "Probity Auditing", "Implementation of Recommendations from the ICAC Investigation into the relationship between Police and Criminals", "Under Careful Consideration: Key Issues in Local Government", and "Managing Post Separation Employment".

Probity auditing has become a very important tool in the administration of public resources in this State. Probity auditing in local government and various government departments has proved very beneficial, particularly in regard to the Olympic Games. There has been great co-operation between the Minister for the Olympics and his staff, the ORC, the Sydney Organising Committee for the Olympic Games and ICAC to ensure that the highest integrity is maintained in the building of all the facilities at Homebush Bay for the Olympic Games in the year 2000. Probity auditing can be compared to the operations of the inspector-general functions in New York city. They are monitored and oversighted by the Department of Investigation. Mayor Giuliani has put a lot of resources into fighting corruption. Inspectors-general and their staff in New York have the job of investigating various aspects of government to ensure that the highest probity, honesty and integrity in public office are maintained. Mayor Giuliani should be supported by people all around the world, including in the United States, in regard to the programs that he has implemented.

The former head of the Department of Investigation, Howard Wilson, and the current deputy director, Kevin Ford, ensured that probity auditing or, as they call it, inspector-general investigation was an integral development in keeping government honest. I commend the corruption prevention unit of ICAC, Peter Gifford's team, for producing a very good handbook to guide councillors and local government staff on their obligations under the law and to ensure that the highest probity is maintained in local government. The handbook gives the general manager of a club who is also a local councillor guidance on whether he can vote in council on an issue which affects his club—in particular, not in general—and what involvement in council deliberations he should have.

Councillors who are members of a club may vote on any issue concerning the club but should declare their membership. A director of a club who is a councillor should declare that interest if the club applies to the council for a development. The ICAC

corruption prevention unit has also set down guidelines in regard to post-separation employment, which is a very difficult area. A member may leave Parliament after being a member for seven or eight years. There are questions about whether that person, particularly if he has been a Minister of the Crown, should be restricted in the type of work he may get. [*Extension of time, by leave, agreed to.*]

Various people have told me that when they wanted advice from the Independent Commission Against Corruption they were able to seek that advice from the commission and in so doing were able to proceed and let government get on with its job. Some people have pointed to a down side: that government now is form and process rather than substance and outcomes. That is not the fault of ICAC; that is the fault of a perception in government. If someone goes to ICAC and explains a problem to the commission, the commission will do everything it can to assist in the administration of government. Nevertheless our committee will continue to monitor the effectiveness of the commission's projects and the impact of its reports and inquiries.

At present the committee is undertaking a review for the celebration of ICAC's 10 years of existence. Following the review the committee will, in conjunction with ICAC, make recommendations designed to strengthen the legislation. One recommendation I shall examine concerns a one-off capital payment for more surveillance equipment in order that the commission may carry out better surveillance. The desirability of additional equipment was demonstrated in the detection of a town planner who took two $10,000 cheques by way of bribe. ICAC was able to film the developer at his home handing over those bribes. The town planner has lost his family, gone to gaol and lost his job. Sometimes one picture is worth a thousand words. Increased funding for ICAC to purchase additional monitoring and surveillance equipment would be of great benefit.

The committee will also review the role, function and accountability mechanisms of the Operations Review Committee. Commissioner O'Keefe has said on many occasions that ICAC is accountable to the joint parliamentary committee as well as to the ORC. The committee will examine the accountability mechanisms. I commend Commissioner O'Keefe and his staff for their good submission to the review. Commissioner O'Keefe detailed an enormous amount of material, which has been of great value to the committee, and I thank him for that. As I have said, the committee's major focus in the near future will be the review of ICAC. Submissions have been received and public hearings will be held in the coming months in order to review the effectiveness and efficiency of ICAC. Issues relating to the protection of civil liberties will also be examined.

I thank the investigative staff with whom I dealt in December. I thank the ICAC senior investigator and his staff for their good work in assisting me. I reiterate my thanks for the good work carried out by the corruption prevention unit under the command of Peter Gifford. The unit is a credit to ICAC and the community is thankful for its work. I attended the seventh and eighth international anticorruption conferences. One was held at Beijing and one in Lima, where I was chairman of the International Anticorruption Conference Advisory Council. At those conferences I observed Commissioner O'Keefe and his staff networking and noted the great support they received. Commissioner O'Keefe distributed videos, books and pamphlets, but still had many requests for material when supplies had been exhausted.

I recognise that Commissioner O'Keefe has assisted many poorer countries in setting up and/or strengthening their anticorruption bodies. Overseas conferences play an enormous role. I intend to suggest to Commissioner O'Keefe that in the very near future ICAC join the Criminal Justice Commission, the National Crime Authority and the Western Australian Commission on Corruption to host the first Australasian, South Pacific and Asian conference in Sydney. Perhaps we could make this place a venue for at least some of the sessions. The hosting of an international conference would assist greatly in promoting the good work being done by ICAC in this State.

The Criminal Justice Commission of Queensland, the National Crime Authority and the Western Australian Commission on Corruption would be able to meet other organisations such as the Hong Kong Independent Commission Against Corruption, the Chinese Supreme People's Procuraty and the Malaysian and Singapore anticorruption units in order to exchange information and views. An international conference would be a very good way for the Independent Commission Against Corruption to impress upon the rest of the world the impact of its work. I know that Commissioner O'Keefe reads contributions to parliamentary debates concerning ICAC, and I urge him to give strong consideration to the hosting of an international conference here. I am sure that the Government would greatly assist him in the preparation of a conference. I am aware that the New Zealand Serious Fraud Office is also very keen on hosting a

conference. I believe the conference should be held here. I commend the report to the House.

Mr O'FARRELL (Northcott) [10.55 a.m.]: This morning I speak on the collation of Commissioner O'Keefe's evidence before the Committee on the Independent Commission Against Corruption last July. At the outset I acknowledge that the chairman of the committee is one of the few Labor Party members on the committee to have a strong commitment to ICAC, its continued operation, its appropriate budgeting and its effective investigative role. For that I compliment him. I also compliment the staff of the committee, who put together the committee hearings; the Hansard staff, who put together the transcript; and the commission itself, which still, it seems to me after a number of these sessions, puts in most of the effort. Regrettably, I suspect that a great deal of the written material provided to the committee goes unread by the vast bulk of its membership.

The July hearing was dominated by what has become known as the David Yeldham affair. This concerned a dispute orchestrated by some members of the committee and ICAC. It was a dispute damaging to the operations of the joint parliamentary committee, incredibly damaging to the reputation of ICAC and personally insulting and damaging to Commissioner Barry O'Keefe, who, after all, had no direct role in these issues when the Yeldham complaints were first received. The whole affair, which occupied two days of the hearing with the commissioner, was in the end sensibly resolved. It was sensibly resolved because the committee finally understood that its role was not to delve into operational matters before ICAC but to look overall, at a high level, at the way in which the commission operates and to recommend or make suggestions for changes in those operations. [*Extension of time, by leave, agreed to.*]

I know that at times it is very difficult for members of Parliament to indicate to the news media that we are not prepared to play their games. This occasion, however, was one on which in the end a majority of members said that we would not do the dirty work for the media. Essentially, the media wanted ICAC to hand over the Yeldham file to the committee so that the committee could make it available to the news media. Such action would have had grave ramifications. It was clearly appropriate that the Yeldham file be handled by the Royal Commission into the New South Wales Police Service. We all, including Labor members, have great confidence in Justice James Wood. Indeed, Justice Wood reported on this issue in his final report. That was one occasion on which members of the committee told the news media, appropriately, that we would not do their dirty work.

There were committee members who—I think for fairly basic reasons—wanted to feed the news media mania about David Yeldham at the time. I suspect there are committee members who have done something similar today and yesterday with regard to a completely different matter. Those members should understand that that is not the way we constructively use this place or the committees that are part of this place. The committee chairman has correctly spoken about a current inquiry by the parliamentary committee into the future operation of the commission. As the chairman has said, the review will examine a number of issues. I should point out, however, that it is my opinion that the original Act governing the Independent Commission Against Corruption was correct and that the parliamentary committee should at no stage seek to involve itself in operational matters before ICAC.

The chairman of the parliamentary joint committee is not Eliot Ness and the other members of the committee are not the untouchables, although some of them would certainly not be touched by me. The committee does not have the resources and I do not consider that it has the impartiality required of sensitive bodies to properly investigate corruption and be serious about it.

I was heartened to hear the chairman make reference to the need for an increased budget for ICAC. I have raised this issue at a number of public briefings with the commissioner and on each occasion he has sensitively skirted around the issue, for reasons that I can well appreciate. It was clear in this public hearing that constraints upon ICAC's budget was affecting and hampering its undercover operations. The commissioner made reference to the fact that undercover operations were extensive and that a lack of certainty about its forward budget meant that those operations had to be curtailed. Indeed, as the commissioner told the joint committee, it had only a draft budget for 1998-99. If there is to be any sensible operation of anticorruption bodies or other investigative bodies, which at times can be painful for the Executive Government, Parliament and other institutions, they ought to have a three-year or five-year rolling budget program. Such a program would provide certainty of funding—whatever the strength of the investigations or the embarrassment they might cause—to enable those bodies to continue to root out corruption and misuse of official power wherever that occurs, for that is what the vast majority of New South Wales citizens want.

Although I am a strong defender of ICAC, I am disturbed about the way it has evolved in recent times. The Walsh Bay development has attracted considerable public concern, and that concern will grow as the project develops. ICAC is being called in by various government departments to sign off each stage of projects. That is inappropriate. It is the role of ICAC to assist government authorities, agencies, and departments to establish their own codes and methods of operating, and that should be done at a macro level. ICAC should sign off on the guidelines to apply in departments in making public and private infrastructure decisions, but ICAC should not be used as a supermarket to pick out decisions favourable to a department in relation to a specific project.

If a signed-off project becomes contentious, ICAC may be called upon to fulfil another investigative role. But by that stage ICAC has already been tainted. ICAC cannot investigate a project that it has been signing off. In response to a question taken on notice, the commissioner confirmed that the Property Services Group, and now the Department of Public Works and Services, has sought advice from the commissioner at key stages of the project. Those concerned about whether the Walsh Bay process has been aboveboard will not gain satisfaction through ICAC, which has already had its hands tied because of previous involvement, but through the offices of the Auditor-General. Reports on overseas study tours and the like are debated in Parliament, but this House does not have the opportunity to discuss the many reports released by ICAC throughout the year. It would be a constructive reform if such reports were debated so that ICAC's excellent work, and the implications and challenges those reports pose for members of Parliament and other public officials, could be highlighted.

Mr LYNCH (Liverpool) [11.03 p.m.]: I wish to raise first a matter that frequently attracts attention to ICAC. I refer to pages 22 and 23 of the transcript. False complaints are being made to ICAC, often with associated publicity and often only for the purpose of attracting publicity. At present there are no effective legislative bars to prevent false complaints being made. For prosecutions to be successful, the criminal standard of proof must be satisfied that complaints are both false and malicious. I asked the commissioner whether a new offence should be created to deal with this problem. It is worth dwelling on the commissioner's answer to that question. He said:

> The answer to the question is probably yes, but it is complex. I do not think it can be just answered yes, no. Can I perhaps think about it a bit more and take that on notice. There is a real problem and there are some times, if you look at the times before State Government elections, local government elections and Labor Party endorsements, which seem to be more prominent than coalition endorsements, then the nature and extent of complaints that come forward increases, as I have indicated earlier—I have not in relation to the third category, but it is much the same as the other two categories—and the graft rises. That, in turn, causes one to think when making the initial assessment why; the fact that it might be jaundiced or biased might not make it wrong but it would cause you to look at the facts that are asserted much more closely. But then the material that you would need to gather in order to show that it was both false and malicious gives you a pretty high threshold.

These frequent and ongoing problems have been identified as issues to be considered by the parliamentary oversight committee in its current review of the Independent Commission Against Corruption Act. There are a number of possible solutions that should be considered by the committee. One is the creation of a new offence. Another is the introduction of a policy that no complaint should be investigated if the complainant has publicised the fact of a complaint. None of the proposals are without difficulties.

Mr O'Farrell: There could be abuse.

Mr LYNCH: The honourable member for Northcott interjects. If he is saying that people would abuse it, he no doubt speaks for himself and nobody else. The problems are sufficiently substantial that there clearly needs to be some action. I would have thought that the alternative of doing nothing and not changing the present system is not useful. Doing nothing means that the unprincipled and unscrupulous could still make unjustified complaints in an attempt to damage others and have some of the mud stick. More important, ICAC at present is compelled to launch at least a preliminary assessment of each complaint, which means that scarce resources are still being wasted on unmeritorious claims chasing rabbits down holes.

I turn to the comments made by the honourable member for Manly, Dr Peter Macdonald, and the Hon. D. J. Gay, recorded at pages 12, 13 and 14 of the transcript. Those comments suggest that sections 37 and 38 of the Act should be removed to allow all answers by witnesses before ICAC to be used in subsequent prosecutions of those witnesses. That proposal occasionally rears its head, but it was not taken up with any enthusiasm by the commissioner in these hearings, and I would argue vigorously against it. Sections 37 and 38 provide that witnesses are forced to give answers before ICAC. However, if witnesses object to giving answers, those replies cannot be used against them

except in a prosecution for giving false evidence. Accordingly, some people who admitted guilt could not be prosecuted, leading to the silly and simplistic calls to which I have referred.

There are two primary reasons for my opposition. First, if protection is removed from witnesses, the incentive to tell the truth is dramatically reduced. If the purpose of ICAC is to expose widespread and extensive corruption in public systems, it is absurd to talk about abolishing those sections. ICAC's objective is to get to the truth and to try to set up structured systems to avoid ongoing corruption. The second objection is that it strikes at the heart of many of our legal presumptions. I am not necessarily a great defender of all traditions—especially those that I think are wrong—but the right to silence is an important protection for ordinary people. However, other protections have been included as a trade-off for removal of that fundamental right to silence.

Report noted.

Report: Study Tour of Organisations and Oversight Bodies Comparable to the ICAC: London, Berlin, New York and Washington

Mr NAGLE (Auburn) [11.08 a.m.]: By resolution of the committee the Hon. D. J. Gay, advice officer David Emery and I went on a trip. The principal discussion topics of the meeting undertaken with groups and individuals overseas were structured mainly from the draft review of the role and function of the ICAC issue paper. The paper itself forms an annexure to this report, and a summary of the principal discussion topics is provided for the reader.

The delegation sought information on the structures of both anticorruption and oversight bodies with a view to discovering what changes could be made and measures taken to improve the effectiveness of the Independent Commission Against Corruption and the Committee on the ICAC, and their relationship with each other. That information included the extent of jurisdictions and the relationship with prosecuting bodies. The delegation sought information on staff numbers and organisation, relative to the size and scope of jurisdictions, and in particular the number and role of commissioners or their equivalent, as well as training and recruitment.

The examination of techniques for handling complainants, both genuine and vexatious, and follow-up techniques were all important items on the delegation's agenda of investigation. Also investigated were use of anonymous names, the treatment of records, witness protection, use of indemnities, progress reports, legal representation, and the protection of whistleblowers. The issue of those who suffer from false allegations was of considerable interest to delegation member the Hon. Duncan Gay and to me.

The approaches, styles and quality of inquiry techniques, the extent of the use of co-opted experts, the structure of investigation teams, and how the media are used or not used, were all matters of value. Moreover, warrants, interview processes, practical and legal limitations, success of prosecutions, and the comparative use of internal checks such as those made by the ICAC's Operations Review Committee were important elements of the study tour. The delegation found the use of undercover, or sting, techniques and integrity testing most interesting.

The use, extent and type of corruption prevention education programs, relationships with other organisations, and the provision of advice are necessary for the forthcoming review. Those matters were the subject of considerable examination by the committee on the study tour. The extent of oversight bodies, their authority and effectiveness, their relationships with oversight bodies, their political influence and the relationship to political leadership were discussed at length. The use and effectiveness of performance measures, costs, prosecutions, acceptance of recommendations, public expectations and support from the political process needed to be examined, and were examined.

I was accorded the great honour of being asked to address a luncheon, organised by the World Bank, on the code of conduct that the committee was preparing for members of Parliament and on political integrity. The Hon. Duncan Gay and I led discussion in a cross-table forum with senior executives of the World Bank, addressing matters to do with political oversight bodies in Australia, such as the Committee on the Independent Commission Against Corruption, of which I am chairman, the Queensland parliamentary committee which oversights the Criminal Justice Commission, the Federal committee that oversights the National Crime Authority, and the joint parliamentary committee on the Western Australian Corruption Commission.

I thank the Hon. Duncan Gay for the assistance he gave me in that forum. At the luncheon when I had finished speaking, he too was called upon to say a few words on those matters. We received a good reception from the people of

Washington and the World Bank; they were very interested to hear two politicians from New South Wales talking on anticorruption measures and ethics. I wish to thank the committee staff, Mr David Emery, Ms Ronda Miller, Helen Minnican, Tania Bosch and Stephanie Hesford for their assistance in the preparation of the report.

I would like to make some reference to the people we met on the study tour. In London we met with Mr Roger Willoughby, Clerk to the Parliament, to discuss the Nolan report. Honourable members would recall that the Nolan report dealt with members of Parliament being paid to ask questions in the House of Commons. The delegation discussed with Mr Willoughby the code of conduct for the House of Commons. That code of conduct, which emerged from the activity to which I referred, has a number of important effects on the definition of corrupt activity of members of Parliament. For example, donations to members are now required to be made to parties as a whole, in order to avoid a perception of conflict of interest. Any contribution equivalent to 25 per cent of campaign costs is registrable, and all paid consultancy work undertaken by members must be disclosed, along with any agreements for same. The aim is transparency so that the Parliament, the media, and the public can make a decision about the ethical behaviour of members of Parliament. I am indebted to Roger Willoughby and his staff for their assistance, and I appreciate the long discussions we had with them.

Thanks are due also to Lord Nolan, and Assistant Commissioner David Veness and Detective Sergeant Chris Chainey of the Metropolitan Police Service Fraud Squad, who dealt with political corruption and fraud. Complaints by citizens can be referred by local authorities directly to Mr Veness or to the unit. In any event, efforts are made to communicate to complainants the progress and likelihood of the success of a given operation. Information received anonymously is carefully assessed and researched, and if any corroboration is found the complaint is submitted for full investigation. Such information is better than none at all, but it carries less weight and difficulties can be encountered in assessing its true value. Cases are assessed internally and, if they are of sufficient strength or gravity, investigations begin using the fraud squad's powers to search police records and other pertinent personal data of suspected individuals. Sting operations are often undertaken. These broad powers were considered to be very important in establishing a strong case. [*Extension of time, by leave, agreed to.*]

The delegation also met with Tony Newton and Ann Taylor, members of the Commons and also members of the Committee on Standards in Public Life of the House of Commons. I must say that our discussions with them were very interesting. Mr George Staple, Director of the Serious Fraud Office in London, gave the delegation a good deal of his time. When that time was up, both Mr Staple and the delegation wanted to stay on to continue their discussions, because not only was the Serious Fraud Office assisting us but they were particularly interested in what is being done in New South Wales. The Serious Fraud Office has carried out an enormous amount of anticorruption work as well as serious fraud investigation. Unlike the Fraud Squad of the Metropolitan Police Service, the Serious Fraud Office has investigative teams led by lawyers employed within the office. It is the rationale of the Serous Fraud Office that, because it is a prosecutorial body, its success is dependent upon its lead investigators having a legal background.

The delegation met also with Lord Nolan, to whom I am much indebted for the help that he gave the delegation. When I went to London at my own expense I met Lord Nolan again. He is a delightful gentleman, and he has done a great deal of work to promote anticorruption, integrity and honesty in politics. I am further indebted to Lord Nolan for the valuable time he gave us. In Berlin the delegation saw the head of Transparency International, Dr Peter Eigen. I am indebted to Dr Peter Eigen and his staff for the information they gave the delegation. That information is not well reflected in the report as much of it was conveyed on a confidential basis to members of the committee. We also saw members of the Berlin Parliament and Ministry of Justice. Sigmar-Marcus Richter spoke to the delegation on the role of the Berlin Police Force in corruption fighting. Mr Richter really impressed the delegation on his hard work and dedication. The delegates also spoke with the Auditor-General of Berlin.

The delegation was generally amazed by the level of alleged corruption in Berlin. In August 1996 a local newspaper, *Die Woche*, described the "reunification corruption" as "massive" and that the "Attorney General's Office in Berlin responsible for state and reunification crime estimates the damage in fraud and corruption after the fall of the Berlin wall at DM 25 billion. In hundreds of cases being investigated, no suspect earned less than DM 200,000, almost three times the salary of a state attorney . . . of some 60,000 suspected accountants . . . six cases were brought to court and

not a single judgment was passed . . . in the organisation responsible for state assets, 534 employees were investigated . . . suspicion was found to be justified in 186 cases . . . but only nine sentences were passed." Berlin may have a long way to go.

Then the committee went to New York and Washington. There we were looked after by the New York Police Department's Charles Campisi, Chief of the Internal Investigation Bureau, and Charles Perrone, a detective of the bureau, assisted by the Deputy Director of the Department of Investigation, Mr Kevin Ford. The Department of Investigation has attorneys, prosecutors and investigators. It carries out work similar to that which the Independent Commission Against Corruption does in New South Wales. It has surveillance, auditors, and forensic investigators, but does not have public inquiry powers. The Department of Investigation is appointed by the mayor upon the consent of the city council. The department is a statutory authority which can issue subpoenas and compel testimony. I am indebted to Deputy Director Ford, who is now the chairman of the International Anticorruption Conference Advisory Council, and also my very good friend, for the assistance he gave to members of the delegation.

During the committee's visit to Washington the delegation interviewed an international private anticorruption organisation called the Fairfax Group, which is the brainchild of Michael Hershman. The group is a private investigative firm which has independent private sector inspectors-general who are privately financed and do a lot of investigative work in the fight against corruption. Mr Hershman is also one of the organisers of Transparency International in the United States. The committee also met with the FBI and the United States Office of Government Ethics.

I omitted to mention the assistance provided to the committee by Mr Bertrand de Speville, the former head of the Independent Commission Against Corruption of Hong Kong, and Mr James Buckle, who was also a senior investigator in charge of investigations of ICAC in Hong Kong. What they had to say was very interesting. It was noted by the delegation that the use of public hearings as an investigative tool was studiously avoided as it was expensive, it could destroy reputations, it could effectively destroy investigation by prejudicing information of witnesses, and it almost never resulted in successful prosecutions. That is one view of the public inquiry powers of our ICAC.

The committee's study tour was effective, and I invite members of Parliament to read the report, which points to a trend throughout the world towards anticorruption. Many bodies carry out effective work in relation to the issue. The speech I delivered to the World Bank is annexed to the report of the delegation, and refers to the people interviewed by the delegation, the various discussion papers and parts of our Act. I am indebted to all those from whom the committee received valuable assistance during its study tour and for their valuable time in assisting this Parliament to carry out its function to oversight the performance and role of ICAC. I thank the committee staff for all their good work, and I thank also the Hon. D. J. Gay and Mr David Emery who assisted me. I commend the report to the House.

Mr O'FARRELL (Northcott) [11.21 a.m.]: The committee chairman said that during the committee's visit the chairman and the Hon. D. J. Gay met with Lord Nolan, who has produced a report in the United Kingdom on ethics, and also met in Washington with the Office of Ethics of that capital city. Study tours are useful if at the end of the day matters discovered by the committee form part of concrete proposals. I wish to express my disgust at what happened last Tuesday when the Carr Government, following upon a Cabinet decision, rejected a three-year inquiry by an ethics committee of this House which included an overseas trip by the honourable member for Auburn and another member of the committee. The Carr Government has thrown that inquiry out the door and simply brought in its own code. If the Government continues to engage in that sort of exercise, if overseas trips by members of Parliament are seen to be worthless at the end of the day because they do not produce any concrete proposal, the criticism in today's media will continue.

Report noted.

JOINT SELECT COMMITTEE UPON THE THREATENED SPECIES CONSERVATION ACT 1995

Report

Mr ROGAN (East Hills) [11.24 a.m.]: The Joint Select Committee upon the Threatened Species Conservation Act 1995 was established to determine whether the policy objectives of the Act remain valid and whether the terms of the Act remain appropriate for securing those objectives. The committee received 117 submissions, conducted

seven days of public hearings, made three visits of inspections to Dubbo, Armidale and Somersby industrial estate near Gosford, and held discussions with one Commonwealth department and one Victorian State department.

Most submissions and witnesses to the committee supported the policy objectives of the Act. The committee found that the policy objectives of the Act remain valid, but that certain terms of the Act require amendment. The recommended amendments are detailed in the committee's report. The committee considered the way in which the Threatened Species Conservation Act is integrated with the Environmental Planning and Assessment Act, particularly through the operation of the eight-part test which is used to determine whether the Threatened Species Conservation Act should apply. The committee recommended that the eight-part test be reviewed by the National Parks and Wildlife Service in conjunction with the Department of Urban Affairs and Planning. The committee reviewed requirements relating to threatened species impact statements, guidelines for their preparation, and the accreditation of persons who prepare these statements. The committee also reviewed the enforcement of the Act and considered it appropriate that the National Parks and Wildlife Service continue to emphasise education, consultation and co-operation rather than prosecution.

I wish to make some observations about the committee's views in relation to the enforcement of the Act as opposed to the co-operative approach that should be taken. It quickly became evident to me from the formal evidence taken before the committee here at Parliament House and from the committee's visits and inspections, particularly rural inspections, that overwhelmingly land-holders held the view that they wanted to conserve threatened species, whether they be plants or animals. Indeed, great interest was demonstrated in conservation of our threatened species. I believe that the approach taken by the committee was based upon that spirit of co-operation and also the realistic understanding that if the Government were to take a strong-arm approach to the conservation and preservation of threatened species it would literally require an army of National Parks and Wildlife Service staff. Not only is such an approach not desirable, because it would not achieve its objectives, but it is not desirable that any government use strong-armed tactics to ensure that laws are upheld. There will always be those who will not be supportive of the objectives of the Act to conserve our threatened species, and of course the Act must contain provisions to ensure that those laws are in place to be enforced if necessary. However, there is a great deal of goodwill out there in the rural sector, and I believe that with a more co-operative approach from the National Parks and Wildlife Service we will be able to work together at government level and at land-holder level to ensure that threatened species are conserved for future generations. Indeed, this approach is more than reinforced when one considers that the great bulk of threatened species are out there in rural New South Wales.

The committee also reviewed availability of information and educational resources needed to ensure compliance with the Act. The committee found that compatible databases maintained by different government departments should be further developed to assist compliance with the Act. The committee considers that education, consultation and co-operation in the rural community are essential for the successful management of threatened species. The committee made various recommendations concerning this matter, in particular, development of advisory committees with the function of fostering consultation and communication with the rural community.

The committee reviewed the role and function of the scientific committee and supports its continued independence. The committee recommended that the scientific committee be given greater discretion to amend nominations and to request further information. The committee also recommended that the Minister be given the opportunity to request the scientific committee to give further consideration to a listing decision. That will occur when the Minister, on the basis of expert scientific advice, considers that the scientific committee may need to re-examine its original decision. One of the committee's more controversial debates related to the scientific committee. [*Extension of time, by leave, agreed to*.]

As chairman, I took the view that rather than write minority reports, the committee should make provision for the report to contain the views of individual members if those views were contrary to the majority view of the committee. That was certainly the case with the scientific committee. The committee also recommended that the National Parks and Wildlife Service pursue joint management and voluntary conservation agreements where possible, and that options be explored to use economic exemptions to facilitate compliance with the Act. It would be remiss of me if I did not commend the individual members of the committee. I had the benefit particularly of the knowledge of the honourable member for Coffs Harbour and the Hon. J. F. Ryan, who had both been members of the earlier committee.

The committee had a short reporting time. Few committees of the Parliament have been required to deal with a subject as contentious as threatened species within the limited time allotted to this committee. In line with the resolution adopted in the upper House, the Act was amended to provide a review and reporting period of no more than two years after the commencement of the Act. The committee members were the honourable member for Peats, the honourable member for Badgerys Creek, the Hon. Jan Burnswoods, the honourable member for Coffs Harbour, the honourable member for Newcastle, the Hon. R. S. L. Jones, the honourable member for Manly, the Hon. J. F. Ryan and I. We worked in a spirit of co-operation, which is one of the hallmarks of the success of the committee system of this Parliament.

I particularly acknowledge the excellent work done by Mr Greg Hogg, the director of the committee, and Miss Fiona Beynan, the project officer who played a significant role in the preparation of the report. Their work was invaluable to the determination and recommendations of the committee. I am also grateful to Ms Ronda Miller for her advice on various matters. It had been some time since I had chaired a committee. The last committee I chaired, the Select Committee Upon Prostitution, was perhaps even more controversial than this committee. I acknowledge also the excellent work of Mr John Hatfield and Miss Hilary Parker, the clerks to the committee. I understand that Cabinet has considered the recommendations of the committee and that it is currently working on amendments to the Act. I suspect those amendments will be placed before the House in the second half of this year. All committee members take pleasure from the knowledge that their reports eventually lead either to changes in policy or changes in legislation. I was delighted to be the chairman of the committee.

Mrs CHIKAROVSKI (Lane Cove) [11.35 a.m.]: I echo the words of the chairman of the committee, and note that the report is essentially the result of a great deal of goodwill between the members of the committee. Members of the committee from the Labor and Liberal parties from both the upper and lower Houses represented a broad spectrum of diverse and differing political views. I congratulate the honourable member for East Hills, the chairman of the committee, on achieving a consensual report. It should be noted that the report is a result of an amendment moved by the Opposition when the legislation was originally debated. That amendment provided for a review of what is probably one of the most controversial pieces of legislation in recent years.

There were a number of concerns about the operation of the Act. Some of those concerns remain. I hope that the Government will treat the review process as an ongoing one and thereby ensure that when the recommendations in the report are implemented the Act will work more effectively. Rural landowners had the gravest concerns about the provisions in the Threatened Species Conservation Act. They believed the Act treated them somewhat unfairly as it imposed enormous costs on them when they were experiencing financial difficulties. The previous speaker has acknowledged that the costs imposed have caused difficulties. I understand that it was found in the consultation process that the eight-part test was almost impossible to comply with, and I note that the committee has recommended that it should be reviewed.

The review process was ongoing, although I understand from members of the committee that the Government abandoned its attempt to impose what would have been even more restrictive regimes on farmers. In those circumstances section 93 of the Act will never be implemented and I suspect it is now appropriate for the Government, bearing in mind the terms of its review of the committee's report, to consider the repeal of that section. It seems nonsensical to retain legislation that will never be implemented. I urge the Government to consider repealing that section. There is some overall concern about the interaction of agencies in this Act and the various roles of the National Parks and Wildlife Service and the Department of Urban Affairs and Planning.

If the review results in a system under which threatened species management can be better maintained the ultimate long-term outcome will be more effective legislation for all stakeholders, including environmental groups and those seeking to become involved in the development in this State. Those in the green movement to whom I have spoken are a little disappointed that the review did not go further. The Opposition regards the report as reasonably balanced. At the end of the day the twin objectives of preserving species and providing certainty in development are in some way supported by the report. We need to ensure a balance between those two objectives. If we do not, the State will not be able to develop in such a way as to maintain certainty for the future. However, the need to preserve species must also be acknowledged.

The committee is to be commended for the recommendations it has made and the manner in which the report has been prepared. As I said earlier, the report is not the end of the matter. The

legislation will need to be constantly reviewed. I am sure the Government will give a commitment to do so. If it does not, the Opposition will certainly give commitment. When the Opposition is returned to office it will continue to monitor the operation of the Act to ensure that it provides that balance and certainty, and to ensure that it operates in a fair, equitable and cost-effective manner for the community at large. A failure to do so will mean condemning all those involved in this process to higher costs. In addition, at the end of the objective of preserving threatened species will probably not have been achieved.

Mr FRASER (Coffs Harbour) [11.40 a.m.]: It is a pleasure to speak to the report of the Joint Select Committee upon the Threatened Species Conservation Act 1995. As the chairman stated earlier, the committee dealt with two fairly difficult subjects relating to rural New South Wales: threatened species and the management of the National Parks and Wildlife Service. Most of the problems arising from the Act occur in non-metropolitan New South Wales. Members of the committee found, as they travelled around New South Wales, that the problems highlighted by farmers and other rural producers resulted primarily from a lack of dialogue between the NPWS and those in the community who are responsible under the Act for preserving critical habitat and caring for threatened species. Committee members spoke to farmers at Dubbo who claimed that officers of the NPWS were basically jackboot patrols. Such claims stemmed largely from a lack of information. Information released by the NPWS to farmers and others was in scientific rather than general terms, and that led to the opening of a gulf between those two groups.

I endorse the report, but emphasise that the NPWS must adopt a much more conciliatory attitude toward those who will play the greatest role in the implementation of the report's recommendations. Members of the committee visited Somersby to inspect the Somersby mint bush, a rare and endangered plant, and found a tendency on the part of NPWS officers to concentrate on issues that do not concern them. The NPWS placed restrictions on property owners in Somersby and delayed a $20 million development. After committee members visited the area, asked the hard questions and submitted to the department that it should be looking at its own backyard they established that the Somersby mint bush was more prolific than they were at first led to believe. Members of the committee and the people in the community were initially led to believe that the Somersby mint bush occurred only in an industrial estate.

I compliment the chairman and the local member on the job they did in that regard. The proposed development should proceed. I hope that the attitude of the NPWS towards the proposed development prevails. It should not only take into account threats to species on private land. It should also ensure that species are in fact endangered or threatened when such claims are made. It should not place onerous restrictions on property owners. The committee took on board the effect such restrictions would have on the farming communities. The Government should ensure that the costs to the community are defrayed. The eight-part test confirms that the proposal is workable and, at the end of the day, those who have the responsibility of implementing the Act will be better able to do so because of the recommendations of the committee. Section 93C of the Act, which relates to farming practices, should be repealed. The NPWS has already indicated that it will not implement that part of the Act.

As a demonstration of good faith the Government should repeal that section. That would promote co-operation between farmers, the community and the department. The record of the NPWS in relation to recovery plans has not been good. It must quickly implement recovery plans and ensure that if a species of flora or fauna is endangered everything possible will be done to improve that species. Endangered species should not be placed on lists and proposed developments should not be frozen. The NPWS should be pro-active rather than reactive. Once again I compliment the chairman, other committee members and committee staff on the great job that they have done in producing this report.

Mr WINDSOR (Tamworth) [11.45 p.m.]: I want to speak only briefly in the debate on the report of the Joint Select Committee upon the Threatened Species Conservation Act 1995. It is pleasing to learn that various groups have put forward positive suggestions in relation to the Act. People in country areas have many legitimate concerns about this legislation. Committee members took the time to travel to country areas and to speak to people who know a little more about the environment than some of their city friends. Some of that information is now filtering through to the Parliament. I am pleased that people of all political persuasions took this opportunity, partly in response to a request by the chairman, to look beyond the politics of this Act and to look instead at its workability.

I should like to draw attention to a matter that is unrelated to the report but has some indirect

relationship to it. A committee is currently considering the availability and cost to public and private individuals and organisations of a digitised mapping system. That digitised mapping system, which is available to some government organisations and to the National Parks and Wildlife Service, should be made available to the broader population of New South Wales and to both conservation organisations and organisations involved in the development of the State. In some instances the NPWS and the Department of Planning have restricted the availability of information to individuals or organisations involved in development. That information may relate to geological matters, endangered species, the development potential of certain lands, or to soil conservation and erosion. A restriction on information such as that leads to mistrust. The establishment of the regional investment committee was an initiative of the Premier. The committee that is examining the digitised mapping system and its availability should be encouraged to make that information available to all groups, whether they are on the developmental or the environmental side of the equation.

Debate adjourned on motion by Mr Debus.

TRANSPORT ADMINISTRATION AMENDMENT (RAILWAY SERVICES AUTHORITY CORPORATISATION) BILL

Bill introduced and read a first time.

Second Reading

Mr SCULLY (Smithfield—Minister for Transport, and Minister for Roads) [11.50 a.m.]: I move:

That this bill be now read a second time.

In 1996 the Government initiated a process for reform of the New South Wales rail industry. These amendments split the former State Rail Authority into four entities: a new State Rail Authority, Freight Rail Corporation, Rail Access Corporation and the Railway Services Authority. The purpose of the reform was to encourage growth and a customer focus within the rail industry. This new structure provided increased transparency to the industry and removed the cross-subsidies that existed between the various business units of the former State Rail Authority. In addition, the transport reforms established two basic objectives for the industry: better business practices and environmental sustainability. Both of those objectives are interdependent and necessary for the New South Wales rail industry to deliver a superior public transport system and ensure that long-term cost reductions will be delivered to the community.

Less than two years later the positive results of this reform process are already being felt by the industry and its customers. More people are now using rail more frequently. Since the reforms took effect in 1996 CityRail passenger journeys have increased by more than 6 per cent, that is, nearly 28 million additional journeys. More freight is being carried by rail now than when the Government came to office in March 1995. Last year, FreightCorp hauled 72.6 million tonnes of freight. That is 14 per cent more than the former State Rail Authority hauled in 1995-96. Under the reforms the taxpayers of New South Wales are now getting a better return for their investment in the rail industry. In their first year of operation both the Rail Access Corporation and the Railway Services Authority reported strong results.

Part of the reform program included the commencement of a contestability process for rail infrastructure maintenance. As part of these reforms the Railway Services Authority was established as a new specialist contracting organisation made up of the infrastructure management and track and freight maintenance activities of the former State Rail Authority. From the commencement of the new rail regime until the start of the progressive program of contestability by the Rail Access Corporation in July 1997, infrastructure maintenance has been carried out exclusively by the Railway Services Authority. Under this program the State's infrastructure requirements were divided into 13 geographical parcels. To date, three infrastructure maintenance contract bundles were let under this contestability process. The East Hills and Waterfall-Bomaderry parcels were both let to Fluor Daniels and the Richmond-Blacktown parcel was let to Rail Infrastructure Alliance, which is a joint venture between the Railway Services Authority and Theiss Contracting.

The second reading speech delivered in relation to the legislation implementing the 1996 transport reforms indicated the Government's expectation that the Railway Services Authority would successfully compete on an equal footing with others for Rail Access Corporation infrastructure maintenance contracts. This competitive tendering process for track maintenance highlighted deficiencies in the Railway Services Authority's contract management capabilities. Pre-reform inefficiencies have meant that the Railway Services Authority failed to win in its own right any of the three contracts that have been let to date. In

February the Government announced its intention to suspend this process to allow for the Railway Services Authority to be corporatised and establish itself on an equal footing with its private sector competitors. Members of the Railway Services Authority's work force throughout New South Wales will be given a fair opportunity to compete for their jobs.

The Railway Services Authority is a significant publicly-owned engineering business and a valuable government asset, and despite recognised inefficiencies it has proven its ability to achieve significant savings and work force reductions. From June 1996 to 1 January 1998 the RSA has reduced total staff numbers from 6,733 to 5,740 and corporate overhead costs by $45 million between 1996-97 to 1997-98. It has achieved accumulated savings of $155 million over two years from infrastructure maintenance and secured additional private and public sector work to the value of approximately $153 million since its establishment.

The Railway Services Authority has proven that it has the skills and commitment needed to achieve necessary reform. It already operates in a highly competitive environment. It is evident that the authority needs to be corporatised to best harness its abilities and to fulfil its potential. That will enable it to compete even more effectively in the competitive New South Wales rail industry and in other markets. The bill sets out the next stage in the Government's rail reform program, building on the solid platform initiated by the Transport Administration (Rail Corporatisation and Restructuring) Amendment Bill 1996. The purpose of the bill is to amend certain provisions of the Transport Administration Act 1988 to corporatise the Railway Services Authority as a statutory State-owned corporation under the State Owned Corporations Act 1989.

Under the proposed amendments the new organisation will be known as Rail Services Australia. Under the bill the new Rail Services Australia will be brought into line with the corporate arrangements currently applying to FreightCorp and Rail Access Corporation. Like FreightCorp and Rail Access Corporation, Rail Services Australia will operate in accordance with the five basic objectives for a State-owned corporation as set out in the State Owned Corporations Act 1989 and repeated in the Transport Administration Act. These are to operate at least as efficiently as any comparable business; to maximise the net worth of the State's Investment in the business; to exhibit a sense of social responsibility by having regard to community interests; to conduct its operations in compliance with the principles of ecologically sustainable development; and to exhibit a sense of responsibility towards regional development and decentralisation.

Additional objectives and functions of the new corporation as set out in this bill are similar to those of the former Railway Services Authority. The new corporation will focus primarily on providing goods and services to the New South Wales rail industry. However, like the Railway Services Authority and consistent with the national competition policy Rail Services Australia will not be constrained to the New South Wales rail industry, but will retain the ability to expand into the wider rail industry and maintenance markets in other industries. That will allow Rail Services Australia to build on its success to date in attracting new public and private sector business, which totals more than $150 million since its establishment.

Rail Services Australia will have two voting shareholders, one to be the Treasurer. A board will be established with its membership to be a chairperson, five general members and a trade union representative to be appointed in accordance with the current arrangements within the Transport Administration Act 1988. The board will be appointed by and accountable to the voting shareholders. Corporatisation of the Railway Services Authority will provide it with the commercial guidance and support of a strong independent board committed to making the RSA competitive. A full management review and restructure under the guidance of the new board will be the first priority of the new corporation with a view to further reducing corporate overheads. That process will ensure that the same rigorous workplace reforms that have been applied to maintenance staff are applied at management level.

The most valuable asset of any organisation is the people within it, and that is true of the Railway Services Authority. All former staff of the Railway Services Authority will be automatically transferred to the new corporation and will take with them the same remuneration package and working conditions as they enjoy at present. Pending staff appeals to the Transport Appeal Board will be preserved. To allow for the transition to a corporatised body, the track maintenance contestability process will be suspended until 1 July 1999. During the intervening period Rail Services Australia will be required to drive down its maintenance costs to demanding but achievable levels. The work performed by Rail Services Australia for the Rail Access Corporation will be on the basis of benchmarks set in the key areas of cost, safety, compliance, availability and reliability.

The projected savings of the rail reform process will be maintained and continued. Rail Services Australia will be provided with the assets it requires to compete. The bill establishes a ministerial holding corporation to allow for the transfer of assets from the former Railway Services

Authority to the new corporation. This further step in rail reform is fully consistent with national competition policy, and will maximise the value of the rail industry and Rail Services Australia to the community. The Government remains committed to the rail reform agenda, having set the pace for the rest of the country.

This decision is about getting the balance right. The Government wants greater efficiency and savings in the New South Wales rail sector. But this must be balanced against the opportunity for New South Wales rail workers to compete with the private sector under improved management structures. The bill will not only provide a change in name but a change in attitude for the Railway Services Authority to ensure that the extensive capabilities and skills base within it are harnessed for the benefit for the people of New South Wales. I thank the board and management of both the Railway Services Authority and the Rail Access Corporation and the rail staff and unions for their contributions and co-operation in delivering these reforms. I commend the bill to the House.

Debate adjourned on motion by Mr Fraser.

JOINT SELECT COMMITTEE UPON THE THREATENED SPECIES CONSERVATION ACT 1995

Report

Debate resumed from an earlier hour.

Ms ANDREWS (Peats) [12.00 p.m.]: It was my great privilege to have served on the Joint Select Committee upon the Threatened Species Conservation Act. I pay tribute to the chairman of the committee, Mr Pat Rogan, the honourable member for East Hills, who is also the Parliamentary Secretary to the Minister for the Environment, the Hon. Pam Allan. His handling of the public hearings and the differences of opinion expressed by some members of the committee demonstrated his fair-mindedness. To his great credit he allowed the report to contain various opinions expressed by members, including opinions that did not necessarily agree with the Government's view of the Act.

I also pay tribute to all the committee staff. Their task was very onerous, because the committee had only six months in which to report to Parliament—a very tight time frame indeed. I particularly thank Mr Greg Hogg, the director; Fiona Beynan, the project officer; and John Hatfield and Hilary Parker, the clerks to the committee. Their work made the work of members far less stressful. I also pay tribute to my parliamentary colleagues who served with me on the committee. We went about our task seriously and were prepared to listen to all points of view. The common theme of the public hearings and our visits to the country—in particular Armidale and Dubbo—was that although everyone, including people on the land, acknowledged that we have to take care to preserve threatened species, whether fauna or flora, they also acknowledged that we could not hold up development of the State.

That leads me to the Somersby industrial park, within the Peats electorate. Because of the discovery of a threatened species, the Somersby mint bush, which is included in schedule 1 to the Act, development of the industrial park was held up for a number of years. The chairman accepted my invitation to the select committee to visit the Somersby industrial park. The visit paid many dividends: well over a thousand more Somersby mint bush plants have since been found within the nearby Brisbane Waters National Park. All members who inspected the Somersby mint bush agreed that it is a hardy little plant, and we could not see that it would not survive in other areas.

The Somersby industrial park was set up in the Wran era to provide jobs on the central coast, to save thousands of people having to commute from the central coast to Sydney daily to work. Discovery of the Somersby mint bush put the creation of jobs on the central coast back some way. I am happy to say that the work of the joint select committee now seems to be unravelling the problem. It is with great pleasure that I am able to tell the House that one of the first development applications has now been approved. National Parks and Wildlife Service personnel were very supportive and gave very good advice to officers of Gosford City Council to assist them to find a way around the problems with the development application submitted to the council. I am sure that in the near future, arising from the joint select committee's work, the Somersby industrial park will go forward in leaps and bounds, creating jobs on the central coast.

Mr ACTING-SPEAKER (Mr Clough): Order! Before calling the next speaker I acknowledge the presence in the gallery of the mayor, deputy mayor and senior officers of Oberon Council, an integral part of the electorate of Bathurst.

Dr MACDONALD (Manly) [12.05 p.m.]: I commend to the House the report of the Joint Select Committee upon the Threatened Species Conservation Act, although I do not agree entirely with all its recommendations. I will outline a couple

of areas with which I disagree. I pay tribute to my fellow committee members: the chairperson, Pat Rogan; and the secretariat—Greg Hogg, Fiona Beynan, John Hatfield and Hilary Parker. When this legislation was introduced in 1995 there were forebodings, in particular from the conservative end of the political spectrum, that New South Wales would grind to a halt. It has not. In fact, the Act has turned out to be very good. The committee has not recommended any major changes to it, although I disagree with a couple of the minor changes that were recommended.

The findings of the committee clearly show that more resources need to be allocated for implementation of the Threatened Species Conservation Act. Time and again, whether in relation to preservation of critical habitats or, at the other end of the spectrum, matters relating to advice, education, and so on in country areas, not enough resources have been allocated. I call upon the Government to back up this legislation, of which it can be proud, with adequate resources.

I dissented from the recommendation on page 74 of the report. I have argued that forward planning concerning the expenditure required in relation to critical habitats, recovery plans and threat abatement plans should be published and tabled in Parliament. A commitment was given during the committee hearings that money would be expended to implement recovery plans and to identify critical habitat, but that will happen when the money is available. I want the National Parks and Wildlife Service to be held accountable and to publish and table in Parliament details of the money it will spend and the work it will do, otherwise this will be a meaningless exercise. Only one or two critical habitats have been listed and only one recovery plan has been completed to date. They are pillars of the legislation. Threat abatement plans and critical habitat recovery plans should be reported to Parliament. I have concerns about the politicisation of the Scientific Committee, the independent committee that lists threatened species. On page 91 the report states:

> The Committee supports the independence of the Scientific Committee in making final determinations. The Committee recommends that the TSC Act be amended to allow the Minister for the Environment to be consulted before any preliminary or final determinations are gazetted.

I am unhappy about that; it is tantamount to politicising the decisions of the scientific committee. What possible role can a politician have in the deliberations of an independent scientific committee? I have argued that the scientific committee should not be required to review any of its decisions based on socioeconomic or political considerations. If at some stage the Minister seeks to override the independence of the scientific committee, so be it, but it certainly should not be provided for in legislation. Its independence should be not be tampered with. There was pressure for the recommendation from both political parties, which love tampering with the independence of these types of bodies. I support the independence of the scientific committee and voice my concerns about the recommendation.

Mrs BEAMER (Badgerys Creek) [12.10 p.m.]: I would like to add to the accolades that have been given to the honourable member for East Hills on his chairmanship of the committee, to its members and to the secretariat. I have served on several committees, and this committee was particularly gratifying because it received tremendous interest, support and submissions from all sectors of the community about the way in which everyone is affected by biodiversity. The committee made three visits to the country, where it was pleased to witness first-hand the interpretation of the Act and the farmers' commitment to biodiversity upon their land. As a result the committee found that all ambits of the Threatened Species Conservation Act were valid because farmers are committed to maintaining biodiversity.

However, the committee voiced its concern that the legislation was still in its infancy and had teething problems because the National Parks and Wildlife Service, farmers and developers throughout New South Wales were involved in the process. Recognition of biodiversity came from a wide cross-section of New South Wales. The honourable member for Manly made the sound point that money is needed to back up the process. It is useless having recovery plans if they cannot be carried out speedily to give threatened species a chance to survive. The review of the legislation highlighted its excellence. No-one disagreed with the legislation, but other problems arose relating to State environmental planning policies. The legislation encapsulates a commitment from all stakeholders throughout New South Wales to maintain biodiversity for future generations. In the last century the number of species that have disappeared from the planet has been horrific. We need to identify the remaining species and maintain them for future generations.

Report noted.

PROFESSIONAL STANDARDS AMENDMENT BILL

Bill received and read a first time.

JOINT SELECT COMMITTEE INTO SAFE INJECTING ROOMS

Report

Ms MEAGHER (Cabramatta) [12.17 p.m.]: Last year the Premier announced in this House the establishment of a Joint Select Committee into Safe Injecting Rooms to consider a recommendation by Commissioner Wood, following the Royal Commission into the New South Wales Police Service, that the establishment or trial of safe injecting rooms be carried out in New South Wales. Commissioner Wood emphasised high-risk locations such as Cabramatta and Kings Cross. The committee was established and charged with the responsibility of assessing the costs and benefits to the community of such a trial. It was initially chaired by the Hon. Patricia Staunton, who went on to bigger and better things, and more recently by the Hon. Ann Symonds. I should like to take this opportunity to congratulate both honourable members on their commitment to ensuring the smooth progress of the committee. In particular I congratulate the Hon. Ann Symonds on her marvellous commitment to social issues and social reforms in New South Wales and wish her well in her retirement.

The committee undertook extensive consultation. Some committee members travelled overseas to study various models, in particular in Germany. However, the committee travelled also to regional heroin hot spots such as Cabramatta, Wollongong and Nimbin and consulted with the Kings Cross community. Many expert witnesses appeared before the committee, as well as residents and others who told of the impact heroin has had on young people and their families. The committee considered the wealth of material before it and decided ultimately to reject the establishment or trial of safe injecting rooms. The overwhelming matters that the committee considered too costly related to the administration of safe injecting rooms. It was felt that while ever heroin was purchased as an illegal substance it was impossible to guarantee the safety of people using a safe injecting room.

It was felt that the establishment of safe injecting rooms would have great potential to entrench drug-related crime in particular suburbs. From my experience, the establishment in Cabramatta of a safe injecting room would be completely inconsistent with the approach of the Government in focusing on high-profile zero-tolerance policing. Further, such a room would not only encourage drug users to that community, it would also attract to that community people involved in the distribution of narcotics, with the result that while ever heroin is illegal there would be the potential risk of personal and property crime in the area. Also, it was felt by the committee that the impact of the establishment of a safe injecting room would send a negative message to young people, and that any money to be spent by the Government on drug prevention measures should be directed to drug use prevention, education and harm minimisation, rather than the use of a room for the illegal activity of injecting heroin.

A further issue considered by the committee was the occupational health and safety of ambulance drivers. Another was the impact of safe injecting rooms providing a mechanism by which drug users could make contact with low-threshold health services. The committee believes that at the moment those factors do not outweigh the cost to the community and that the low-threshold health services are in any event provided through needle and syringe exchanges as well as by street workers. On that basis the committee rejected the establishment or the trial of safe injecting rooms. The evidence before the committee indicated that the establishment of such rooms would be at great cost to the New South Wales community.

Mr RIXON (Lismore) [12.22 p.m.]: The major focus of the inquiry, as specified in its terms of reference, was to advise Parliament on the costs and benefits to the public of the establishment or trial of safe, sanitary injecting rooms and of amendments that may be necessary to the Drug Misuse and Trafficking Act 1985, and to make recommendations as to whether or not such establishment or trial should proceed. A subcommittee of the select committee visited five injecting rooms and held discussions with key stakeholders in Europe.

The committee also visited Wollongong and Newcastle, a number of New South Wales rural areas, including Nimbin, and various Sydney suburbs to speak with concerned members of the community and drug users. In addition to its own research, the committee received 103 submissions and took formal evidence from 89 witnesses. Among those witnesses were parents whose sons or daughters had died because of drug abuse. The committee also heard from a number of individual drug users, legal and medical experts, academics and organisations which supported the establishment or trial of injecting rooms. The committee was presented with detailed professional advice and anecdotal evidence which both supported and opposed the establishment or trial of safe injecting rooms.

In making recommendations in relation to the establishment or trial of safe injecting rooms, the task of the committee was ultimately one of weighing up the competing costs and benefits, and the advantages and disadvantages to those individuals who are injecting drug users as well as to the broader community. After careful consideration of all material presented, the committee recommended that the establishment or trial of injecting rooms not proceed. There were many reasons for the committee reaching its conclusion. One related to safety concerns associated with administering and operating injecting rooms.

The safety and legal liability of health workers was of concern, as was the safety of users of the rooms. A further reason for the committee's conclusion related to the impact on the local community. It was felt that injecting rooms could lead to an increase in drug dealing in the community and neighbouring suburbs, confirming the local community as a drug ghetto. A further concern was increased crime risks associated with injecting rooms. When asked whether injecting drug users travelling to a particular location where an injecting room was situated was likely to perpetuate property crime in that community, Dr Weatherburn replied, "I think the answer is yes."

The committee was concerned also about the impact on attitudes to drug use. Witnesses said that the establishment or trial of injecting rooms could be interpreted as condoning illicit drug use. Sending the wrong message to young people was of particular concern. Another consideration was the question of resource allocation. Material presented to the committee indicated that resources would be better directed to expanding the range and capacity of drug treatment programs. I believe that we should be looking at programs that are more positive in their aims, rather than considering what could be classed as negative programs.

Given the concerns that I have mentioned above, the committee did not regard the establishment or trial of safe injecting rooms as part of a harm reduction program. I congratulate especially the honourable member for Parramatta, the honourable member for Cronulla, the honourable member for Rockdale, the Hon. Dorothy Isaksen and the Hon. John Jobling for their contribution to what might be termed the negative report. I thank also the Hon. Ann Symonds, the honourable member for Wallsend, the honourable member for Bligh and the Hon. Ian Cohen for their contributions to the preparation of the report.

Mr MILLS (Wallsend) [12.26 p.m.]: I wish to speak to the report on the establishment or trial of safe injecting rooms. I commence by thanking the staff who served the committee in the period of its existence and did a terrific job to ensure that witnesses were contacted from all over New South Wales and that arguments were presented to the committee. Those staff did a terrific job to ensure that appropriate evidence was taken from some overseas jurisdictions in which injecting rooms either have been tried or are being tried. Those staff included Dr Kate Dolan, senior project officer for most of the duration of the committee; and Susan Want, who was clerk to the Committee. I pay tribute to both those officers, who worked unselfishly for the committee. Staff who served with the committee for shorter periods included Paul Adams, a research assistant. When it came to writing its report the committee was most grateful for the efforts of Marie Swain, a research officer of the Parliamentary Library, who come on board to ensure the presentation of this excellent report.

I want to pay tribute to members of the committee, commencing with the two committee chairpersons. The Hon. Patricia Staunton, before she retired from the upper House, proved an assertive person in the chair. She sought the best possible outcome from the deliberations of the committee, and set us on a path that the committee followed throughout its existence. She was succeeded by the Hon. Ann Symonds, member of the Legislative Council. As many people have known for some years, Ann Symonds has had a particular interest in drug law reform.

Ann Symonds continued where Pat Staunton left off, with some excellent procedures which made sure that everyone had their say and that all points of view from people and organisations all over New South Wales were able to be presented to the committee. In general, this ensured high standards in the presentation of the report. I believe the cause of drug law reform in New South Wales and the Parliament in general will be the poorer when Ann Symonds leaves this place. My thanks to Ann in particular for the great part she played in the deliberations of the committee that led to the preparation of this report.

I thank the other members who served on the committee. It was obvious from the word go that there were some strong variances in opinion among those represented on the committee. I commend all my colleagues for being fearless in standing up for their beliefs and stating their points of view, while always listening carefully to what others had to say.

I am disappointed with the outcomes of the report. Honourable members would be aware from media reports that I was one of the four members of the committee in the minority, so I was disappointed in the conclusions reached by the majority of committee members. However, I believe a lot of good has come from the inquiry process. The contents of the report are a bible for anyone in Australia who is looking for ways of trying something that I personally believe should be tried, that is, a way of dealing with the problem of street consumption and disposal of drug-use debris in these drug-use hot spots. I have also been quoted in the media as saying I did not think such a measure was appropriate in the Hunter region where I live because we do not have those hot spots. The committee established during its inquiry process as it visited various areas around the State that heroin use is largely suburban. Though that was my comment about my local area, I believe such a proposal is worth trying. I know that Commissioner Wood believed that the proposal was worth trying, because he had recommended, arising from his deliberations during the royal commission into police corruption, that an examination of the process be undertaken. A vital aspect that was perhaps neglected by the majority of committee members was that Commissioner Wood believed that some approach was necessary to eliminate the source of drug-based corruption in the New South Wales police force. [*Extension of time, by leave, agreed to.*]

I thank the House for its indulgence. I wanted to put on record the principal recommendations of the four members of the committee who were in the minority—that is, the Hon. Ann Symonds, the Hon. I. Cohen, the honourable member for Bligh and me. Principally, the recommendations were that we should proceed to a scientifically rigorous trial of safe injecting rooms in New South Wales as part of an integrated public health and safety approach to injecting drug use, as proposed by Commissioner Wood. The committee recommended that the Drug Misuse and Trafficking Act be amended to enable the legal conduct of a trial by the introduction of a new part that would define exemptions from prosecution for activities occurring in the approved injecting room for the period of the trial. The committee also recommended that any trial should include at least three injecting rooms in appropriate locations, as determined by a consultative and open-planning process. It was always vital to the committee's recommendation that local communities in which such a trial was to take place would need to be in agreement with the proposal. The evidence taken before the committee was that such community agreement in certain locations would indeed be obtained and that if a trial were to go ahead without community acceptance of the proposal enormous problems would be encountered.

The committee recommended that an expert advisory group be established to determine the parameters of the trial, including numbers and types of facilities, locations, staffing, the length of the trial, and indicators to be measured. It also recommended that all sorts of key stakeholders be included in the advisory group, including the Department of Health, the Attorney General's Department, the police, health workers, user groups and community representatives. The committee went on to recommend minimum standards of operation to be used in any trial of safe injecting rooms. It also made a recommendation confirming the need for continuing support for harm minimisation, and sought that the Parliament should reaffirm its commitment to harm minimisation as an appropriate strategy in the management of illicit drug use. It is important to hear the views of the minority, as well as those of the majority, in this instance. Attitudes expressed by some committee members indicated to me that there is some risk that the previously bipartisan approach to harm minimisation may not continue for much longer. In spite of the decision of my committee colleagues who were in the majority, I earnestly urge them to maintain a bipartisan commitment to harm minimisation in the interests of the safety and health of not only illicit drug users but the entire community of New South Wales.

Mr KERR (Cronulla) [12.34 p.m.]: I wish to speak in relation to the tabling of the report into the establishment of safe injecting rooms. My participation in this committee brought home to me the dangers posed to our society by the use of heroin. I was particularly impressed by the evidence given before the committee by Mrs Margaret Mackay, who is a parent of a drug addict. Mrs Mackay said in relation to her son's addiction:

> They hate being drug addicts. Their lives are torture every morning. Giving them safe injecting rooms to stick the stuff up their arms, you know, they are prisoners. These people who want it, do they know what it is like to live with one day in and day out? I would get up and find him in the foetal position on the floor. He would get a heater in his room and he would have third degree burns.
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> I would have to lift him into his bed. A man would come and help me shower him. He was like someone from Biafra. Every morning he would wake up screaming, saying "I do not want to be alive. I hate living." He was only awake for about three hours a day because the drugs would knock him out. I would buy him chips and he would go to sleep eating them. He would go to sleep eating lollies. He would go to sleep eating the pills.
>
> The doctors kept giving him methadone and pills. When I went to one doctor, he said, "He is over 21. It is his right."

> Then they said if I give him pills he will die, if I do not he will die, so what the hell.

Mrs Mackay went on to say:

> I have had 17 years of living with this beautiful kid and now he is just ashes in our garden. I hate drugs. In Port Macquarie on 4 September we had a forum, "Keep our Kids Alive" and we would have got national publicity except for Diana dying. We are going to have it every day. If Ian Kiernan can have a national day to pick up rubbish, I want to keep our kids alive. I do not want any kid going through it. They hate it. He hated living.

It is important that the community takes a stand against drugs. I am pleased that in Britain, under Tony Blair, New Labor is preparing its biggest assault on drugs with a £50 million message to children as young as six and plans to segregate addicted prisoners in Britain's gaols. According to a recent report in the *Times*, a strategy will be unveiled in the Spring. Key parts of the strategy have already been submitted to Ministers, including a nationwide education program in primary schools, the isolation of prisoners who persistently offend, and those who will go through "cold turkey" to kick their habit. Other measures include compulsory drug testing and treatment for burglars and others who steal to feed their drug habit and streamlining of government initiatives to cut duplication of effort.

One priority of the strategy is to target children before they fall under the influence of youth drug culture. Research conducted by the Home Office drug prevention unit found that young children given weekly classes in drug dangers are far less likely to become drug users in their teens. A British university study suggests that drug abuse is now as prevalent in the countryside of Britain as it is in urban areas. The honourable member for Wallsend said that drug abuse is presently confined to mainly suburban areas. Some 27 per cent of 14- to 15-year-olds living in the countryside said they had experimented with at least one drug, compared with 21 per cent of suburban youngsters and 18 per cent of urban children.

Recently Eric Clapton said he was furious that young people appear unable to heed repeated warnings about drug use. Yet, when he says he is lucky to be alive after his now cured heroin addiction, the pull of young people's peer pressure is still to take a risk with drugs, just as he did when he was blind to the consequences. [*Extension of time, by leave, agreed to.*]

Mixed messages from those in positions of responsibility compound an already complex problem. Variations in police policy and uneven sentences passed by the courts on drug users and drug dealers bring the law into disrepute. Certainly the report contains a degree of invaluable evidence in relation to this enormous problem. I would particularly commend to members of the public the submission by the Salvation Army, which is opposed to shooting galleries. Its reasons for opposing shooting galleries cannot be lightly dismissed because every minute of every day members of the Salvation Army face the consequences of drug addiction. They are the ones who set out to help those who have made drug addiction the number one problem in their lives. On Friday night I went out with a drug arm van provided by the Wesley Mission. The van goes around the Sutherland shire and provides coffee, chocolate and biscuits to many youths. The crew of the van, who have all attended a course, are able to relate to young people and explain to them the dangers of drug addiction and alcohol abuse.

Early intervention is crucial if we are to get the message across. The message has to be truthful and credible. I cannot imagine anybody wanting the sort of life that Mrs Mackay described her son living, yet that is the sort of life that tens of thousands of our fellow citizens are living every day. This tragedy does not affect only young people. The impact on their families is gigantic. No doubt many of us have been to the funerals of young people who have committed suicide following years of drug addiction and the hell that they and their families have gone through. We as a community need to be involved in the fight against drugs. We need particularly to put forward the message of the consequences of drug addiction. There is no glamour in drugs, only pain and suffering for the addict and for those whom the addict loves.

Motion by Mrs Lo Po' agreed to:

> That standing and sessional orders be suspended to allow further members to speak in the debate on the report.

Ms MOORE (Bligh) [12.43 p.m.]: I was a member of the Joint Select Committee into Safe Injecting Rooms which was set up in the wake of the Wood royal commission to examine whether a trial—I emphasise "trial"—of safe injecting rooms should be established. The committee was established in June last year. The trial, if it had gone ahead, would have allowed for injecting to be carried out in a supervised environment and not on the streets of my electorate in Kings Cross, Darlinghurst, Surry Hills or, indeed, the electorate of the honourable member for Cabramatta where it is currently being carried out. It would have enabled the safe disposal of syringes, needles and other paraphernalia instead of their disposal in public

streets and in the front yards of the homes of people in my electorate.

The availability of sterile equipment would have enabled a reduction in the spread of infectious diseases, which would have saved lives. That would have enabled a reduction in the risk of overdosing and in loss of life, and in that way it would have saved lives. We are talking about one death a day in New South Wales. It would also have provided a gateway to other treatments for drug addiction and, most importantly, counselling and rehabilitation for young people who are addicted, who are shooting up on the street, who are in danger of dying and who have no-one who cares about them and no opportunity for that rehabilitation, education or counselling. It is extraordinary, considering the substantial and overwhelming material that came before the committee, that today we are considering a recommendation not to proceed with a trial. [*Extension of time, by leave, agreed to.*]

The recommendation was not the establishment of safe injecting rooms in my electorate or in the Cabramatta area, but a 12-month trial, which was supported by the New South Wales Law Society, the Australian Medical Association, the Bar Association and, most importantly, by parents who have lost children through drug overdosing. The site for three injecting rooms would have been selected following consultation with community representatives, local police, and health and welfare associations about appropriate locations. An expert advisory group would have included the police, the Attorney General's Department, the New South Wales Department of Health, health workers and users groups, and residents. Minimum standards would have applied, particularly as the trial would have acted as a gateway to treatment and education.

So why did six of the 10 members of the committee reject that trial? The committee spent more than $150,000 on its work and, indeed, an overseas trip was taken. Today is one of the lowest points in the life of this Parliament. I have been here for 10 years, but speaking to this report is one of the most tragic and sad occasions I have experienced. Members of this House should hang their heads in shame. I do not believe that the Government, even if it won Opposition support, was ever prepared to support the recommendation. Why has it been only this issue on which we have to have bipartisan support? Because it is a controversial issue that no-one wants to deal with. But who does want to deal with drugs? It is a very ugly side of our community, but it is one of the most serious issues that our society has to address.

The committee was attempting to deal with the problem in the wake of a recommendation from a very expensive royal commission, yet the Government, with a majority of two, is saying that it will only support the recommendation if there is bipartisan support. I say to Mr Carr: "Where is your leadership? You have your majority. Show leadership on this very important and very controversial issue for the people of New South Wales, and particularly for the young people who do not have a chance when they get caught up in the whole drug scene." The Liberals and the Nationals probably did a bit of polling in suburban marginal seats, and I am disgusted by their behaviour. A decade ago Mr Collins, as Minister for Health, showed tremendous leadership and played a very important role when he participated in a bipartisan approach to the AIDS epidemic.

Australia is a world leader in its progressive approach to the reduction of the spread of HIV and AIDS, and to the introduction of harm-minimisation programs. Turning the clock back, if the Parliament had had to make those sorts of decisions without bipartisanship it would probably have rejected needle exchange. Many more would have died and Australia would not be a world leader in HIV and AIDS issues. I was aware of the political position when the committee was set up. I was aware of the weakness and vulnerability of the Government in only wanting to do something controversial if everyone supported it. Yet, when the overwhelming evidence in support of the trial came forward, particularly evidence from parents whose children had died, I thought, foolishly, although one must maintain one's optimism in this place, that the compassion and concern for fellow human beings, especially young people, would win out over political expediency. But it has not.

We are talking about the death of young people—one death every day. Drugs and addiction do not discriminate. Whilst young people from disadvantaged and abused backgrounds are perhaps more vulnerable—and surely our responsibility is greater to them than to others because no-one else cares about them—it is possible for children of the well-off to get caught up in drug addiction, notwithstanding their socioeconomic and educational background. The son of the Minister for Community Services, the daughter of the honourable member for Cronulla, or my daughter could die because this Parliament has failed to set up a one-year trial. This is an incredibly sad day for this Parliament. I totally condemn those honourable members who do not support this trial. They will be responsible for the deaths of young people on the backstreets of my

electorate. I would not like to go to bed tonight with that on my conscience. Notwithstanding those remarks, I say in conclusion that excellent work was done by the committee. The material which it produced is available for governments in other States—and for a more responsible and progressive government in this State, I hope in the not too distant future.

Dr MACDONALD (Manly) [12.51 p.m.]: I speak in debate on the report of the Joint Select Committee into Safe Injecting Rooms not as a member of that committee but as a member of a profession which cares for people, looks after them, and attempts to stop them dying. Prior to entering this Parliament I was a full-time general practitioner in Manly for 20 years. In that time I worked closely with the Manly drug centre. I saw people die from drug overdoses; I saw people recover; I saw people go onto methadone programs; I saw people ruin their lives; and I saw people recovering their lives. I realised also that drug addiction is a complex matter, probably too complex to be dealt with by a parliament where it becomes entangled in political rhetoric. Reference has been made in this House to simplistic arguments. Anyone who starts talking about harm minimisation and about taking a caring view towards drug addiction is accused of going soft on drugs. The simplistic argument is that society has a choice between either education or harm minimisation.

A complex raft of approaches should be taken in respect of drug addiction. As the honourable member for Bligh said, drug addiction respects no social or age barriers and no demographic boundaries. Drug addiction is a medical challenge; it needs a therapeutic response. Adopting the therapeutic approach advocated by the committee does not offer support to drug users. The drug problem can only be addressed by comprehensive education and comprehensive attention to law enforcement and rehabilitation. People heavily addicted to drugs need our support and our help. This issue goes beyond harm minimisation: it is about death avoidance. The ills of drug addiction, particularly use of needles and syringes, have long been noted. In 1986 the National Drug Summit recognised this problem and produced a comprehensive report which led to the needle exchange and methadone programs.

The needle exchange program, to reduce the chances of contracting hepatitis C, hepatitis B and HIV, has been a success. The methadone program, a therapeutic alternative, received bipartisan support, is well regarded, needs ongoing evaluation and may need finetuning. But the program has its problems, and advances have been made since it commenced. The dangers associated with drug taking call for a measured response. The Wood royal commission recommended, logically, that safe injecting rooms should be established. The royal commission and investigations into corruption at Kings Cross created difficulties. Injecting rooms at Kings Cross, though not officially recognised, provided a service. People did not die in the streets. As I understand it, the situation has worsened and has become a crisis. People like Ron Penny, Alex Wodak and others working in the eastern suburbs have recommended implementation of this trial. Justice James Wood spent a lot of money and time and made measured recommendations. He said, for instance, that publicly funded programs are providing needles and syringes with a clear understanding that they will be used to administer prohibitive drugs. That is why we are doing it. He also said:

> To shrink from the provision of safe and sanitary premises where users can safely inject is somewhat shortsighted.

He spoke about the possibility of amending the Act and referred to a model that should be used. Members who reject that recommendation, disagree with the evidence in the report, and favour not proceeding with safe injecting rooms are rejecting all the evidence. It will be on their heads if the Parliament does not make the right decision and if deaths occur.

Mr RICHARDSON (The Hills) [12.56 p.m.]: I am not a member of the Joint Select Committee into Safe Injecting Rooms or a member of the medical profession; I am a member of this House who has had a keen interest in the issue of illicit drugs for some time. I noted the comments made by the honourable member for Bligh and the honourable member for Manly who both said that drug addiction respected no barriers. We have held a number of meetings in my electorate on this issue and we are taking some action to set up local drug action groups to deal with the problem. The personal tragedy caused by drug use is often unseen. People suffering such personal tragedy are not necessarily those who come forward to meetings.

Last July I was approached by a lady from Dural who told me that her son was a heroin addict and that he wanted some assistance to get into a methadone program. Fortunately, I was able to provide that assistance but I subsequently talked to her son—who for the purposes of this exercise I will call Jason—about why he started on drugs and what they had done to him. Jason had enjoyed a privileged upbringing; he had been to a private school, he had an excellent job and a Neutral Bay

apartment with water views. With that lifestyle had come parties, and the logical progression, if you like, of drug use and abuse. He first started on marijuana, went to ecstasy, graduated to amphetamines and ultimately went on to heroin. Jason said to me that nothing could have stopped him from undertaking that progression. Heroin consumed him. His job went and, with it, the apartment, the water views and the money with which to score.

Jason, like so many others, turned to crime to finance his habit—burglary, drug dealing, or whatever it took. He was upset that his old schoolfriends spurned him when he rang them and wanted to talk to them just as a friend. They did not want to hear from him. His world became the nether world of the addict, in which his only friends were other addicts like Lisa, another former student from the private school that Jason attended. He spent a lot of time hanging out at Cabramatta and he finally tried to get off heroin. He got tired of feeling permanently sick and he has taken the first step towards rehabilitation by getting into a methadone program. Earlier the honourable member for Wallsend referred to a break in the bipartisanship of this Parliament on the drug issue. [*Extension of time, by leave, agreed to.*]

I believe the bipartisan approach has not broken down. Rather, the validity of the harm minimisation approach to the use of illicit drugs, which has been the cornerstone policy of this country for the past 13 years, has been reappraised. I would like to think that the policy is now being redefined as a harm-reduction policy. Certainly that is true of the Prime Minister's drug strategy. A harm-reduction policy includes elements of harm minimisation but does not accept drug use as a way of life. Such a policy does not include the concept that because people will use drugs a safer and more responsible approach to their use should be promoted, as is suggested in some literature that is distributed throughout schools. Minimising the harm caused by drug use through initiatives such as the needle exchange program is accepted by both sides of the House, but members of this House have clearly said they will not go beyond the dividing line and support the establishment of State-run injecting rooms, even on a trial basis.

In her contribution the honourable member for Bligh became extremely vocal about how young people in her electorate were injecting drugs on the streets and killing themselves. That is a great tragedy that should be prevented at all costs. On the other hand, the honourable member for Cabramatta, who was also a member of the safe injecting rooms committee and whose electorate also has a significant drug problem, strongly opposed the establishment of injecting rooms. A range of reasons could be advanced for that. The first is that when addicts score they want to shoot up immediately. In many instances they will not make the trip to an injecting room but will roll up their sleeves and stick in a needle, dirty or otherwise, to get an immediate hit. All honourable members would have seen television documentaries depicting that. Dealers are likely to sell drugs near injecting rooms because that is where their customers are.

Another consideration is the potential liability of staff. Are staff members liable for the death of an addict who overdoses in an injecting room and is not brought back to life? Can staff members consequently be sued? The location of injecting rooms would cause considerable community angst. Even in areas such as Kings Cross it would be difficult to get community agreement on the location of an injecting room. State-run injecting rooms are incompatible with the current status of heroin as an illegal drug. If injecting rooms are established addicts would be able to purchase illegal substances on the street and then inject those substances into their veins in what would be almost a legal State-run dispensary. That would send out all the wrong messages to kids who might be tempted to try drugs.

It would be difficult for us as politicians to claim that we disagree with the use of heroin and that heroin should remain an illegal drug, and then support the setting up of State-run injecting rooms in which people can inject that illegal substance into their veins. Concern has also been expressed that people would be tempted to use the rooms to inject methadone. Methadone is legally available on prescription. Diversion from methadone use is one of the major aims of the methadone program. In that regard, if we approve the setting up of safe injecting rooms we would be sending the message that we approve of people using wider bore needles in injecting rooms to inject a substance to which they simply should not have access.

Mr HARRISON (Kiama) [1.04 p.m.]: I express my satisfaction with the recommendation that the injecting rooms not be established. It was a worrisome time for many people when Parliament sent representatives from both sides of the House to various places around the world to investigate the operation of injecting rooms. Parliament did not adopt the same attitude when a possible cure for a substantial number of heroin users was foreshadowed in a naltrexone trial. When I went to Israel to investigate that treatment I paid my own expenses. I do not regret for one minute having

done so, because I had the opportunity to see Dr Waismann in action and to form the impression that there would be a distinct advantage in the development of such a trial in New South Wales, which, I am pleased to say, is now under way. I expect that the naltrexone trial will prove successful and that heroin and methadone users will derive great benefit from it.

The concept of injecting rooms sends out the wrong message to young people who are at risk of becoming involved in heroin use. The proposal is flawed because if an injecting room is set up in Cabramatta or in Newtown, addicts are then expected to travel to those localities to get a hit in a clean and legal environment. As other speakers have said, heroin users must have more than one injection per day. To do so, they would have to live close to an injecting room or travel—and they will not travel. Even if injecting rooms were set up in every suburb of metropolitan Sydney, the moment an addict overdosed in Gerringong or Gerroa there would be a clamour that the Government was responsible for the death because those areas did not have safe injecting rooms.

One speaker mentioned the possibility of massive claims for compensation against the Government as a result of people using an injecting room to inject dirty substances that were bought on the street, overdosing, and dying. Another scenario is of a woman in an advanced state of pregnancy shooting up regularly in a State-run establishment and then bringing into the world an infant with a heroin addiction. The use of heroin is not a victimless crime. Those who claim that is it should talk to the families of heroin users and look at the babies who come into the world addicted to heroin before they even open their eyes. In every way the concept of government-funded injecting rooms is totally inappropriate. [*Extension of time, by leave, agreed to.*]

The cost associated with setting up the necessary injecting rooms in every centre of population around the State would be absolutely prohibitive. They would have to be open at least 16 hours a day and attended by medically qualified persons to make sure that people injecting drugs did not overdose and kill themselves or did not adopt the wrong procedure. All this would be a cost to the taxpayers of this State. If money is available to throw around—and there does not seem to be a great deal of it—organisations such as Odyssey House and Mancare that are starved for funds at this time should have that money directed to them. When heroin addicts, because of the constant pressure that comes from their friends or family, finally make the decision to undertake rehabilitation to break the habit they go to an organisation such as Mancare or Odyssey House. But there might be a waiting list of, sometimes, months before they can get in. Then the opportunity is lost and they just go back on the streets and continue with their habit.

We should send out a message to people that it is totally wrong for people to become involved in drug usage. It is wrong and it is dangerous. It is very destructive to them, their families and everybody associated with them. I commend the majority of members of the committee who recommended that the proposal not proceed. I am disgusted that there are any people in this House who believe that people should be encouraged, by the setting up of government-funded injecting rooms, to perpetuate the habit of drug use. It is politics of the warm inner glow: the "if it feels good, do it" sort of attitude, which seems to be pretty pervasive in the Left of politics these days. That attitude is not to be admired in any way; it is to be condemned. I say once again as a Government member in this Parliament: congratulations to the people who came up with this majority recommendation, which I am sure will be supported by the Parliament. It has my total support.

Debate adjourned on motion by Mr O'Doherty.

[*Mr Acting-Speaker (Mr Clough) left the chair at 1.12 p.m. The House resumed at 2.15 p.m.*]

MINISTRY

Mr CARR: The Minister for the Olympics is absent today. He is attending the official opening of the Royal Easter Show by the Governor-General. The Minister for Transport will answer any questions directed to the Minister for the Olympics.

OVINE JOHNE'S DISEASE

Ministerial Statement

Mr AMERY (Mount Druitt—Minister for Agriculture, and Minister for Land and Water Conservation) [2.17 p.m.]: I wish to make a ministerial statement about ovine Johne's disease, a serious matter which the Government is committed to addressing. Ovine Johne's disease is a bacterial infection that is present in a relatively small number of sheep flocks in New South Wales. To a lesser extent the disease exists in Victoria and other States. Since coming to office the Government has sought to establish an ovine Johne's disease eradication campaign involving all States and Territories of the

Commonwealth. As a result of the efforts of this Government to tackle the problem of ovine Johne's disease nationally I inform the House that following the most recent meeting in February of the Agricultural Resource Management Council of Australia and New Zealand, which was held in Hobart, agreement was reached about a national control program.

The program has a number of elements including an enhanced monitoring and surveillance program, increased research effort and, to a limited degree, some destocking of infected properties. Broadly, the funding arrangements for the program will mean that the State Government will pick up 30 per cent of the cost, the Federal Government 20 per cent of the cost, and the industry—that is, the sheep producers—will pick up the remaining 50 per cent. This is a significant development for the sheep industry. Many producers whose flocks are affected by the disease are having a difficult time at present.

Today I announced that over the next three years the New South Wales Government will contribute $7 million to tackle ovine Johne's disease. This is good news for farmers affected by this problem. The $7 million will mean that vital research into the disease can continue, and that the monitoring and surveillance program can be enhanced. It will also allow for a limited destocking of infected flocks. Next week I will be meeting with industry representatives to discuss the details of the program and the extent to which the industry is prepared to become involved financially. I repeat: the $7 million commitment by the Carr Government is good news for rural New South Wales and evidence that the Government is supportive of farmers in need.

Mr COCHRAN (Monaro) [2.20 p.m.]: It has taken the Government three years to come out of the boxes on this issue. For three years the producers of New South Wales have waited for the State Government to address ovine Johne's disease. Its response is a $7 million grant, which is a pathetic amount when compared with the damage the disease could inflict in money terms on the State—in the vicinity of $1 billion. Yesterday the Premier responded to a question without notice about the dramatic effects of drought in southern New South Wales, in particular the Monaro region. However, in that response he made no mention of ovine Johne's disease; nor did he say that producers in southern New South Wales, who will have to restock after the drought, will receive no assistance from the Government. The Premier is the greatest fraud of all on rural matters; and the Minister for Agriculture is no better.

Mr Amery: On a point of order. The ministerial statement relates to ovine Johne's disease. The honourable member for Monaro is reviving the drought assistance issue that was debated yesterday. I question the relevance of his response.

Mr SPEAKER: Order! No point of order is involved.

Mr COCHRAN: It is little wonder the Minister enjoys such little respect in country areas for he does not understand the issues associated with ovine John's disease.

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

Mr COCHRAN: The fact is that in times of drought and consequent stress upon sheep, the incidence of ovine John's disease dramatically increases. That is why yesterday the Premier should have made some statement on ovine John's disease and the stocking of drought-affected areas. He simply does not understand the issues because he is a fraud. He is a fraud when he speaks on anything to do with agricultural issues. He does not understand the issues.

Mr SPEAKER: Order! I call the Minister for Information Technology, Minister for Forestry, and Minister for Ports to order.

DEPARTMENT OF COMMUNITY SERVICES STAFFING

Ministerial Statement

Mrs LO PO' (Penrith—Minister for Community Services, Minister for Ageing, Minister for Disability Services, and Minister for Women) [2.22 p.m.]: This month the Department of Community Services will place press advertisements for an additional 21 assistant managers to bolster the front line of the department's vital work with the most disadvantaged families and vulnerable children in New South Wales. Assistant managers are the first level of supervision, advice and support for district officers. These new positions are much needed, and their creation is further evidence of the Carr Government's commitment to rebuilding this department and supporting its first-line staff.

Twenty-one extra assistant managers will provide a major boost to field workers at a time when the Department of Community Services is experiencing unprecedented demand for its services. This boost comes on top of an extra 96 district officers, 20 foster care support workers and 60 child

protection specialists already employed by this Government to repair the huge cuts of previous years. Training, nurturing and retaining staff is a critical plank of Labor's platform to rebuild DOCS. Those initiatives are an investment in an improving future for this department and its work—among the most important done by any government agency.

Department of Community Services district officers have one of the toughest jobs imaginable. They need support and guidance, especially during the period after recruitment while they gain field experience. Over the past few months I have had many conversations with people about the problems facing DOCS staff. Independent experts such as the Community Services Commissioner, union leaders, and the district officers themselves, have all been consistent on one point: field staff need more and better supervision—experienced people upon whom people can rely for sound advice and guidance in handling the extremely difficult and complex cases that they face daily.

The new positions will be assigned, according to highest need, to DOCS offices with the highest ratio of staff to supervisor. Those offices are at Blacktown, Campbelltown, Penrith, Bankstown, Liverpool, Parramatta, two positions at Fairfield, Newcastle, Toronto, Charlestown, Marrickville, St George, Lismore, Coffs Harbour, Ballina, Sutherland, Ingleburn, Queanbeyan, Wollongong, and a 24-hour child protection and family crisis service based in Redfern. This injection of support will be crucial to improving performance, reducing staff turnover and lifting morale.

Mrs SKINNER (North Shore) [2.25 p.m.]: The announcement that the Carr Government will boost staffing levels at the Department of Community Services is welcomed by the coalition. This announcement merely reflects the recommendations made by the police royal commission, countless reports from the Community Services Commission, and the Child Death Review Team annual report released last Friday. The problem is that this is too little too late.

Mr Scully: What did you do in government?

Mrs SKINNER: Come in spinner! I will tell you what we did in government. This boost in staff levels will go some way towards repairing the damage done to the Department of Community Services by the Carr Government in reducing the number of staff working in that department.

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

Mrs SKINNER: For example, the annual report for the department in 1996-97—in the term of this Labor Government—reveals that there were 385 fewer staff at the Department of Community Services in that year than there were in the final year of the coalition Government. I repeat that because I know members opposite were not listening, and I know how seriously the Minister regards this matter. There were 385 fewer staff at the department. In addition, the annual report reveals that State Government contributions to the department fell by $9.7 million last year alone. A report by the Australian Institute of Health and Welfare issued in early 1997 reveals that the Carr Government has the lowest welfare expenditure of any State government in Australia, except for the Queensland Government.

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

Mrs SKINNER: This House should be aware that this announcement comes only 24 hours after the Nowra office was on the verge of a strike. The House will remember the desperation among staff at Blacktown was so great as to require a letter pleading with the Minister. The coalition welcomes this decision. We hope this is the first step in a long recovery for a department that has been allowed to deteriorate under a hopeless Minister, Ron Phillips—

[*Interruption*]

I will correct that. I meant Ron Dyer. I shall repeat— [*Time expired.*]

Mr SPEAKER: I draw the attention of the House to the presence in the gallery of members of the victorious women's cricket team, who won the World Cup in India recently. Among those present are the team captain Belinda Clark, team manager Christine Matthews, scorer Erica Sainsbury, and team doctor Harry Harinath. On behalf of all members and staff I extend a warm welcome to them and congratulate them on a wonderful victory. They did Australia proud.

PARLIAMENT HOUSE SECURITY

Privilege

Mr MILLS (Wallsend) [2.30 p.m.]: I raise a matter of privilege. In the gallery are two characters who, with very long photographic lenses, are, it seems, trying to take photographs of my tonsils. One of those, I am advised, yesterday afternoon breached parliamentary security and intruded unauthorised into a member's room. If that person is one of those present today, why is that person's presence tolerated in the gallery?

Mr SPEAKER: Order! I will discuss the matter with the honourable member after question time.

PETITIONS

Governor of New South Wales

Petitions praying that the office of Governor of New South Wales not be downgraded, and that the role, duties and future of the office be determined by a referendum, received from **Mr Blackmore, Mr Brogden, Mrs Chikarovski, Mr Collins, Mr Debnam, Ms Ficarra, Mr Glachan, Mr Hartcher, Mr Hazzard, Mr Humpherson, Dr Kernohan, Mr Kerr, Mr MacCarthy, Mr Merton, Mr O'Doherty, Mr O'Farrell, Mr Photios, Mr Richardson, Mr Rozzoli, Mr Schipp, Mr Schultz, Ms Seaton, Mrs Skinner, Mr Smith** and **Mr Tink**.

Land Tax

Petition praying that land tax on the family home be repealed and that the land tax threshold on investment properties be doubled from $160,000 to $320,000, received from **Dr Macdonald**.

Wagga Wagga and Albury Radiotherapy Clinics

Petition praying that the Minister for Health endorse the Patspur Pty Ltd proposal to establish radiotherapy clinics at Wagga Wagga and Albury, received from **Mr Schipp**.

Ryde Hospital

Petition praying that Ryde Hospital and its services be retained, received from **Mr Tink**.

Riverwood Police Station

Petition praying that Riverwood police station not be closed or downgraded, received from **Ms Ficarra**.

Transmission Structures

Petition praying that telecommunication carriers not be allowed to erect transmission structures within close proximity to residential homes, schools, child-care centres, hospitals, and aged-care centres, received from **Mr Brogden**.

Coffs Harbour Jetty

Petition praying that a platform be constructed on Coffs Harbour jetty for the purposes of jetty jumping, received from **Mr Fraser**.

Northside Storage Tunnel

Petition praying that plans to construct a storage tunnel from Lane Cove to North Head be abandoned, and that the allocated funds be used to find a long-term sustainable solution to sewage disposal, received from **Dr Macdonald**.

Manly Wharf Bus Services

Petition praying that plans to move bus services from Manly wharf to Gilbert Park be abandoned, received from **Dr Macdonald**.

Pig Hunting

Petitions praying against proposed changes to legislation to ban the use of dogs in pig hunting, received from **Mr Blackmore, Dr Kernohan, Mr Peacocke** and **Mr Schipp.**

Woodward Park, Liverpool

Petition praying that Liverpool Council not be permitted to sell Woodward Park for development and that it be retained as a social, sporting and recreational park, received from **Mr Lynch**.

Local Government Policy Formulation

Petition praying that the Local Government Act be amended to prohibit local councils from using closed workshops to develop policies, received from **Mr Oakeshott**.

QUESTIONS WITHOUT NOTICE

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HONOURABLE MEMBER FOR PORT JACKSON PECUNIARY INTEREST DECLARATION

Mr COLLINS: My question without notice is directed to the Premier. Did the honourable member for Port Jackson declare in her pecuniary interest declaration to this Parliament for the period 1990 through to 1992 that she had received no gifts over $500 or any contributions to travel? If it is established that, along with the honourable member for Londonderry, she received gifts from Louis Bayeh of gold jewellery and an overseas holiday, will the Premier enforce section 14 of the Constitution Act and move to declare both their seats vacant?

Mr CARR: I stand by the answer I gave this House yesterday.

PATRICK STEVEDORING DISMISSALS

Mr HARRISON: My question without notice is addressed to the Premier, Minister for the Arts, and Minister for Ethnic Affairs. What is the

Government's response to the sacking of 1,400 Australian workers last night by Patrick stevedoring?

Mr CARR: The naked truth is that 1,400 Australians have been sacked because they belong to a trade union.

Mr SPEAKER: Order! The House is most unruly today. All members who have been called to order once are now on three to calls to order. For the remainder of the session I will be particularly severe on members who interject when Ministers are answering questions.

Mr CARR: The naked truth about what happened in the dead of night on 7 April 1998, a day that will live in industrial infamy, is that 1,400 were sacked because they belonged to a trade union. Let this be clear: by this action the Howard-Reith Government has declared to the world that in Australia union membership is a sackable offence.

Mr SPEAKER: Order! I place the member for Vaucluse on three calls to order.

Mr CARR: Patrick stevedoring may have provided the guard dogs and the security group to lock out its work force in the dead of night, it may have organised the mercenaries to replace them, but the guiding hand in all of this is the Howard Government. And more than that—the Howard Government is supporting Patrick with taxpayers' money to the tune of $250 million. It is an attack on Australian unionism funded by the Australian taxpayer.

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

Mr CARR: Let there be no doubt about the Federal Government's total involvement and total responsibility. Two orchestrated and complementary announcements were made in the hour before midnight last night: Patrick's announcement of the 1,400 sackings and, almost simultaneously, the announcement by Peter Reith, Minister for Workplace Relations and Small Business, that the Federal Government, that is, the Australian taxpayer, would underwrite Patrick's severance and redundancy liabilities. This is how things are done in Australia in 1998. Is it any wonder that the international labour movement has already signalled its outrage?

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

Mr CARR: Again I emphasise that the 1,400 workers who have been sacked have committed one offence and one offence only: they are members of the Maritime Union of Australia. They are members of a trade union. They and their union have not been on strike. They and their union have not refused to negotiate. They and their union have not rejected the workplace agreements legislation. They have never rejected waterfront reform. They have not broken any law.

Mr SPEAKER: Order! I call the honourable member for Georges River to order. I call the Deputy Leader of the National Party to order. I call the honourable member for Murrumbidgee to order.

Mr CARR: Indeed, as we can demonstrate to the House—and will in debate later this afternoon—the process of reform, particularly in the Port of Sydney, has achieved a substantial increase in efficiency and productivity.

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

Mr CARR: That process, which was put in train by the Hawke and Keating governments, was well on track to achieve further gains, especially for our hard-pressed primary producers, until this act of industrial vandalism threatened unprecedented disruption. What they have done is simply to exercise their lawful rights as Australians: the lawful right of all workers to organise; the lawful right to choose who shall represent them in the workplace.

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

Mr CARR: The price they have paid for the exercise of their lawful right, a right fought for and embedded in the fabric of Australian democracy for a century, is the sack. To fund the destruction of the lawful right to organise, the Federal Government has this day introduced legislation into the House of Representatives. This legislation requires the taxpayers of Australia to underwrite Patrick to the extent of $250 million— $250 million to throw 1,400 Australians out of their jobs, to declare war on their families a couple of days before Easter.

Mr Amery: That is a lot of drought money.

Mr CARR: A lot of drought money, as the Minister for Agriculture said. The Federal Government can find $250 million to throw 1,400

workers out of their jobs. Where is the $250 million in Federal Government money for the farmers afflicted by the drought? When the Cobar copper mineworkers asked for $9 million in unpaid entitlements when the employer closed down, Mr Howard said there was no money. When the workers at the Woodlawn lead and zinc mine at Goulburn sought $6 million in accumulated entitlements, such as holiday pay and long service leave, Mr Howard said there was no money. And when the State Premiers—all of them: Liberal, National and Labor—said, "We need more money for public hospitals", there was no money from Mr Howard.

But when a rogue employer wants to de-unionise its work force by sacking 1,400 workers, by denying their families their income, the Government digs deep and the Prime Minister finds $250 million. Today's legislation in the Federal Parliament states, "The Minister may authorise payments that are directly or indirectly in connection with the reform or restructuring of the stevedoring industry." But these sackings are not about reform, they are not about restructuring: they are about driving unions out of the Australian work force.

INDEPENDENT COMMISSION AGAINST CORRUPTION MINISTER FOR FAIR TRADING INVESTIGATION

Mr PHOTIOS: My question without notice is directed to the Premier, Minister for the Arts, and Minister for Ethnic Affairs. In 1992 did he demand in this Parliament that Nick Greiner and Tim Moore stand down during the Metherell inquiry saying that it was, to quote his words, "the decent and honourable thing to do"? Given his stand in 1992, why will he not abide by his own standards and sack the Minister for Fair Trading?

Mr CARR: This is the clown who, yesterday, asked the House to "veracify" a statement. All I can say is: thank goodness I do not come to the House with the disadvantage of an education from the King's School. I stand by the answer I provided on Thursday.

ILLEGAL STREET AND DRAG RACING

Mr MOSS: Will the Minister for Police tell the House what progress has been made to remove car hoons from local communities?

Mr WHELAN: The honourable member for Canterbury will recall that last year the Government got serious about car hoons.

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

Mr WHELAN: The Government introduced laws which gave police the power to deal with the dangerous and unacceptable practice of illegal drag racing.

Mr SPEAKER: Order! I place the honourable member for Lane Cove on three calls to order.

Mr WHELAN: We did this by hitting car hoons where it hurt most: we took away their cars. Not only is the Government protecting the community from the danger which these misguided hoons pose, it is saving the hoons from themselves. Illegal street and drag racing creates enormous dangers to the drivers, the crowds who watch and the community generally. I am pleased to inform the House that giving police the power to confiscate the cars at illegal races has had a huge impact on this dangerous pastime, and I am pleased to report that the public has expressed overwhelming support for the Government's action.

Police have advised me that in the 12 months to January this year 255 vehicles have been impounded and almost 820 charges have been laid. While many of these vehicles have been specially modified with spoilers, superchargers, fat wheels and noisy exhausts, some do not fit the stereotype. Indeed, police have informed me that some of the impounded cars have been stolen. Others are lent by trusting parents, who are inevitably shocked to learn that their family Tarago van has been used for late-night burnouts and doughnuts. Others, according to police, are ordinary cars being used by people who do not understand the possible consequences of their actions. Residents from all over New South Wales have contacted my office congratulating the Government on this initiative.

Mr Schultz: Name them!

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

Mr WHELAN: I will accept that challenge and name not all but some of these residents. I have a copy of a letter from a Bexley resident, Mr Ron Leeds, who said:

Dear Sir—

[*Interruption*]

He is a very astute man. He stated:

> I applaud your recent action in cracking down on street drag racers and the impounding of their vehicles. Kingsgrove Avenue used to attract this element but thanks to the efforts of the local police this practice has all but ceased.

He went on to say:

> I respectfully request your consideration in extending the new police laws indefinitely after the six months trial period.

Mr Leeds will get his wish. I have a letter from the Feeney family of Dolls Point who wrote to me in the following terms:

> Dear Sir—

[*Interruption*]

The letter stated:

> I am writing to you on behalf of my mother and myself to express—

Mr SPEAKER: Order! I place the honourable member for Ermington on three calls to order.

Mr WHELAN: I will commence the letter again. It stated:

> I am writing to you on behalf of my mother and myself to express our support for the new law that has been introduced to put a stop to the car 'hooligans' that have been invading our happy neighbourhood for the past number of years.
>
> The local police from Kogarah police station have endeavoured courageously to curb this ongoing problem in the past, but they were greatly limited by the existing laws. This new law which enables police officers to confiscate the car of an offender is already making a vast difference. We are now able once again to walk the streets and along the beachfront of Dolls Point of a weekend without the fear of being run down by souped-up cars or intimidated by the occupants of these vehicles.

Mr Hartcher: Can you read them all?

Mr WHELAN: I would be happy to continue to read these letters. The essence of the issue is that the Government gave the police the power to make our streets safer. We introduced this legislation to let car hoons know that their behaviour will not be tolerated. Before the last election I drew attention to the problem of street racers in Bondi. I said that the Carr Government would crack down on these hoons and return the streets to the people. Recently Bondi locals have said that the Government's laws are making a real difference in making their streets safer and quieter. In a recent article in the *Eastern Suburbs Messenger*, Moses Solomon of Bondi Beach states:

> I've lived here for 15 years. It was dangerous with cars.

Mr Debnam: On a point of order. My point of order relates to relevance. The Minister is referring to an issue that he knows very little about. The real issue at Bondi is—

Mr SPEAKER: Order! No point of order is involved.

Mr WHELAN: Moses Solomon is quoted as stating:

> I've lived here for 15 years. It was very dangerous with cars . . . at night but its changed a lot because they are getting fined.

In the Sutherland local area command, highway patrol officers recently reminded car hoons that local police were not afraid to get tough, and that such behaviour would not be tolerated. In March police blitzed the Shellharbour area. That led to the impounding of 13 vehicles. In Young police confiscated two cars earlier this year after drivers did burnouts around local streets. Newcastle police are conducting regular blitzes. Senior Constable Michael Sorby of the Newcastle highway patrol said that the battle against the activity was slowly being won. An article in the *Newcastle Herald* quoted Senior Constable Sorby as saying:

> The high profile police presence is proving a good deterrent and we are managing to stamp out a lot of the anti-social behaviour.

It is worth noting that this legislation, which is unique in Australia, gives New South Wales police the power to confiscate offending vehicles on the spot. Apart from losing treasured vehicles, burnouts and doughnuts—offences defined in the Act—are punishable by fines of up to $700. A first offence carries a three-month vehicle impoundment. If a car hoon commits a second or further offence, his or her vehicle is confiscated and can be forfeited to the Crown. As honourable members would be aware, the Government assessed the effect of the legislation after six months and decided to make the Act permanent. Last year the Government again demonstrated its determination to end illegal street racing by improving the Act. The definition of the offence was redefined so that offenders cannot avoid punishment on a technicality. Police were given the power to seize a vehicle used for illegal street racing from private property and a procedure was provided for the disposal of unclaimed impounded vehicles.

These amendments have enhanced the ability of police to counter this antisocial and dangerous practice. The Government believes that it should take all possible steps to make our roads safer. That is why the Government has made road rage a crime,

doubled demerit points over specific weekends, given the police new technology such as laser speed detection devices and new breath-testing equipment, ensured that police conduct a range of ongoing and one-off road safety operations and, as announced by my ministerial colleague this week, is giving police the power to confiscate the car keys of alcohol and drug-affected drivers. This important new initiative recognises that drink-driving is still one of the major contributors to death on our roads.

INDEPENDENT COMMISSION AGAINST CORRUPTION INVESTIGATIONS

Mr PHILLIPS: My question without notice is directed to the Premier. Why did the Minister for Community Services ask the honourable member for Hurstville this morning, "Why aren't you at ICAC today? There are so many of us down there"? Given that the list of Australian Labor Party members who have faced or are now facing ICAC include the Premier, the Minister for Public Works and Services, the Minister for Fair Trading, the Minister for Sport and Recreation, the Minister for Regional Development, members representing the electorates of Londonderry, Port Jackson, The Entrance, Rockdale, Canterbury, Illawarra and Waratah, and at least two other members who have not yet been named, does the Premier agree with his Minister?

Mr CARR: Isn't he priceless, standing there with his hands shaking until he gets his question out? He is the worst health Minister in this State's history. We have had a four-month parliamentary recess and the shadow minister has not been heard of once. We can only agree with that spontaneous denunciation by the honourable member for North Shore that Ron Phillips was a hopeless Minister.

Mr SPEAKER: Order! I place the honourable member for Pittwater on three calls to order.

Mr CARR: The honourable member for North Shore made a Freudian slip; the prosecution summons Dr Freud. She made that comment because she thinks that he was a hopeless Minister; that is why it slipped out. The Deputy Leader of the Opposition has asked for the information. He begged for it; he said that he needs it. I give the House the magic mile of misdemeanour. Seven years of coalition government—

Mr Cochran: On a point of order. The question goes to the integrity of the House, and it is being trivialised by the Premier. I have taken the same point of order on no fewer than four occasions. It is an offence to the status of this House to allow the Premier to trivialise the issue. He should be brought to account and required to address the question.

Mr SPEAKER: Order! I rule in the same way as I have on previous occasions. No point of order is involved.

Mr CARR: In 1988 the initials of ICAC had barely been painted on the frosted glass at Redfern when the then Deputy Premier and Mr Causley, then Minister for Natural Resources, were hauled before ICAC—rattle the chains, go straight to ICAC, do not pass go! ICAC found that they, the shadow minister for land and water conservation and the honourable member for Murwillumbah, in their dealings in regard to public land on the north coast, had created a climate conducive to corruption. That inquiry had barely concluded and ICAC's findings were still alarming the public—and the prospect of Wal Murray and Mr Causley seizing the family lands and declaring them fit for State development and tourist resorts haunting the innocent children of New South Wales every night—when all of a sudden Wal was before ICAC again, this time in relation to the Walsh Bay tendering process.

Mr SPEAKER: Order! I place the honourable member for Georges River on three calls to order.

Mr CARR: That fine republican, the former member for Port Macquarie, appeared before ICAC about special deals on government leases. Then there were Metherell's tax problems; and Moore and Greiner over the Metherell affair, which ICAC found to be corrupt. The predecessor of the honourable member for Blue Mountains had an interesting and colourful career, with his Tuscan or Neapolitan accents, threatening dire consequences to anyone who criss-crossed him in the hitherto happy hamlets and peaceful villages of the Blue Mountains.

Mr Photios: A point of order. My point of order relates to the relevance of the answer. I ask that the Premier be drawn back to the leave of the question, which relates to 14 existing members before ICAC, not those who have been cleared.

Mr SPEAKER: Order! I do not uphold the point of order.

Mr CARR: Barry Morris went to gaol with a reference from the honourable member for Ermington. In those days, according to court evidence, everyone in the now liberated happy lands of the Blue Mountains lived in terror of receiving one of those phone calls.

Mr O'Farrell: That was Cabramatta.

Mr CARR: No, it was the former member for the Blue Mountains. Coalition members may want to disown him, but their mate, their colleague, went to gaol. It is only the tip of the iceberg. Do Opposition members remember Pickard and the day that crates of documents were brought through the House on wheelbarrows one after the other and wheeled out that door? Do Opposition members remember Packard? Have I confused Pickard and Packard? I am reminded that Packard could be listening via a listening device. But I have done the National Party a great disservice, because the coalition had barely been elected to government and ICAC had not even begun its work on the north coast land deals when Matt Singleton was sacked overnight by Greiner. Matt Singleton had a great deal going. He was busily promoting to his Minister the rezoning of a nice little territory in his electorate. But he forgot to declare that he owned the property—a pretty big thing to overlook. The list goes on. Do Opposition members remember how Metherell finally went in a blaze of attention to his tax problems, and that none other than the Leader of the Opposition appeared before ICAC because he insisted that taxpayers pick up legal bills in an action which he precipitated before he became a Minister? Here is the list that I referred to last week as the conga line of coalition corruption: B to Z—Beck to Zammit. What a happy crew! What a wonderful and great history; seven years of coalition corruption!

SCHOOL STUDENT LITERACY ASSESSMENT TESTS

Mr SULLIVAN: I address my question without notice to the Minister for Education and Training, and Minister Assisting the Premier on Youth Affairs. What has been the response to the Government's year 7 literacy test?

Mr AQUILINA: No other government in Australia is doing as much as the Carr Government to improve the literacy standards of our young people. The Government has the most comprehensive and extensive literacy strategy in the country. Our $110 million literacy strategy is so well regarded that we are increasingly being asked to show education systems around the world what we are doing. This week I was visited by the Saudi Arabian education Minister, who is interested in learning from us and using elements of our literacy strategy for the five million children in Saudi Arabian schools. He is keen to send senior officials to New South Wales to undertake training and learn from our successes. Our $110 million literacy strategy includes funding for 300 specialist reading recovery teachers, with a further 100 teachers to be trained next year.

Mr O'Doherty: What about the ones you took away?

Mr AQUILINA: The honourable member for Ku-ring-gai should not talk. When the coalition was in government it sacked 2,500 teachers. The honourable member has a short memory. This Government is employing teachers, training them to be specialist teachers, and is placing them in coalition electorates. The coalition members should be grateful that the Carr Government is looking after the interests of the schoolchildren in their electorates. The literacy strategy also includes year 3 and year 5 basic skills tests to be undertaken in August; implementing a revised kindergarten-year 6 English syllabus, with a continued emphasis on reading and spelling and a return to traditional grammar; more training and support for primary and secondary teachers; a new English literacy test as part of the revitalised year 10 school certificate; and a year 7 English language and literacy assessment test that was trialled last year and expanded to all 55,000 year 7 students in government schools this year.

In respect of the last of these initiatives, the English language and literacy assessment test, I am pleased to inform the House that following last year's trial by 361 secondary schools—81 per cent of all eligible schools—there is now real evidence that this new test is making a difference to teaching and learning. Importantly, it is making a difference in improving student literacy skills. Today I am pleased to release an independent report, "Making a difference—The Evaluation Report on the 1997 Pilot English Language and Literacy Assessment". It is a vindication and an endorsement of the Government's trial last year and our decision to extend the ELLA test to all year 7 students in government schools this year.

The report found that the overwhelming majority of teachers supported the year 7 testing. In fact, 93 per cent of teachers indicated that they had a better idea of their students' literacy skills as they entered high school because of the test; 88 per cent of teachers believed that ELLA would help them teach their subjects more effectively and improve student learning; and 74 per cent of teachers believed ELLA assisted in identifying students not already receiving assistance in literacy. We recognise that improving a student's standards and skills is also a partnership and must involve parents. Through ELLA, parents are provided with a full report on their child's abilities and encouraged to be active partners in the learning process.

The report also reveals the strong parental support for the Government's literacy strategy. It found that 94 per cent of parents were pleased that their child had done the ELLA test. More than 90 per cent of parents believed that the individual student reports were easy to understand and that they helped them to understand their child's achievement in reading and writing. Eighty-nine per cent of parents believed that the test would help teachers better understand year 7 students' achievements in reading and writing, and 78 per cent of parents believed that the ELLA reports would help teachers to teach more effectively. The ELLA test has also been a success with students: 86 per cent of students believed that the test helped them to know more about their own literacy skills and 60 per cent of students enjoyed doing the test. But the good news about the impact of our year 7 literacy test does not stop there. It has the strong endorsement of independent academic experts from Griffith, Melbourne and Macquarie universities, who described ELLA as "exemplary" and "the most comprehensive and complete set of testing and reporting materials produced so far in Australia".

The report I am releasing today also contains examples of the 1997 pilot test and a summary of the results that were published last year showing that 9 per cent of students were identified as needing additional assistance to improve their literacy skills. The results from this year's expanded test, covering all 55,000 year 7 students in New South Wales government schools, will be released next term. Schools and teachers will receive a comprehensive package of information detailing the performance of their students. This information will be critical to assessing which students need additional assistance and will allow for the targeting of resources to help those students. Parents will again receive a full report on their child's achievements. We are fulfilling our commitment to provide principals, teachers, parents and students with more information than they have ever had before in our drive to improve standards and skills. We are making a difference. We are lifting literacy standards. We are making sure that students learn and acquire the basics to secure their future educational, life and job opportunities. I commend the report to the House.

MEKONG CLUB MANAGEMENT

Mr COCHRAN: My question is directed to the Minister for Gaming and Racing. Given the very serious charges pending against people associated with the Mekong Club, what steps has the Minister taken to review the club's licence and operations? If none, is that because the Mekong Club has in recent years been a major fundraiser and backer of the Australian Labor Party, particularly for the members for Cabramatta and Fairfield?

Mr FACE: The Mekong Club has been of interest to the Department of Gaming and Racing for some time, going back to well before I was the Minister and Labor was in government. The matter is quite separate and distinct from the recent developments linked to the shooting of the former member for Cabramatta.

Mr SPEAKER: Order! I place the honourable member for Wakehurst on three calls to order.

Mr FACE: In fact, when I became the Minister my director of liquor and gaming came to me to say that when he took action prior to 1994 he had been under considerable pressure from the previous Government and people associated with it. In fact, he said to me that it was refreshing that he now had a Minister who supported him.

Mr SPEAKER: Order! I place the honourable member for Ku-ring-gai on three calls to order.

Mr FACE: He said that he was a lot happier because he was no longer under pressure—obviously referring back to the period when Phuong Ngo was associated with the Liberal Party—and substitute complaints were laid, with additional breaches, against the Mekong Club. This was back in the middle of 1995. As a result of that action the Licensing Court disqualified Mr Ngo from being the secretary or a member of the governing body of the Mekong Club or any other registered club in New South Wales for a period of 10 years. The declaration related principally to Mr Ngo acting as a principal of the club and deriving a variety of benefits and advantages—going back a considerable period prior to my becoming the Minister—including cash advances not available to other members of the club. No action was taken against Mr Tran and Mr Dao, the two other persons recently charged in connection with the murder of former Cabramatta MP Mr Newman, as there was no evidence to show that they were adversely involved in the management of the club.

Currently the New South Wales Police Service is conducting investigations into certain matters at the club. I am unable to comment further on those inquiries at this time as any comment could prejudice the investigation. I have been informed that Mr Dao was not an employee of the club at the time of his arrest. Mr Tran was the assistant manager of the club at the time of his arrest, and no doubt would have been active in that position until placed on remand last month. I have been informed

by the current acting director of liquor and gaming that Mr Tran's employment at the club is presently being assessed.

DRUG EDUCATION IN SPORT

Mr HUNTER: My question is directed to the Minister for Sport and Recreation. What steps has the Government taken to educate New South Wales athletes about issues relating to drugs in sport?

Ms HARRISON: This matter is of vital concern to all athletes, particularly those who are in training for major international competitions, the Commonwealth Games and, of course, the Sydney 2000 Olympic Games.

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

Ms HARRISON: The New South Wales Government, through the national drugs-in-sport framework, is an integral part of a national approach to eliminating the use of drugs to enhance performance in sport.

Mr SPEAKER: Order! I place the honourable member for Davidson on three calls to order.

Ms HARRISON: In conjunction with the Australian Sports Drug Agency, or ASDA, the Government established the New South Wales sports drug education unit, which operates from the Sydney Academy of Sport at Narrabeen. My department is responsible for the operation of the unit while ASDA provides training and educational resources. The unit keeps the New South Wales sporting community updated on current issues in this area in a number of ways, including: personal contacts with sports officials; written communications such as pamphlets and information sheets; lectures for administrators, athletes and their coaches; and presentations at high schools and sports workshops.

Information which is passed on to these groups, as well as to sports medicine personnel and parents, includes details of banned substances, who can be drug tested, testing procedures, and inadvertent doping. Our State sporting organisations have also been informed of the need to implement a drugs-in-sport policy in line with both the State Government and their own national sporting body. They have been advised of the need to include a drugs-in-sport component in their coaching courses and to put in place a mechanism for informing and updating their athletes on issues related to drugs in sport. An up-to-date database of all athletes who receive financial support from the Government is also being established, with scholarship holders from the New South Wales Institute of Sport being the first athletes to be entered onto the database.

A contract is currently being negotiated with the ASDA to implement drug testing under the provisions of the sports drug testing legislation. When new regulations under that legislation are proclaimed, it is proposed that an initial out-of-competition testing program will be held. This program will test for the use of anabolic steroids and the like and is designed to monitor athletes who might use steroids to build up their strength out of season, a time when most athletes would not normally expect to be tested. Initially seven sports have been targeted as a pilot group for this program: athletics, canoeing, cycling, gymnastics, rowing, swimming and weight-lifting. All other sports in New South Wales will be provided with the relevant educational resources, policy documents and information on testing procedures in their preparation for inclusion in the testing program. The Government is determined that every section of the sporting community in this State is made aware of its responsibilities in this area and I am proud of the role that my department is playing in getting that message through.

CENTRAL COAST JOB CREATION

Ms ANDREWS: My question without notice is directed to the Minister for Regional Development, and Minister for Rural Affairs. What is the Government doing to encourage job creation on the central coast?

Mr WOODS: The honourable member for Peats has a great interest in the development of business and industry on the central coast. The Government, through the regional business development scheme, provides significant assistance to businesses starting up, expanding in or relocating to regional New South Wales. On the central coast three significant assistance packages have recently been provided. Three companies will now expand their central coast businesses or relocate to the central coast. This will create 200 direct new jobs, including jobs that Victoria had or wanted. Gosford Terrazzo Co. Pty Ltd is undertaking a $2.5 million expansion of its Somersby operation. This family business, which commenced in 1966, manufactures precast concrete, marble, granite and terrazzo products.

The company is now expanding to manufacture a new type of innovative wall and floor panelling system and a cast tile, which currently has to be imported. This expansion will generate import

replacement and long-term jobs for the central coast. The number of full-time jobs is expected to rise from eight to 50 over the next three years. C Dax Systems, a New Zealand-based company, is establishing a dedicated sales and distribution facility at west Gosford. The company imports, manufactures and distributes a range of chemical application spray and pump equipment for use on vineyards, orchards, pastures, field crops, turf, nurseries and farms. C Dax Systems has developed its Australian market using an independent distributor and an Australiawide dealer network. The company has seen the advantages of establishing its own sales and distribution centre in Australia. The Government has provided C Dax Systems with an establishment grant to set up its operations on the central coast. That will create seven new jobs. Finally, the biggest job creator of the three, industry giant the Weir Group, is undertaking a huge expansion of its operations at Somersby. Weir Engineering Pty Ltd, the wholly Australian-owned subsidiary of the Weir Group, designs, manufactures and installs plant and machinery in pumping projects for power, oil and water supply.

It is consolidating its Australian activities by relocating major functions from Dandenong in Victoria, Frenchs Forest and Wetherill Park to Somersby. That will create up to 150 new jobs. Once again the State Government has secured the company's expansion plans for New South Wales. This Government is delivering on its commitment to put regional business first. The decisions made by these companies are a vote of confidence in the central coast. These substantial investments will only encourage other businesses to examine the advantages of establishing or relocating to the region. What is more, it will mean 200 new jobs for the people of the central coast.

Ms ANDREWS: I ask the Minister a supplementary question. In view of the answer that has been given, will the Minister advise the House how many of the jobs will be created long term?

Mr Hartcher: On a point of order. Mr Speaker, in the past you have ruled supplementary questions out of order on the basis that the answer has already been given. In this case the Minister said that the 200 jobs on the central coast were permanent jobs. Accordingly, by any definition they are long-term jobs. No supplementary question arises out of the Minister's answer.

Mr SPEAKER: Order! I cannot recall every sentence uttered by the Minister, and I seek his assistance. Has he already answered the question?

Mr WOODS: No. The Opposition is in step with the Howard-Costello philosophy on Commonwealth-State relationships. However, it is out of step with every other State coalition. The Government's commitment is not just to jobs but to long-term, viable jobs and sustainable development. Most, if not all, of these additional 200 jobs for the central coast will be long-term jobs.

Questions without notice concluded.

INDEPENDENT COMMISSION AGAINST CORRUPTION INVESTIGATIONS

Personal Explanation

Mr PRICE, by leave: I wish to reflect on a comment made by the Deputy Leader of the Opposition in relation to the Independent Commission Against Corruption. Whilst I acknowledge that I was certainly named in the media, I was unable to attend the private hearings because of ill health, but I did volunteer and ultimately made an unsworn statement. I have never been called to the bench at ICAC and as far as I know there is no further issue which involves me. I am not quite sure why the Deputy Leader of the Opposition said that I had been called, but I would like it placed on the record that I deny that statement absolutely.

CONSIDERATION OF URGENT MOTIONS

Patrick Stevedoring Dismissals

Mr YEADON (Granville—Minister for Information Technology, Minister for Forestry, Minister for Ports, and Minister Assisting the Premier on Western Sydney) [3.30 p.m.]: This matter is urgent because at 11 o'clock last night Patrick stevedoring, with the support of the Howard Government, threw 1,400 Australian people out of their jobs and brought chaos to our ports. As of today, 1,400 Australian families are without a breadwinner and wondering how they will make ends meet. Today's actions by the Howard Government and Patrick stevedoring really do give us a glimpse into the future.

Mr Fraser: On a point of order. In debating urgency a member must give reasons to attempt to convince the House that his or her motion is more urgent than a competing motion. The Minister has done nothing more than reflect on the actions taken by the Federal Government in the past 24 hours. He has not given the House any reason why his motion is more urgent than the motion proposed by a

member of the Opposition. I ask that the Minister's attention be drawn to the fact that he must establish the urgency of his motion, which at this stage he is not doing.

Mr SPEAKER: Order! I have previously ruled that members may make comparisons between proposed motions to establish urgency. That is a matter of precedent and not the subject of a standing order. The Minister must establish why his motion should take precedence.

Mr YEADON: The 1,400 people who are today without jobs would regard this matter as urgent. They are the victims of a mass sacking following an ugly industrial climate manufactured by the Howard Government and Patrick stevedoring. That matter needs to be discussed and examined in close detail, because it is a glimpse of an ugly future for Australia through the rest of the 1990s and into the next millennium. I seek urgent debate of this motion because every family and every person with a job should be concerned about the actions of Patrick and the Howard Government. Who will be next? Everyone should be concerned about security guards and dogs invading workplaces at midnight and about locking people out from their jobs.

Patrick stevedoring, with the support of the Howard Government, has thrown our ports and our exports into chaos. Its militant approach threatens the economy of this country and in particular the economy of New South Wales. My motion should be discussed as a matter of urgency because of the implications of its subject matter for the economy of this country, if for no other reason. But the real need to discuss the issue is that 1,400 breadwinners, two days prior to Easter, are out of a job and do not know what their futures are. The honourable member for Southern Highlands is interjecting. What is she doing about Woodlawn? The Federal Government can find $250 million to pay redundancies, but what is it doing about the $600 million needed to support the people of the Southern Highlands electorate?

Mr Cochran: On a point of order. The points being raised by the Minister have no relevance to the establishment of urgency of his motion. The issues he is now raising are far outside the leave of the debate. I ask that he be drawn back to discharging his obligation to establish the urgency of his motion and why his motion should take precedence of another motion.

Mr SPEAKER: Order! The point raised by the member for Monaro is that the Minister is debating the subject matter of the motion of which he has given notice when he should be seeking to establish why his motion should take precedence. However, his time for doing so has expired.

North Coast Grazing Lands

Mr SOURIS (Upper Hunter—Deputy Leader of the National Party) [3.35 p.m.]: The Opposition views with alarm the economic and social damage caused by this Government's misguided action in banishing occupational leaseholders, Aboriginal families, and livestock from north coast grazing lands. This matter is urgent and precedent. It is a State matter directly affecting the operations of this Government and of the Minister, who should be in the House listening to what is being said. It has nothing to do with Federal issues or the political issues relevant to another forum. The matters raised by the Minister in an attempt to establish urgency relate to a matter not within the responsibility of the New South Wales Government. How can that matter be urgent at all, let alone have precedence?

The subject matter of my motion is urgent because of the brutal reality of the Carr Government's utter disdain for the welfare of rural people on the north coast. This matter is urgent and particularly relevant to the Government and this Parliament. That is why it should have precedence. I refer to the Government's Forest Revocation and National Parks Reservation Act, which targeted a group of small graziers who had for many years, some for generations, been given the right to graze cattle on north coast runs—land which this Government decided in 1996 should be added to national park and wilderness areas.

Those people operated their grazing rights under the legal terms of occupational permits, special leases, Crown leases, conditional leases, and settlement leases, and for 150 years the north coast cattle industry relied on this area of land to strengthen regional output. The fact that the Government focused on the area as being desirable to add to its ever-growing spread of national parks and wilderness was testimony to the fact that the graziers had cared for the land and that it had not been overstocked.

Mr Yeadon: On a point of order. I am reluctant to take a point of order for I realise that practice is grossly overused, but the honourable member is straying too far from his task of explaining to the House why his matter is urgent and needs to be given precedence over my motion. The honourable member is dealing with the detail

and substance of the motion that he would have the House debate; he is not demonstrating why it is urgent that the House debate his matter. I respectfully ask that he be drawn back to the leave of his task.

Dr Macdonald: On the point of order. Nothing in the standing orders requires a member to refrain from addressing the details of the motion on which he seeks precedence. The standing orders simply provide that a member may make a statement limited to five minutes so that the House can decide which matter should be afforded priority. I will have to vote on a motion regarding these two matters, and to enable me to do so I wish to hear details of what will be raised by the member. As to the extent of the detail, that is a matter for the member.

Mr SPEAKER: Order! I uphold the point of order on the basis of longstanding precedent in rulings from the Chair. If the honourable member refers to those rulings, he will find that this ruling is consistent.

Mr SOURIS: It is refreshing to hear a point of some substance for a change. Only minutes ago in question time the Minister for Regional Development championed the cause of jobs in regional areas. I want to ask during this urgent debate why the honourable member for Clarence is so unconcerned about the regional development implications of this totally draconian measure of chasing out 150 years of history of grazing and co-operation and sustainability in this area of the north coast. If the honourable member for Clarence is serious and genuine about the issue that he raised only minutes ago, he should support this debate coming on, and he should let us know what he is doing about an area that he purports to represent, an area that has industry under considerable stress not only from weather patterns and climate but from international trading practices and commodity prices.

There are terrible implications from what is happening right now on the north coast. Members on the Government side do not care what happens outside the metropolitan area. This is one of Australia's most important social issues. These are social issues in which Labor members pretend to be interested. They are supposed to be interested in people who are losing their jobs and so on. The Minister purports that his motion based on a Federal issue should take precedence when people on the north coast will lose their livelihood and industry right here in New South Wales will be debilitated—right here in the Government's own backyard.

Question—That the motion for urgent consideration of the honourable member for Granville be proceeded with—put.

The House divided.

Ayes, 47

Ms Allan	Mr Martin
Mr Amery	Ms Meagher
Ms Andrews	Mr Mills
Mr Aquilina	Ms Moore
Mrs Beamer	Mr Moss
Mr Carr	Mr Nagle
Mr Clough	Mr Neilly
Mr Crittenden	Mr E. T. Page
Mr Debus	Mr Price
Mr Face	Dr Refshauge
Mr Gaudry	Mr Rogan
Mrs Grusovin	Mr Rumble
Ms Hall	Mr Scully
Mr Harrison	Mr Shedden
Ms Harrison	Mr Stewart
Mr Hunter	Mr Sullivan
Mr Iemma	Mr Tripodi
Mr Knowles	Mr Watkins
Mr Langton	Mr Whelan
Mrs Lo Po'	Mr Woods
Mr Lynch	Mr Yeadon
Mr McBride	*Tellers,*
Mr McManus	Mr Beckroge
Mr Markham	Mr Thompson

Noes, 45

Mr Beck	Mr O'Farrell
Mr Blackmore	Mr D. L. Page
Mr Brogden	Mr Peacocke
Mr Chappell	Mr Phillips
Mrs Chikarovski	Mr Photios
Mr Cochran	Mr Richardson
Mr Collins	Mr Rixon
Mr Cruickshank	Mr Rozzoli
Mr Debnam	Mr Schultz
Mr Ellis	Ms Seaton
Ms Ficarra	Mrs Skinner
Mr Glachan	Mr Slack-Smith
Mr Hartcher	Mr Small
Mr Hazzard	Mr Smith
Mr Humpherson	Mr Souris
Mr Jeffery	Mrs Stone
Dr Kernohan	Mr Tink
Mr Kinross	Mr J. H. Turner
Mr MacCarthy	Mr R. W. Turner
Dr Macdonald	Mr Windsor
Mr Merton	*Tellers,*
Mr Oakeshott	Mr Fraser
Mr O'Doherty	Mr Kerr

Pairs

Mr Gibson	Mr Armstrong
Mr Knight	Mr Schipp

Question so resolved in the affirmative.

PATRICK STEVEDORING DISMISSALS

Urgent Motion

Mr YEADON (Granville—Minister for Information Technology, Minister for Forestry, Minister for Ports, and Minister Assisting the Premier on Western Sydney) [3.47 p.m.]: I move:

> That this House supports the 1,400 workers, and their families, sacked last night by Patrick stevedoring.

Last night Patrick stevedoring announced the sacking of 1,400 people. Last night at Port Botany, under the cover of darkness, the company's security guards moved in by sea to seize the No. 1 Brotherson dock. This morning the Australian Stock Exchange was notified that four Patrick companies have been placed in the hands of administrators. These sorts of corporate dirty tricks are intended to allow Patrick stevedoring to evade its industrial responsibilities. Is this really Australian? Is this really how we want to deal with industrial relations and port productivity matters in the 1990s and into the next century? The actions of Patrick and the Federal Government last night gave us a glimpse of the future. Every fair-minded Australian has good reason to be alarmed about that future. Every family and every person with a job should be concerned because this issue has now gone well beyond the waterfront; it is an assault on every person, on every family.

The Federal Government tells the States that there is not enough money for health care. When the Cobar copper mine closed down the Federal Government said there was no money to pay $9 million in unpaid entitlements to workers. Yet, it is prepared to pay Patrick $250 million to fund sacking people. Why? To implement the Federal Government's rabid and excessive industrial agenda; that is the only reason. It is a ploy to make the Federal Government look serious on economic reform and to divide the Australian people on the eve of a Federal election for its own cynical, political purpose. It is a rerun of the union bashing of the late 1970s, staged just to make John Howard and Peter Reith look tough. It is designed to make weak little Johnny look tough.

In recent weeks it has been clear that Patrick and the Howard Federal Government wanted a major brawl. It has been building up and now it is upon us, two days prior to Easter. The Carr State Labor Government believes in a sensible approach to ports and industrial matters. There is a better way. The Government can make progress through negotiation, dialogue and fair play. The State Government knows that because it has seen the evidence. The State Government has been successful in negotiating agreements with the Maritime Union of Australia and it has seen greater efficiencies.

This Government supports measures to improve productivity and competitiveness on the waterfront. Members of this House may recall that only 10 weeks after this Government came to office the first piece of legislation it passed was the Ports Corporatisation and Waterways Management Bill. To better understand this issue the House needs to know the truth about port productivity. The Howard Government and others in this debate have used every opportunity to whip up fear about economic decline. They have slandered Australian ports, and Sydney in particular. Without regard for the truth or the consequences, some people have even maligned Sydney as the worst port in the world. The figures used by these critics relate to container movements as a measure of efficiency. But the real measure should be net ship rates, as these are the rates that affect vessel turnaround time and, therefore, reliability of ship schedules. As the honourable member for Kiama points out, Opposition members would not even know what a net ship rate was. [*Quorum formed.*]

The Federal Government's Bureau of Transport and Communications Economics figures, printed in the December "Waterline", show that Sydney is ranked second only to Adelaide in terms of the net rate. Measured on a net ship rate basis, Sydney achieved 27.9 containers per hour, compared to Melbourne's 23.5, Brisbane's 19.1, and 29.2 in Adelaide. More importantly, Sydney's rate has improved considerably over the past two years. In December 1995 the Sydney rate was 21 containers per hour. In December 1997—the latest figures available—the rate was 27.6 containers per hour. Similarly, the five-port figures show that net rates have increased from 16.1 TEUs per hour in December 1989 to 31 TEUs per hour in September 1997. Even if one focuses narrowly on crane rates, these improved from 13.4 TEUs per hour to 23.2 TEUs per hour over the same period. A TEU is a 20-foot equivalent unit, that is, equivalent to a 20-foot container. These figures show that container handling is improving.

Port productivity is a complex matter, but one thing is clear: there is a lot more to it than crane rates. Key factors include regular shipping services, rail and road access, port costs and services, navigation safety, and plant and equipment used by container operators. Sydney is a strong performer in a number of these areas. For example, Sydney recorded a 10 per cent increase in containerised trade for the first six months of the financial year. Sydney has some 80 shipping services operating to more than 200 destinations, ensuring that exporters have minimum waiting time to access a shipping service to any major location in the world. More than 700,000 TEUs per year are handled. Sydney Ports Corporation's plan to the year 2020 provides for capacity of more than 2 million TEUs per year with the development of a third container terminal.

Sydney Ports Corporation is actively working with major rail operators—FreightCorp and National Rail—to increase rail transport of containers to over 30 per cent of total movement in the short term. This will be assisted by the introduction of shuttle trains to western Sydney industrial areas. The State Government decision to proceed with the Eastern Distributor and the M5 East extension will provide major improvements in road access to Port Botany to cater for future cargo growth. The port of Botany has the safest and shortest navigable access of all of Australia's container ports, with direct access to open sea in 10 to 15 minutes, compared with around four hours from Melbourne and Brisbane. According to the March 1998 "Waterline", Sydney was the lowest-cost port in Australia for loaded exports with port and related charges such as towage, pilotage, mooring and berth hire at $78.59 per TEU. [*Time expired.*]

Mr HARTCHER (Gosford) [3.57 p.m.]: How appropriate that the most left-wing member in the Carr Labor Government should support the most left-wing union in Australia. And how appropriate that he should speak for 10 minutes, subject to the quorum call, and not for one minute mention the 1,400 workers who were the subject of his motion. He spoke about the Howard Government, he launched an attack on the Prime Minister, and then he spoke about port performance in Sydney. He did not mention a word about the 1,400 workers. Let the Maritime Union of Australia know that from this afternoon the Australian Labor Party's most left-wing Minister is not even interested in expressing support for those workers. I wish to amend the motion. I move:

> That the motion be amended by leaving out all words after the words "This House" with a view to inserting instead, "condemns the Carr Government for concealing its secret protocol with the Maritime Union of Australia and its failure to increase waterfront productivity in New South Wales."

The Australian waterfront has long been a source of international scandal. The world-renowned magazine the *Economist* wrote on 7 February 1998:

> Much of Australia remains far from modern. The monarchy is not the only anachronism. A waterfront dispute in which the farmers are trying to break the iron grip that the dockers' unions have on the country's inefficient ports, looks like a parody of the Britain in the aggro-Britain ridden 1970s. Compared with the frenetic East Asians and the post Thatcher Britons, Australians still prefer the easy life, but want the earnings that go with the harder one.

Another world-renowned publication, the *Far Eastern Economic Review*, wrote on 19 February 1998:

> In the past few years Australians have been fond of talking about Australia joining Asia. It is becoming more clear that this might first depend on them having their dock workers becoming part of the 20th Century.

This country has some of the most inefficient ports in the world. While the Minister was able to allege certain efficiencies at Sydney's ports, he failed to mention the vital statistics that Sydney rates badly compared to international practice. Sydney's port efficiencies are only one-half of those of Singapore and two-thirds of those of Auckland. Sydney's ranking is eighteenth in the list of world port efficiencies. What an extraordinary indictment of this Government, which in three years has done nothing to upgrade the ports or improve their efficiency. The Minister says it is a management problem, but who is in charge of ports but the Minister? He is responsible for their administration and for ensuring that the practices of the lessees are efficient. He is responsible for any mismanagement that may take place. The buck stops with the Minister. I turn to the secret protocol which it has now been revealed exists between the Maritime Union of Australia and the Carr Labor Government. The Carr Labor Government, through its Minister for Industrial Relations, Mr Shaw, negotiated a protocol with the MUA as to consultation at a time of industrial action. A freedom of information application filed by me drew the response from the Minister's office that the document was privileged and would not be revealed.

Mr Gaudry: On a point of order. The shadow minister is quoting from a Government press release relating to this issue. He should be asked to refer to the date of the document and to its title and table it for the information of the House.

Mr DEPUTY-SPEAKER: That is the normal procedure.

Mr HARTCHER: I do not have the right to table a document.

Mr DEPUTY-SPEAKER: The honourable member for Gosford will verify the document.

Mr HARTCHER: I am not quoting from that document; I am quoting from my press release dated 8 April 1998. I am quite happy to verify my press release and the accuracy of that document.

Mr DEPUTY-SPEAKER: That satisfies the requirement.

Mr Yeadon: On a point of order. The honourable member referred to a freedom of information application. The way in which he referred to that document in the House led us to believe that he was quoting from the freedom of information document. He made no reference to a press release that he had just put out. Mr Deputy-Speaker, I indicate to you that that is not the document that he referred to. I ask you to ask him to verify the document to which he referred earlier. He made no mention of a press release.

Mr DEPUTY-SPEAKER: Order! I uphold the point of order.

Mr HARTCHER: My press release relates to the freedom of information application. The freedom of information application filed by me was denied by the Government on the grounds of Cabinet confidentiality, and my press release makes this clear. If the Minister reads my press release he might find it edifying and informative. He might learn something about what is going on. He should not have the wool pulled over his eyes by the Minister for Industrial Relations. The Government negotiated a protocol with the MUA which it is now keeping secret because it is not doing anything to implement it. The protocol related to consultation prior to industrial action, yet the MUA has taken industrial action. It has either not consulted the State Government in accordance with the protocol or the State Government has been consulted and it has given the MUA the green light to bring Sydney's wharves to a halt. The Minister and his colleagues stand accused of covering up a secret protocol with the MUA to encourage industrial action in this State. The Carr Labor Government has been caught. I am pleased that Government members have asked that the document to which I am referring be tabled. I am delighted to table it.

Mr DEPUTY-SPEAKER: The member for Gosford is not permitted to table the document.

Mr HARTCHER: I am delighted also to acknowledge what the Farmers Federation says about the waterfront, the failure of the Carr Government to improve productivity and the deceitful way in which the Carr Government has been negotiating with the Maritime Union of Australia. Far from being prepared to publicly back the union, the Minister spoke in this Chamber for 10 minutes about the Howard Government and about ports. He said nothing about the union or the issue of industrial thuggery in which the union has been engaging; he talked around that issue. Members of the Opposition strongly support responsible unionism. We will ensure when we are in office that responsible unionism is fostered and encouraged. But we do not and will not support poor work practices. We do not and will not support industrial thuggery. We do not and will not support a government like the Carr Government that negotiates in secret with the MUA, has not got the courage to release the document it signed with the MUA, and has given the green light to the MUA or has not been consulted by the MUA.

The real point is that the Government has shed the jobs of more workers than any other government in the history of New South Wales. Honourable members will remember the timber industry, over which the Minister for Information Technology presided. They will remember Dorrigo and Nimmitabel, where timber mills closed down because of the Minister and his actions. He has never had the courage to back them; he has never supported them in this House; he closed them down. The Minister will not support those workers because they are not members of a union. In other words, jobs are important to the Minister only when they are backed by a left-wing union. Every job and every worker is important to Opposition members. The Opposition sends a message to the workers of New South Wales: we are on their side whether or not they are in a union. We want jobs, productivity, good wages and good conditions. We are not concerned as to whether workers line up and put up their hands with some left-wing union. All we are concerned about is whether they want to do a fair day's work for a fair day's pay. If they do that we will back them. If they are not prepared to do that we are not interested in backing them.

At present the leadership of the MUA has shown no interest in waterfront reform, as the honourable member for Davidson will make clear. The leadership of the MUA has shown a lot of interest in preserving the perks and privileges of union officials. Coombs and his mates are interested only in ensuring that they have their jobs; they are not interested in anything else. This dispute could be resolved if the MUA was prepared to work with Patrick and every other waterfront employer to achieve productivity and if the Carr Labor Government, as owner of the ports, was prepared to ensure that the lessees and the work force achieved productivity gains. But the Carr Labor Government is not prepared to do that.

Nothing that the Minister or the Premier has said related to productivity. The Minister said today that he supported 1,400 workers but he announced no plan to help them or any strategy to resolve the dispute. The Minister is not prepared to come clean and acknowledge the secret protocol which this Government has with the MUA. That relates clearly to the freedom of information application that I filed. If Government members would like the reply I got from the Government I am only too happy to table that. The Government hid behind Cabinet confidentiality and was not prepared to acknowledge what it was doing to the people of this State. [*Time expired.*]

Mr GAUDRY (Newcastle) [4.07 p.m.]: I call on the New South Wales coalition today to distance itself from the politics of confrontation and division. I call on it to show concern for the families hurt by the actions of Patrick and the Howard Government. I urge members of the Opposition to reject the actions of their Federal colleagues and to support the urgent motion moved by the Minister for Information Technology. This is a dark day for 1,400 families across Australia—for the wage earners, the women and the children in those families. It is a dark day for the port industry in Australia, and, in particular, for the port of Newcastle, a major export port in this country.

Today the end product of the industrial relations policy of the Howard-Reith Government is evident. That policy is dedicated to wiping out the collectivist approach of the trade union movement, which works for better wages and conditions for workers across this country, whether they are members of the maritime union or the strong industrial sections of the union movement, or whether they are exploited workers. More and more workers are being exploited under the Federal Government's industrial relations legislation, which has moved the agenda on to employers.

Today is a dark day because last night, in the dead of night, a pack of goons and dogs entered the Australian industrial relations framework. As the Minister for Ports pointed out, the industrial relations laws enacted by the State Government have resulted in a remarkable improvement in working conditions for the work force. To make this country's ports world class the State Government worked with the former Federal Labor Government and with shipping and stevedoring companies to restructure, to improve productivity and to co-ordinate port and transport operations. When this issue was canvassed on Newcastle radio programs this morning the public strongly supported the Maritime Union of Australia because it understands the work that has been involved in restructuring. It understands, as the Newcastle Port Authority chief executive officer does, that Newcastle has world best practice in its shipping movement, particularly of bulk freight. The MUA is committed to working towards world best practice.

Yesterday morning, as I flew out of the city of Newcastle, I saw a range of products that were being moved through our ports under world best practice methods. Those products, which are essential to the hinterland, to the rural communities of New South Wales and to our State economy, are wheat, coal, bulk containers, cement, bauxite, fertiliser, iron and steel, sand and nitrates. The Federal Government has now been responsible for the loss of 1,400 jobs. Our sympathy goes out to those workers. They are strong unionists and are sticking to their principles. As the Minister for Ports said, they are legitimately engaged in action against their employer under the enterprise bargaining model in the Federal industrial relations law. But the Federal Government, with the use of taxpayer funds, has colluded with Patrick to sack its work force and to move to a non-unionised, scab work force that will eventually find itself beaten down by the employer. [*Time expired.*]

Mr HUMPHERSON (Davidson) [4.12 p.m.]: Unfortunately the news this morning was inevitable. The action that Patrick took in relation to MUA members across Australia was always going to occur. It occurred in the late hours of last night and the early hours of this morning. The responsibility for those actions can be laid with the MUA and its membership. Members on both sides of this house have great sympathy for the families of those workers who are not in employment today. But the actions taken by Patrick have the support of the majority of Australians and of right-thinking workers. They will applaud the fact that the final day has come for workers and for a union that had attempted to stay out of step with ordinary mainstream values.

The MUA has misled its members for years. It has unreasonably raised their expectations, ignored competitive demands and maintained unacceptable work practices. Regardless of the comments of the Minister for Ports, the inefficiencies that have existed on the waterfront for decades were not removed with the expenditure of more than $400 million of taxpayers' money by the Labor Party. That expenditure achieved very little. The important issues are inefficiencies of the waterfront, the need for waterfront reform and the removal of unacceptable union intervention in the operation of businesses on the waterfront.

The House would be most interested to learn about some of the terms and conditions that exist for waterfront employees. The average income of

permanent employees ranges from $70,000 to $110,000 per year for a 29-hour week. These people are not typical employees and have been put in a position well above ordinary workers. Their package includes: five weeks annual leave with a 27½ per cent holiday loading; 10 days sick leave per year cumulative, which can be cashed in; a company-sponsored sick leave insurance package to top up social security payments; 27½ per cent loading on long service pay; subsidised meals at a cost to the employer of $2 million per year; clothing, laundry and telephone allowances; two weeks additional leave for every 15 weeks taken as rostered days off; and paid union stop work meetings.

That is not an example of the conditions of typical workers in this State or, indeed, in this country. The waterfront employees have had unacceptable conditions which have been maintained by a union that is out of step with the expectations of ordinary Australians. In a new log of claims the MUA has demanded a guaranteed minimum wage of $75,000 and a base weekly wage of $712 for the calculation of superannuation entitlements. The retrospective cost of the claim would be $20 million and the claim would increase the average base wage by $90 per week. The additional cost to the employer would be $130 per week per employee, which totals $22.5 million per year. I will now refer to some of the existing work practices. Manning levels and workplace practices are controlled by the MUA and result in a 50 per cent excess of labour that is allocated by the MUA. When employing new recruits Patrick has to consult with the MUA and pay for a half-day union seminar. The MUA will not allow regular individual performance appraisals to promote improved productivity.

Managers have to spend 80 per cent of their time attending to industrial issues. Security and labour allocation staff are members of the MUA. Patrick cannot talk to its own employees unless an MUA representative is present; it cannot even write letters to its own employees. Casual employees cannot work until all permanent employees have been offered overtime. Supervisors are not allowed to attend meetings between management and MUA employees. MUA members receive a full day off on full pay to visit a doctor, which is separate from sick leave entitlements. Trainees are paid at a rate of time and a half, despite all training being conducted on day shift. Up to 10 per cent of the work force is unable to perform all functions because of temporary or permanent disabilities. All of these practices, terms and conditions are unacceptable in today's workplace environment on the waterfront. [*Time expired.*]

Mr HARRISON (Kiama) [4.17 p.m.]: As a member of the Australian working class there are three things that I hold most dear: my family, my union and my friends. I am proud to announce that my union is the Waterside Workers Federation, which is now part of the MUA. There are not many worthy causes that have not been embraced at one time or another by the Waterside Workers Federation. In the 30 years that I worked on the waterfront in the company of fine fellows, such as the brother of the honourable member for Keira, at every pay line a collection was taken up to support church groups, people who were sick, struggling workers and even farmers during drought. Not so long ago $60,000 was donated by the MUA to assist farmers. What appreciation was shown for that? The National Farmers Federation, far from being interested in the plight of citrus growers who have to tolerate the importation of concentrated citrus juices while they plough their crops into the ground, has not given any indication of assistance. Neither has Peter Reith nor any other member of the Commonwealth Government.

What about the third generation farmers, the old couples that have been tossed off their farms by the banks? Honestly, I could cry when I sit and watch on television these decent people, the salt of the earth, being kicked off their farms. And what is the National Farmers Federation doing about it? Zilch. It is directing the resources of its members, illegally I believe, into destroying the working conditions of another set of Australian workers.

The Federal secondary boycott provisions mean that if any other workers choose to give assistance to the MUA they and their union officials run the risk of losing their homes and everything that they have ever owned. What is the definition of fascism if it is not repression of the working class by legalisms? The legalisms are there, and this is what it is about. There is no doubt that Reith, Howard and all their cronies in the Federal Government who are prepared to support this sort of carry-on are fascists. Fascism is alive and well while ever this sort of carry-on can take place.

For the past 12 months the Federal Government, Patrick stevedores and the National Farmers Federation have formed an unholy alliance to wage a political war on the waterfront. The chronicle of their unrelenting drive to smash the Maritime Union of Australia is a shame file of un-Australian actions. The Federal Government has admitted spending $600,000 of taxpayers' money on a consultants' report on waterfront reform. We have not seen that report but we do know that it was compiled by consultants with a strong link to the National Farmers Federation who are no friends of the Australian trade union movement.

In December the sensational news broke that army personnel had travelled to Dubai to train as

industrial mercenaries on the waterfront. What do Howard and his Federal Government members say? They did not know that it was happening! Australian armed service personnel were sent overseas to learn how to scab on Australian workers and they did not even know it was happening! I do not think they know which way is up anyhow. Some of the things that come out of their mouths from time to time seem to indicate that. It is stretching the imagination too much to accept that the Federal Government, Corrigan and other grubs like them from the Patrick stevedoring company were not in this up to their eyeballs. Can we believe that they did not know about it? Can we believe that nobody seems to know who came up with the suggestion in the first place? What sort of people have we got running the country?

In March protracted negotiations boiled over when Patrick announced it would refuse to pay workers who were carrying out overtime bans for the ordinary time they had already worked. The refusal to pay for ordinary hours is now subject to court action. When Patrick sacked its work force last night it brought in private security guards and dogs to secure its sites around the country. And look at the sorts of things, the pieces of human slime that now call themselves security guards, who put in most of their time hanging around gyms, pumping themselves up with steroids and never doing a day's productive work in their life, taking it out on some poor bludger who has been unfortunate enough to lose his money in the casino, some poor bugger who is half their size. That is the sort of people the Federal Government, the National Farmers Federation and Patrick are lining up with. I condemn them. [*Time expired*.]

Mr YEADON (Granville—Minister for Information Technology, Minister for Forestry, Minister for Ports, and Minister Assisting the Premier on Western Sydney) [4.22 p.m.], in reply: Every Australian in a job should be concerned about the action of Patrick and the Howard Government. Earlier in this debate the Government called on the coalition Government to distance itself from the industrial politics of confrontation and division. It is obvious from the Opposition's comments in this afternoon's debate that it is not prepared to distance itself from industrial thuggery and the Howard Government's dark industrial future. It supports the sacking of workers just simply for being members of a union.

The Opposition tried to indicate that the Maritime Union of Australia members were the industrial thugs in this issue but in New South Wales they are legally striking under the Federal Government's industrial relations legislation. They are entitled to do that to bring to bear the only mechanism that labour has in negotiations with employers: the ability to act collectively. It is that that the Howard Government and Patrick want to destroy. That is all they are about. They are not about waterfront efficiency. New South Wales has been undertaking efficiency reforms. Other container port managers and operations have been gaining efficiencies in their port operations, but not at Patrick. That is because they are simply about union busting.

The Opposition raised the issue of a protocol that the New South Wales Government has with the Maritime Union of Australia. That protocol relates to protracted national industrial action over non-union labour to protect New South Wales businesses. That is the objective that the State Government has with that protocol. The industrial action to date has been related to enterprise negotiations. As I have pointed out, it is lawful under Peter Reith's Act and therefore the protocol has not been activated. But that protocol is not some secret document. In fact, the Government made much of it when it was developed with the MUA: it was the subject of a press release. So the Opposition should not claim that the Government has a secret arrangement with the MUA. That is a nonsense and a further demonstration of how far coalition members and those in conservative politics will go to muddy the waters on this issue. That is what it is about at the end of the day: simply spreading misinformation so that they can undertake their industrial thuggery. That is all it comes down to: 1,400 families without a job on the eve of Easter simply because the breadwinner was a member of a union.

In Victoria, South Australia and Western Australia there was no industrial action in relation to enterprise bargaining but the MUA members in those States got up this morning to find out that they had been forcibly removed from the waterfront. And that is supported by coalition members. They are just supporters of industrial thuggery. Earlier in the debate I demonstrated the productivity improvements that are being made in New South Wales ports. I referred to the importance of not publicly damaging the reputation of our ports because of the negative economic impact it has on jobs and New South Wales families. The coalition has shown that it is intent on damaging the reputation of New South Wales ports. It wants to bring industrial chaos and cause economic damage to this State.

The words of coalition members today did not support New South Wales ports; they supported the sacking of workers. As I asked earlier in the debate:

is this really Australia? Is this really how we want to deal with industrial relations and port productivity matters in the 1990s and into the next century? The Carr Labor Government believes in a sensible approach to our ports and industrial matters. There is a better way. We can make progress through negotiation and through dialogue and fair play. We know that because we have seen the evidence. We have seen other companies negotiate better agreements with the Maritime Union of Australia. That is what has to occur in this case rather than industrial thuggery.

Question—That the words stand—put.

The House divided.

[*In division*]

Mr Kerr: On a point of order. I have been advised that there is an elevator problem.

Mr SPEAKER: Order! I understand the sensitivity of the problem alluded to by the member for Cronulla. However, I would acknowledge that difficulty only if it involved a large number of members. As it has involved only one member, I propose to continue with the division.

Ayes, 49

Ms Allan	Mr Martin
Mr Amery	Ms Meagher
Mr Anderson	Mr Mills
Ms Andrews	Ms Moore
Mr Aquilina	Mr Moss
Mrs Beamer	Mr Nagle
Mr Carr	Mr Neilly
Mr Clough	Ms Nori
Mr Crittenden	Mr E. T. Page
Mr Debus	Mr Price
Mr Face	Dr Refshauge
Mr Gaudry	Mr Rogan
Mrs Grusovin	Mr Rumble
Ms Hall	Mr Scully
Mr Harrison	Mr Shedden
Ms Harrison	Mr Stewart
Mr Hunter	Mr Sullivan
Mr Iemma	Mr Tripodi
Mr Knowles	Mr Watkins
Mr Langton	Mr Whelan
Mrs Lo Po'	Mr Woods
Mr Lynch	Mr Yeadon
Mr McBride	*Tellers,*
Mr McManus	Mr Beckroge
Mr Markham	Mr Thompson

Noes, 44

Mr Beck	Mr Peacocke
Mr Blackmore	Mr Phillips
Mr Brogden	Mr Photios
Mr Chappell	Mr Richardson
Mrs Chikarovski	Mr Rixon
Mr Cochran	Mr Rozzoli
Mr Cruickshank	Mr Schipp
Mr Debnam	Mr Schultz
Mr Ellis	Ms Seaton
Ms Ficarra	Mrs Skinner
Mr Glachan	Mr Slack-Smith
Mr Hartcher	Mr Small
Mr Hazzard	Mr Smith
Mr Humpherson	Mr Souris
Mr Jeffery	Mrs Stone
Dr Kernohan	Mr Tink
Mr Kinross	Mr J. H. Turner
Mr MacCarthy	Mr R. W. Turner
Dr Macdonald	Mr Windsor
Mr Oakeshott	
Mr O'Doherty	*Tellers,*
Mr O'Farrell	Mr Fraser
Mr D. L. Page	Mr Kerr

Pairs

Mr Gibson	Mr Armstrong
Mr Knight	Mr Collins

Question so resolved in the affirmative.

Amendment negatived.

Motion agreed to.

PARLIAMENTARY CONTRIBUTORY SUPERANNUATION LEGISLATION AMENDMENT BILL

Bill received and read a first time.

ROYAL INSTITUTE FOR DEAF AND BLIND CHILDREN BILL

Second Reading

Mr WHELAN (Ashfield—Minister for Police) [4.40 p.m.]: I move:

That this bill be now read a second time.

This bill was introduced in another place on 1 April and the second reading speech appears at pages 3 to 5 of the *Hansard* proof of that day. The bill is in the

same form as introduced in the other place. I commend the bill to the House.

Debate adjourned on motion by Mr Hazzard.

JUDICIAL OFFICERS AMENDMENT BILL

Second Reading

Mr WHELAN (Ashfield—Minister for Police) [4.41 p.m.]: I move:

That this bill be now read a second time.

This bill was introduced in another place on 1 April, and the second reading speech appears at pages 7 to 8 of the *Hansard* proof of that day. The bill is in the same form as introduced in the other place. I commend the bill to the House.

Debate adjourned on motion by Mr Hazzard.

LEGISLATIVE COUNCIL MEMBERS CODE OF CONDUCT

Message

MR SPEAKER: Order! I report the receipt of the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council desires to inform the Legislative Assembly that it has this day agreed to the following resolution:

That this House:

1. Requests the Standing Committee on Parliamentary Privilege and Ethics to consider the Code of Conduct for Members released by the Government and the draft Codes of Conduct for Members in the Report of the Committee to the House on 29 October 1996, and report to the House within 4 weeks.

2. Agrees that on the tabling of the report from the Committee, the House will debate and vote on the adoption of a Code of Conduct for Members.

Legislative Council MAX WILLIS
8 April 1998 President

HONOURABLE MEMBER FOR ERMINGTON

Notice of Motion

Mr SPEAKER: Order! I wish to advise honourable members that I have had the opportunity to examine in detail the notice of motion given today by the member for Ermington which makes reference to the Minister for Community Services, Minister for Ageing, Minister for Disability Services, and Minister for Women. I refer members to the terms of Standing Order 146, which states, inter alia, that a notice of motion not conforming with the practice of the House may be ordered by the Speaker not to be printed. I am of the opinion that the notice does not conform with the practices of the House. The practices of this House in such general matters are guided by practice in the House of Commons. The latest edition of May's *Parliamentary Practice* at page 329 states:

> [The Speaker] has directed that a notice of motion should not be printed, because it was irregular or obviously not a proper subject for debate, being tendered in a spirit of mockery, or being designed merely to give annoyance.

In 1926-27 Speaker Dooley adopted the principle that a notice could be ruled out of order if it trifled with the House. A Chairman's ruling in 1917 ruled out of order an amendment moved in a spirit of mockery. Each paragraph of the notice of motion given by the member for Ermington fails the test that notices, motions, questions—both with and without notice—and amendments should not be tendered in a spirit of mockery. Accordingly, the notice is incapable of being amended into an appropriate form. I therefore rule that the notice will not be published. At the same time I suggest to all members that they consult with the Clerks as to the content of notices before giving them in the House.

COMMUNITY SPORTING AND RECREATIONAL FACILITY FUNDING

Matter of Public Importance

Ms HARRISON (Parramatta—Minister for Sport and Recreation) [4.43 p.m.]: It is certainly important that this House debates the lack of involvement by the Commonwealth Government in the provision of funding for the development of community sporting and recreational facilities across the State. Sport has always been an integral part of the cultural fabric of Australian society. Everyone in Australia—irrespective of their culture, education, income level, position in society or level of skill—has been encouraged to participate in sporting and recreational activities in whatever capacity and level they choose. Governments with foresight have acknowledged the interconnection of sport and recreation with social, health and economic benefits to the community.

It is in the national interest that Australians are encouraged to participate in sport and recreation. It is widely recognised that participation in sporting activities produces national and community benefits

in increased social cohesion and psychological wellbeing. Do we want a nation of Norms—a bunch of unfit, unhealthy people who are a drain on medical resources? Or do we want a nation that is fit and active and contributes positively to the health and social fabric of the community? It is this kind of foresight that has stimulated support for disadvantaged groups to participate in sport through providing opportunity and access.

While some would argue that there are many sporting and recreational facilities throughout the community, a number of those facilities are old, inadequate or simply not adaptable to the changing needs of the community. Upgrading current facilities is one option. However, given the problems with many of the current facilities, it may be more cost-effective to build new multipurpose facilities and either demolish the old facilities or pass them over to private operators for other purposes.

The provision of accessible quality services and infrastructure encourages increased participation. Until now, the burden of providing facilities and supporting this infrastructure has fallen largely on the shoulders of local and State governments. Unfortunately, at this point in our history it would appear that the Commonwealth does not consider it has a leading role to play in stimulating and supporting sport and recreation at a national level. The Federal coalition Government has made no ongoing commitments to New South Wales to further fund facilities. In fact I have not seen too many signs or heard too many statements to indicate that the Federal Government has any intention of providing any new funding towards these facilities.

In the recent report commissioned by the Federal Government into funding for community facilities entitled "Rethinking the Funding of Community Sporting and Recreational Facilities: A Sporting Chance" some recommendations were made which would facilitate better and more cost-effective uses for community facilities. Those recommendations include improving the information on all sporting and recreational facilities through a database that is readily available to local and State governments when planning sporting and recreational facilities. Another recommendation is encouraging the shared development and use of facilities with schools, universities and defence organisations. This would involve maximising the public use of facilities and developing facilities jointly with local governments. This is already happening in New South Wales.

Another recommendation is researching, collating and disseminating best practice information in relation to standards, design, management, shared development and use of facilities. A further recommendation is enabling the establishment of an augmented Australasian facilities committee, which will include representation from the private sector, education, defence forces, and sport and recreation, to carry out the tasks related to best practice.

Those are all feasible and worthwhile recommendations. But in the end what underpins those initiatives is a strategic, consolidated approach by all levels of government. Can the Commonwealth afford to ignore the recommendations made by its own report? The Commonwealth also has greater means to provide funding through greater access to revenue than any State or local government body. The Carr Government has a vision for the State and is mindful of the fact that there is indeed life after the Sydney Olympics in 2000. It has an obligation and a commitment to work with local government and each of our communities, particularly regional communities, to provide a legacy for New South Wales.

Since 1975 New South Wales governments have committed more than $82 million towards the cost of developing sport and recreation projects valued at approximately $292 million. That money has been provided through the Department of Sport and Recreation's capital assistance program, a program which is continuing with increasing funding. It has also acted as a guarantor for a total of 112 loans with a value of more than $16.8 million under the Sporting Bodies Loans Guarantee Act since the department's government-guaranteed loans program was established in 1978 to enable sporting bodies to obtain loans at competitive rates for development of sporting facilities.

This Government has also assisted the development of 45 regional sporting facilities with grants and loans of more than $12.5 million across the State since the regional sports facilities development program was established in 1988-89. This year alone I have received more than 2,600 applications from sporting groups and local government bodies for funding for various projects around the State. The total value of those projects is almost $200 million, with some $50 million being sought under the Government's regional facilities funding program which, at the moment, can provide less than 10 per cent of that figure.

Those figures alone make it obvious that the demand for financial support each year far exceeds the support available from my department, and highlights the urgent need for the Commonwealth Government's immediate and extensive involvement

in this area. This will be achieved by strategically planning and developing facilities and programs that meet community expectations, deliver results against the high demand of sporting achievement, capitalise on talent at the elite level, and allow people at all levels to participate in sport.

The Commonwealth's obligation to provide leadership in the form of funding to enable an integrated approach at a national level with respect to sporting and recreational facilities and sporting programs should be met. Achieving these objectives requires a longer-term commitment by the Commonwealth, not a mean-spirited, shortsighted approach. Consultation with interest and community groups and sporting and recreational bodies indicates that one of the major barriers to increased participation is the inadequate provision of and access to appropriate facilities. In order to overcome these barriers it is imperative that the Commonwealth Government becomes involved in the funding of the development of regional and community facilities in strategic locations throughout the State, through joint ventures with State and local governments and community and sporting organisations.

The New South Wales Government has a long history of working with the Commonwealth Government in the development and funding of sporting facilities in this State. This partnership dates back to 1972, when the Whitlam Government first committed funds under the capital assistance for leisure facilities program for the development of a range of community facilities. The partnership survived the Fraser Government and the razor gang, and when the Hawke Government was elected there was a continuation of Commonwealth support. Unfortunately, there are no indications of this support being revived under the coalition, effectively ending a 20-year history of bipartisan support from State and Federal governments.

Mr Hazzard: They will read this, and they won't give you any money. They'll say you were naughty.

Ms HARRISON: The Federal Government will not provide funding anyway; it has reneged on its responsibilities. Since 1991-92 the Commonwealth Government has committed $150 million towards the cost of facilities for the Sydney 2000 Olympics—a commitment made by the Keating Labor Government. I am aware that we cannot hope to achieve an objective such as the provision of equitable opportunities for all to participate in sport, recreation and physical activity without the Commonwealth becoming an active partner in the funding of community sporting and recreational facilities—with an ongoing commitment to that partnership. This Government is committed to ensuring that it gives all our athletes—competitive and social, no matter where they live—facilities that totally meet their needs, especially as we move towards the 2000 Olympics and beyond, and it calls on the Commonwealth Government to share that commitment.

Mr HAZZARD (Wakehurst) [4.52 p.m.]: The New South Wales coalition is extremely concerned to ensure that adequate community sporting and recreational facilities exist throughout New South Wales—not only the Sydney region, but also the regional areas of the State; the country areas that this Government so readily ignores. The Minister has displayed a little more than an element of hypocrisy in relation to this issue. She has obviously decided that she has to look as though she is giving the Federal Government a hard time, because her colleagues have all taken the view that the Government is doing the job of the Federal Opposition. It was the Minister's turn; she had to dream something up. She said, "What can we do? We will give the Federal Government a hard time. We will say that there is a lack of Commonwealth Government funding for the development of community sporting and recreational facilities in New South Wales."

The Minister and her department were involved in a review that was undertaken by the Federal Government last year. She knows that the Federal Government has been doing the hard yakka in working out how to best deliver taxpayers' dollars to community sporting and recreational facilities. She was naughty to say in this Chamber today that the Federal Government is not doing the work, when her department was actually taking part in that review. Her department has been consulted by the House of Representatives committee that conducted the review.

The committee was set up by the then Federal Minister for sport, Warwick Smith, because Labor had had its snout in the trough once too often, and it was chopped off. In this case the person with her snout in the trough—the one who made sure that all her Labor colleagues played the sorts of games that Labor unfortunately plays too often and is playing in this place at the moment—was the Federal Minister, Ros Kelly, who decided to damage the whole concept of these grants. She made sure that $30 million in sports rorts money disappeared. She made sure that the sports grants came to a full stop. The Minister knows that is right, she knows that her Labor colleagues caused the problems, and she

knows that the Federal Labor Government, just before the people spoke and gave it the royal order of the boot, had been in trouble over this issue. It was February 1994 when Ros Kelly came unstuck. That meant the whole system had to be revisited. We, the Federal Government and the community had to consider how to come up with a better system.

It has taken the Minister three years to raise this matter of public importance. It has taken the Federal Government next to no time to issue a report, which has involved a host of community consultation, including with this Minister. It was rather novel that the Minister managed to come up with this matter of public importance. But I again read the Federal Government report into funding for community facilities and I realised that all she did was pick up on the first few words of the report. The Minister needs some new staff in her office, because they did not even get past the first paragraph of the executive summary of the report in order to come up with her matter of public importance. The Federal Government report stated:

> Although the Commonwealth Government has given substantial funding for facilities required for the Olympic Games, it has not provided any assistance for community sporting and recreational facilities since the termination of the Community Cultural Recreational and Sporting Facilities Program in 1994.

That is a big surprise! The report goes on to say that the Federal Government has been considering how these recreational and sporting facilities throughout Australia should be properly delivered. The report determined, quite properly, that there is a role for the Commonwealth Government. It considered various ways in which to deliver the best possible services, and in its summary concluded:

> The Committee concludes that there is a role for the Commonwealth Government in relation to providing sporting and recreational facilities and identified leadership at the national level as important in this respect.

That is something that the Minister does not yet understand—leadership. It does not mean one should harp and carp and carry on just because someone is trying to do a good job, trying to recover from a whiteboard disaster. Last year the Minister carried out her own little review of capital grants programs, and she actually stated that she was working well with the Federal Government on this issue. The Minister knows that the Federal Government is working well. She said she was working well with the Federal Government, and now she is trying to have a go at it. It is a little like moving with the wind. On the one hand, the Minister knows damned well that it is necessary to work with the Commonwealth Government, and she is prepared to say so publicly. But in this Chamber she tries to slam the Federal Government for doing exactly what she did last year. The Federal Government is trying to review funding for community facilities in a much bigger way than the Minister has to do; the Federal Government has to cover the entire Commonwealth of Australia. The bottom line is that the Federal Government is keen to put money into community sporting and recreational facilities, and it wants to go about it in the best possible way. The coalition, either Federal or State, does not want a whiteboard affair, but the Government appears to be happy to accept it as being the norm. The coalition wants to ensure that steps are taken to implement the program, and that it is a worthwhile program.

The New South Wales coalition is pleased that the Federal Government has recommended in its report that an audit should be carried out of available sporting facilities. The Minister commented on the necessity for some facilities to be used for a range of purposes. That is logical. In fact the Minister may not be aware that under the previous coalition Government quite a few multipurpose halls were built through the Department of School Education, which are now used for sporting facilities. I am surprised that the Minister does not know about that. Between 1988 and 1995—before the Labor Party just happened to get over the line with a few hundred lousy votes—the coalition tried to set up community multipurpose centres. That will certainly be a central aspect of any policy documents that the coalition takes to the next election. The coalition is keen to ensure that all sporting facilities are used to their maximum purpose.

How can the Government dedicate funds to particular areas if it does not work out what facilities already exist? The present problem—and I know this because I have spoken to people within the Minister's department—is that the Minister does not even know where Department of Sport and Recreation facilities are; she does not know where some of the other facilities are, including the various school facilities; the Minister does not know where the local-government-owned facilities are; and she does not have a cohesive structure in place because the Labor Party has not even focused on this issue.

Leadership on this issue has been missing. The Minister, with absolute hypocrisy, is sweeping away all the fundamentals. She is happy to have wads of money dropped into particular areas because it suits her political purposes. The coalition will not support this motion. The coalition supports what the Federal Government is doing. It would be nice if the sharing

facilities concept was the Minister's idea, but even that is mentioned on page 2 of the executive summary of the House of Representatives report under the heading "Sharing Facilities". It would appear that there is not an original thought in the Minister's department. Until the Minister has some original thoughts she will not be in a position to serve any useful function in improving sporting facilities.

Ms Harrison: I know who was in the grand final last year.

Mr HAZZARD: Is she talking about netball, basketball, or what? The bottom line is that the Federal Government has put a massive amount of funding into sport, most of which has gone into the Olympics. The Minister may not know that there is a facility at Homebush and that more than $150 million has already been allocated, with more to come, for that purpose. The Minister knows that the State Government is working with the Federal Government in that regard. I am sure that her State colleagues who are dealing with the Olympics will be embarrassed by this motion. The Minister also knows that the Federal Government has increased funds and that in the last year of the Federal Labor Government funds were reduced. The Minister has forgotten Ros Kelly, but the Opposition will remind the Minister every time she pops up with these silly motions.

Ms ANDREWS (Peats) [5.02 p.m.]: I support the Minister's motion that as a matter of public importance this House debate the lack of involvement by the Federal Government in the provision of funding for the development of community sporting and recreational facilities. Those of us who are not recent converts to Australian football and the Sydney Swans may remember Mr Keith Dunstan. He was a well-known Melbourne columnist and sports historian, often better known to Victorians as the founder of the Victorian Anti-football League. He once wrote that although Australia is not the only country that is sport crazy, few countries have such a complete all-round sports mania. He claimed that few countries have such a time-consuming determination to conquer at sport, and he knew of no other country in the world that devoted so much energy to listening, talking about, watching, mourning over and loving sports as does Australia.

He also wrote that sport as an activity has been incredibly underrated by our historians, as it has been by the Federal Government in recent years when it comes to providing funding for the development of community facilities. Although Mr Dunstan's comments about Australia's national obsession for sports were written 25 years ago, I believe they are just as relevant today. Sport permeates all aspects of modern Australia. Its presence and influence are everywhere. One can see it with the construction of the Olympic facilities in Sydney. One can see it from the comfort of one's car any day of the week: people cycling, jogging, walking, pushing strollers, and the list goes on. One only has to read the daily newspapers and see that sports headlines spill out of the sports section onto the front pages of our major newspapers to appreciate the importance of sport in this country.

Given the widespread recognition and influence of sport and its participants in Australia, the Federal Government's lack of commitment to providing funding for development of appropriate facilities since the cultural recreational and sporting facilities program ended in 1995 is disappointing. I am sure that members from both sides of the House were disappointed when the eagerly awaited Federal Government's report of the inquiry into the funding of community sporting and recreational facilities was released late last year.

Of great concern for Australians at present is the burgeoning cost of health care and availability of health services when needed. This concern is exacerbated by the Federal Government's refusal to allocate sufficient funds to all States to deliver health services of a standard demanded by Australians. In fact, all governments are struggling to provide resources to maintain services at levels the community has come to expect, and to keep costs under control.

The report refers to the role that government funding of community sporting and recreational facilities, and other government efforts aimed specifically at promoting and encouraging ongoing active participation in sport, recreation and physical health can play in lessening the impact of health costs. Widespread support would come from all sections of the community, including the health and medical professions, for increased spending on the development of multipurpose indoor and outdoor facilities, cycleways, walking trails and a myriad of other facilities that afford involvement in physical activity and promote personal health and general wellbeing for all ages. The Federal Government will go down in history as a very mean-spirited government, for it cannot see the benefits to be derived from investing funds in sporting facilities. The Federal Government deserves to be condemned for not putting sufficient funding into sport. Such funding is desperately needed throughout the State, and particularly on the central coast.

Ms HARRISON (Parramatta—Minister for Sport and Recreation) [5.06 p.m.], in reply: I thank the honourable member for Peats for her contribution. What we heard from the shadow minister was the biggest load of codswallop that I have heard for a long time. Talk about 20 excuses for not doing one's homework: I got up late; the dog ate it; an alien stole it. There are a million reasons why it was not done, but ultimately the question is: where is the money? I want to see the money. Where is the Commonwealth Government's contribution to regional sporting facilities in this State? Ros Kelly was used as an excuse. As I travel around this State, more often than not I hear how wonderful Ros Kelly was and that what happened to her was a shame. I have heard it said more than once that she was the best thing that ever happened to sport. I have also heard, not just once or twice but over and over, that if it had not been for her efforts many facilities would have not been built.

I am not talking about Labor electorates, but country electorates in country New South Wales, that say: thanks to Ros, we got our facility. To say that Ros is the reason the Federal money is missing is a furphy. Another excuse was that the Federal Government is putting money into the Olympics. So is the State Government, but it still manages to develop regional facilities around New South Wales. Regional New South Wales needs the Federal Government's contribution to get the facilities it needs. It is an absolute disgrace that the Howard Government should use the Olympics as an excuse for not providing funding. Another furphy is about the audit. We have 260 applications for much-needed facilities. Yes, the State Government supported the audit, and it supported the review. But the State Government also said that an ongoing commitment had to be maintained for sporting organisations and local councils around the State of New South Wales during the review.

The Federal Government has lied about why it is not putting money into regional sporting facilities in New South Wales, quite apart from the fact that it is simply mean spirited. I can best sum up The Federal Government's lies by relating my experience when the acting mayor, general manager and treasurer of the Greater Taree City Council community fundraising committee came to visit me today. The Federal Government says that it cannot give them any money because of the Olympics and because of the audit. The claim submitted by Taree council was one of the most worthwhile I have seen for a long time. The council is putting in more than $4 million and the community has committed $353,923.68. I was given the treasurer's report, which shows that a person named Rees contributed $50, Martin gave $50, Coghlan put in $50, and Stone volunteered $100. This is a real community effort. The Lions Club at Manning River, Taree High School parents and citizens association, Taree craft centre, Taree blue-light disco, Saxby's pharmacy and Brilight social club are all putting their hands into their pockets because the Taree community does not have a pool. I do not know whether honourable members are aware that one of the newspapers printed a photograph of the Taree water polo team training in an eel-infested dam.

They have come to me for money and the Government is considering their request. Do Opposition members know why the Government is considering their request? I have put aside money for regional facilities. The council, the State Government and the public are all contributing money towards regional facilities. The Government is about to announce its regional facilities program. We are not arguing about what the State Government is doing; we are asking: what is the Federal Government's commitment to the health of the public of New South Wales? It is non-existent. The Federal Government has reneged on its responsibilities to the people of New South Wales. I urge every honourable member to take up this issue with his or her Federal member. The Federal member for Taree, Mark Vaile, is actually a Minister in the Federal Government, so he knows what is going on. He knows that there is no pool in Taree; he knows where the kids are training; and he knows that 40,000 people in Taree do not have a swimming pool. It is an absolute disgrace.

Discussion concluded.

PARLIAMENT HOUSE SECURITY

Privilege

Mr COCHRAN (Monaro) [5.11 p.m.]: I raise a matter of privilege because I consider that there is a risk of interference when members of this House are performing their duties and when they are trying to gain access to the Parliament. Threats can also pose a real risk of interference in the workings of the parliamentary institution and its infrastructure. A precedent has been set in the Federal Parliament. In the last 24 hours unionists have threatened violence. Given that precedent, Mr Speaker, it is fair and reasonable that a member should ask you and your staff to address this matter.

I seek an assurance from you that during the inevitable conflict that will occur between unionists, the Federal Parliament and other parliaments, security arrangements in this Parliament will be

adequate and effective. This is a non-partisan request. I again refer to the precedent set in the Federal Parliament. Extreme violence occurred during the riots there, police officers were kicked severely, staff were abused and treated violently, and members of Parliament became involved in the fray. Staff of members of Parliament were also engaged in combat with those who sought to intrude into the precincts of the House. We have an obligation to ensure that the security of staff members, those who seek access to the Parliament and members of both Houses is adequate and effective.

Mr SPEAKER: Order! The member for Monaro approached me earlier in relation to this matter and I have permitted him to use the forms of the House to raise what he believes is a matter of privilege. To have any substance, a claim of privilege must relate to an event that has taken place. As the member said, he believes that members of this Parliament could, in the future, be obstructed in the performance of their duties. However, at the present time no member has been so obstructed. Therefore, there can be no claim of privilege. If I had ruled that the member's claim had substance, he would have been required to move a substantive motion. Because of the way I have ruled, he will not be required to do that. However, I have noted his concerns.

Pursuant to standing orders business interrupted.

PRIVATE MEMBERS' STATEMENTS

KURNELL SEWAGE TREATMENT PLANT

Mr KERR (Cronulla) [5.15 p.m.]: Tonight I refer to public facilities in my electorate and, first, to the sewage treatment plant at Kurnell. At the last State election the Australian Labor Party promised that the sewage treatment plant in Cronulla would be upgraded to tertiary level. However, no work has commenced on that project. Three years have now passed since the 1995 election.

Mr Fraser: It is a disgrace.

Mr KERR: As the honourable member for Coffs Harbour said, it is a disgrace.

Mr Fraser: We have the same problems in Coffs Harbour.

Mr KERR: The honourable member for Coffs Harbour said that he has the same problems in Coffs Harbour. That is symptomatic of this Government's approach to the coastal environment, particularly in relation to sewage. Neither Cronulla nor Coffs Harbour has an adequate sewerage system. A proposal for a cogeneration plant is presently before the Minister for Urban Affairs and Planning. I have received a copy of the representations that have been made to the Minister by the National Parks Association of New South Wales Inc. While that association does not want the cogeneration plant to proceed, it stated in a letter to the Minister:

> a. Water from Sydney Water using tertiary treatment effluent and or advanced treatment effluent.
>
> b. Sea Water from the ocean nearby, with environmental monitoring and controls.
>
> c. Cooling Towers.
>
> The National Parks Association would press, that should this Cogeneration Project be approved . . . then approval should only be on the grounds that cooling water is supplied in order of preference, a, b, or c.

I drew the attention of the House to the fact that the Government announced:

> . . . that the new plant would have the facility to treat 2 million litres per day of effluent for re-use.
>
> The Cronulla STP processes approximately 50 million litres and would use ONE MILLION litres or 2% as process water. Local urban irrigation up to half a million litres and industrial use is still to be determined.

That claim was made by the Government. I also stated:

> This small amount is significantly at odds with the Government's response to my Question . . .
>
> The Minister for Urban Affairs and Planning . . . then advised that potential markets are estimated to be 17 MILLION LITRES for industrial use and 1 million litres for residential use. The Minister further advised that the these markets would utilise 36 PER CENT of the current average dry weather flows.

It is time that the Government told us exactly what is happening with the sewage treatment plant. We want to know when work will start, whether tenders have been accepted, what the cost will be and what the completion date of the project will be. I am pleased that, as we approach Anzac Day once again, Woolooware High School, which has developed an excellent reputation for its band and music, will be marching in the Anzac Day parade. This is the only State high school band to participate in the march. It is greatly honoured by being given the opportunity to participate. This school band participated in the 1997 Anzac Day march. I am pleased to be able to inform honourable members that a video of that event is available.

Mr Fraser: How much?

Mr KERR: I hear excited members of the House saying in unison, "How much?" I am sure that I could do a deal for the honourable member for Port Macquarie, and other honourable members, at a reasonable price. But do not send any money yet; I will refer the members to the school. A compact disc is also available which would make an ideal Christmas present. Once again, congratulations to the staff and students of Woolooware High School. On behalf of the community, we are greatly indebted to their contribution on Anzac Day.

Mr RALPH MURRAY

Mr McBRIDE (The Entrance) [5.20 p.m.]: I advise the House of a creative community initiative that was developed by an indefatigable community and youth worker and local Berkeley Vale High School teacher, Ralph Murray. Ralph has a distinguished community service track record, with a particular emphasis on youth and youth leadership, that spans decades. In co-operation with the central coast campus of the University of Newcastle and the Professional Association of Student Representative Council Teachers Advisers—PASTA—Ralph has developed three projects, of which the most important to date is the community service certificate awards project. I emphasise that the project originated on the central coast and will be driven by infrastructure developed on the central coast.

The project supports and promotes youth leadership and active citizenship. Over time the project will be self-funding and has State, national and international significance. The CSC awards, a citizen training program, accredit all active citizenship and voluntary community service. The awards promote active citizenship and voluntaryism amongst our youth and general citizen population, encourage student involvement in community activities, encourage the pursuit of merit and equity, provide an accreditation and reward system for the community and provide an opportunity for the unemployed and long-term unemployed to have their community contributions accredited and included as part of their employment curriculum vitae.

The CSC awards are based on an integrated accreditation system that logs all community service performed by a citizen. This unique concept recognises, logs, accumulates and accredits community service by an individual. If a citizen is a member of a number of community-based organisations, each organisation records the service of the individual. But up until now there was not a mechanism to aggregate these community contributions. Under the CSC awards program, the service in each area would attract a number of hours of community service, based on a universal value system, which is recorded in a passbook that is held by the citizen and certified by the accredited organisation. The hours are also recorded in the accredited organisation's log book as a cross-reference. The system is similar to a bank account—the community service is lodged, similar to money being deposited in a bank, and the citizen retains a record in a passbook.

Awards are determined by accumulated hours of active community service. All voluntary community service, as well as involvement in a wide variety of other activities that make a positive contribution to the wider community, is allocated an hourly value. Examples of community service are blood donation, unpaid work and training, unpaid tutoring, coaching, managing of both cultural and sporting activities, all voluntary charity and church work and membership of committees. Often the membership of committees is not recognised as a community service. But, as all honourable members know, organisations could not operate without committees.

The accumulated service is broken up into four award levels: 400 hours of community service attracts a CSC award; 1,000 hours attracts a bronze medal; 5,000 hours attracts a silver medal; and 10,000 hours attracts a gold medal. It is envisaged that the awards will be included as part of all future local government and Australia Day celebrations. As a member of Parliament I am acutely aware of the inestimable contribution of volunteers to the welfare and progress of communities in my electorate. In fact, as honourable members would recognise, without their contribution our communities would collapse. It is also important that the unemployed and long-term unemployed have their community service recognised and accredited so that it can be used as a reference in an application for a job.

The awards are a fabulous concept which can totally revitalise community service. All honourable members are aware of the community contribution that is made by volunteers in our society. We are also aware that the contribution by volunteers is continuing to diminish. I congratulate Ralph Murray, the originator of this concept, and Les Eastcott, Pro Vice Chancellor of the Ourimbah campus of the University of Newcastle. I encourage the Government to consider the provision of seeding funds to further the establishment of the CSC program throughout the State.

TWEED HEADS FIRE STATION MANNING

Mr BECK (Murwillumbah) [5.25 p.m.]: I raise an item of great concern for the people of the Tweed area and the electorate of Murwillumbah. It is now four months since the opening of a $1.3 million fire station at Tweed Heads, the establishment of which was long overdue. The opening ceremony was to be conducted by the then Minister for Emergency Services, but my electorate was honoured when the then Minister for Transport performed the job on 8 December. Since then the fire station is open only when there is a fire, because it is not manned by permanent staff. The Tweed is a major growth area. Without permanent staffing of the fire station the area is faced with another cross-border anomaly. I bring to the attention of the House some of the concerns.

About 500 times this year 17 dedicated men, who man the fire station on a voluntary basis, in response to a beeper call will leave their homes, families, social gatherings, family reunions, children's birthday parties, Christmas day commitments, dinners and fishing, to protect Tweed Heads. It seems that Tweed Heads is still considered a country town. That may have been the case 30 years ago. In those days a police officer slept in the police station near the Twin Towns Services Club and our ambulance service came from Queensland. But now Tweed Heads has a 24-hour police station that is manned by permanent staff and a new ambulance station that is fully staffed with 12 full-time officers, but the brand new fire station does not provide a 24-hour service and is not manned by permanent officers.

Immediately across the border in Coolangatta the fire station is open 24 hours a day. It services an area from Coolangatta up to Palm Beach and into the hinterland and approximately the same population that is serviced by the Tweed Heads fire station. The Coolangatta fire station is manned by a senior officer in charge and three firefighters 24 hours a day, seven days a week. Why does the Government neglect the north coast area of the State by not manning the $1.3 million Tweed Heads fire station with full-time officers and staff? That staffing level would have occurred if there had not been a change of government. The 24-hour police station and ambulance station were established and the fire station was commissioned by the previous coalition Government. When the Minister opened the Tweed Heads fire station everyone thought that it was to be manned full-time. But we cannot believe that Minister.

Today ambulances have been allocated further resources by the addition of a few vehicles. What about the Tweed Heads fire station? I am not taking away from the sterling effort and fine job of the 17 voluntary members of staff. But those people are paid between $8,000 and $10,000 per year, which after tax leaves $6,000 a year. They must also have a full-time job, and jobs are important to people today. Of course, their employers give them time off to service the fires in the area. I ask the Government to fix this anomaly in the Tweed area and provide permanent full-time staff sooner rather than later.

Ms HARRISON (Parramatta—Minister for Sport and Recreation) [5.30 p.m.]: I commend the dedication and commitment of the volunteers involved in emergency services and disaster relief not only in the Tweed but right across the State. I will make sure that the Minister is made aware of the honourable member's comments.

SUPERANNUATION

Mr NAGLE (Auburn) [5.31 p.m.]: In Australia $350 billion is held in employer-employee superannuation funds. The coverage of superannuation funds now extends to 96 per cent of all workers, that is, 6.8 million Australians. Workers are members of an average of 2.5 superannuation funds. Superannuation assets are growing in Australia at a year-on-year basis of 22 per cent. By the end of the next term of Parliament, a mere five years away, one trillion dollars will be held in superannuation funds for Australians. Such large sums of money create vast industries. The investment itself creates jobs and economic prosperity. Investment of such vast sums creates an engine or fuel to powerfully drive economies such as that of New South Wales.

Currently in this State there is no mechanism, system, training, encouragement, office, department, secretariat or other interface between the superannuation industry and the State of New South Wales to encourage productive investment here. There should be, as superannuation poses not just advantages but also considerable risks for New South Wales. More than a third of all Australian superannuation sums represents payments from and in respect of New South Wales workers. Over the next five years the sum contributed by or on behalf of New South Wales workers will total in excess of $330 billion. It is vital in the interest of the State that at least this sum is invested efficiently in New South Wales. There is an urgent need to look at such issues as stamp duty, access to courts, trustees'

duties, investment environments, government regulation, and the availability of training courses for specialist lawyers, accountants, trustees, investment advisers, administrators, underwriters and so on.

New South Wales ought to develop Sydney as the superannuation capital. Such a plan is in keeping with the natural advantages of Sydney as being a leading economic and financial district in the eastern hemisphere of Australia. Make no mistake about it: superannuation will become the most important issue to the average Australian. It will represent his or her life savings. Superannuation will represent the very cornerstone of the employee-employer relationship. It will represent security for retirement. It will ultimately be an icon of Australian society and will in part help to define what it means to be an Australian: a person who, through superannuation, can expect fairness and dignity in respect of a comfortable provision for old age, ill health and dependants in the case of the untimely death of the contributor. Superannuation will drive national savings. Superannuation will reduce our welfare bills and it will become a central issue in government planning.

Currently more than 1,000 pages of legislation is overlaid upon common law principles of trust law and fiduciary duty, as well as complex tortious and contractual obligations governing the participants. Moreover, there are numerous interactions with various Acts and regulations including the Income Tax Assessment Act, the insurance and superannuation commissioner's modification declarations and temporary modification declarations. The area of superannuation law and regulation has become so enormously complex that few people, if anybody, could claim comprehensive expertise in the area.

New South Wales should be in the forefront of the superannuation industry. Therefore I suggest to the Government the establishment of a centre for the study of superannuation and appropriate university courses for lawyers, accountants and business students to provide them with the necessary skills, training and qualifications to participate in the superannuation industry. New South Wales needs to provide leadership and train an expert work force in order to maximise its opportunities. Every day a further $210 million flows into superannuation funds for Australians. This State must compete for those funds. Every day is also one day closer to the 1 July 1998 commencement of the member choice of funds provisions set out in the May 1997 Federal budget document entitled, "Savings: Choice and Incentive."

From 1 July 1998 until 1 July 2000 different classes of members will be given a choice of five or more superannuation products to choose from, such as industry fund, corporate fund, public offer fund and retirement savings accounts. New South Wales must, wherever possible, provide attractive choices to members to invest their funds here. New South Wales needs to be the best place for superannuation funds to do business with in the Commonwealth of Australia. We need to study how this can be achieved, analyse the studies and put in place strategic plans. A small number of individuals in New South Wales are working towards the goal of creating a centre for studies. I am grateful for the assistance given to me by Mr Ross Goodrich, barrister and researcher. I ask the Minister for Sport and Recreation to refer this speech to the Premier, the Treasurer and the Attorney General for their consideration so that the benefit of superannuation will not be ignored in this State. I call upon the Government to move in this vitally important area. I commend that view to the House. [*Time expired.*]

ST GEORGE HOPE FOR THE CHILDREN NETWORK

Ms FICARRA (Georges River) [5.36 p.m.]: I pay tribute to all those involved in establishing the St George Hope for the Children Network. I refer to the Rotary clubs, in particular Hurstville and Riverwood rotary clubs. There was co-operative support from the Hurstville City Council, Rockdale City Council and Kogarah Municipal Council, especially Hurstville City Council and its Mayor Peter Olah, in the provision of premises at Beverly Hills in the former early childhood centre and in provision of ongoing administrative support via its community services division. I mention in particular Mrs Julie Boxhill, manager of the family day care service. I commend the St George Hope for the Children Committee, headed by Mrs Karen Matthews, for its invaluable physical, social and fundraising support. The Beverly Hills premises were officially opened last Saturday, 4 April. With the employment of a co-ordinator in the near future and an ever growing bank of community volunteers, the St George network will be up and running assisting many families in need within our community. I place on record excerpts from a speech by the Ambassador for the Hope for the Children Foundation, Rachel Ward:

> My emotional connection with Hope was simply that I am a parent. And, as a parent of three, with no extended family in this country, and a husband sometimes away for long absences, I am acutely aware of the possibilities of failing my children with inadequate parenting. I, of course, am one of the lucky ones. I have healthy children, I can afford to pay for

> support when I need it and, when home, I have a very involved and supportive partner. But what recourse do those thousands of other parents have? . . . Mothers with sick or problem children, single mothers, clinically depressed mothers, isolated mothers, teenage mothers, mothers caught in abusive cycles or simply exhausted mothers—all undoubtedly mothers that love their children but through a lack of adequate support could substantially fail them.
>
> Parenting is not easy. Successful parenting remains an enigma. Unfortunately there is no blueprint on how to mould healthy, happy individuals. Unfortunately too, the art of good parenting seems today to hold less and less value. How rarely do we publicly credit and exalt those who are truly inspirational parents and learn from them? Yet is there anything that we take on in life that comes close to being as important? Good parenting in the late 20th century is not given proper significance and unfortunately our social system, when it comes to helping parents make the best go of it, is a sorry reflection of these priorities.
>
> Maybe I'm naive but to me it's obvious. With odd exceptions most long-term dysfunctional or destructive behaviour in young people stems from failed parenting. Nobody sets out to be a bad parent but the stress and handicap of today's social conditions: poverty, unemployment, social isolation and lack of education can and does lead to inadequate parenting and its endless consequences. It could be argued, as it often is by overstretched government funding bodies, that adequate parenting is an immutable fact of life just as poverty and unemployment are. But that just gives us all another excuse to do nothing. Implementing more family support services presents a hopeful alternative and if implemented on a truly comprehensive level has a real chance of filling a social void and making a substantial difference . . . Hope for the Children's worth appeals to me on a philosophical level. In a time when we constantly hear of community indifference and the decline of civic responsibility, this is a program that encourages civic mindedness. It provides, where needed, the link for communities to become more involved in each other's lives. Programs like Hope that trade in the commodity of goodwill won't do much for our gross national product but they feed the soul of our communities.

I congratulate the Rotary movements throughout New South Wales and all of those wonderful volunteers with the family support networks throughout the State who have recognised the need, committed their goodwill and by getting on with it are now among the first to be able to offer support to those less fortunate families within our communities.

I commend our ambassador, Rachel Ward, our patron to the Hope for the Children Foundation, the retired Children's Court Magistrate, Barbara Holborow, and the founder of the Hope for the Children Foundation, Dr Clarrie Gluskie, for their tireless efforts in travelling around New South Wales and establishing the foundation in Sutherland, St George, the City of Sydney, in the eastern suburbs, Coffs Harbour and Armidale. The foundation is now spreading throughout the State and mobilising those in the community who do not necessarily want to depend on the Government for everything. They are willing to use their expertise in caring, listening, parenting and merely being present to support young mothers so that in the future we will be raising better families for our great nation.

GREEN POINT RESERVE

Ms HALL (Swansea) [5.40 p.m.]: I raise a matter that is jeopardising the rehabilitation program at Green Point in the Swansea electorate. Green Point reserve was purchased by the Lake Macquarie City Council in 1994. It is situated on the foreshore of Lake Macquarie and is a 1.8-kilometre foreshore park between Valentine and Belmont. For many years the community fought to bring this park into public ownership. It is a special area, which includes seven vegetation communities and two communities of remnant littoral rainforest. It has a large variation in habitation types due to variation in vegetation communities, topography and soil. It contains a recorded archaeological site and almost the entire length of the 1.8-kilometre foreshore park is a continuous shell midden.

The former coalition Government refused to assist Lake Macquarie City Council in any way to purchase or rehabilitate Green Point. In fact, it basically ignored Green Point and the community of Belmont. The Carr Government was to provide $500,000 per year for three years to assist the proper rehabilitation of Green Point park and to invite Lake Macquarie City Council to seek the incorporation of Green Point within the Lake Macquarie State Recreation Area. The Carr Government has delivered on that promise. Over the past three years it has allocated $500,000 to the Green Point management committee and the first two cheques for $500,000 have been received. I would like to congratulate the members of the management committee and those who worked on the project on an excellent job; it is a credit to them.

On the other hand, Lake Macquarie City Council has not honoured its obligation under the memorandum of understanding, which provided a sound basis for the continued co-operation between the council, the National Parks and Wildlife Service and the Government. Part of the memorandum of understanding was that council had to notify the Minister by June 1997 whether it wished Green Point foreshore park to be included in the Lake Macquarie State Recreation Area. At that time the Minister told the council she was keen for it to be included because the community had fought long and hard for that result and the park would enhance the State recreation area. The Minister put the council on notice at its environmental forum that it needed to inform the Government of its decision.

However, to date the Government has merely received a wishy-washy answer stating that council would look at the matter in six months time when all the money had been received.

It appears that Lake Macquarie City Council is not prepared to commit itself one way or the other on this matter. Instead it has made a commitment to sack the workers. My electorate office received a message that unless the council received the $500,000 cheque immediately, it would put off workers. I asked for that to be put in writing and the council has since acceded to that request. I have been reliably informed that the council is about to terminate four employees and other employees will be put on notice. This is despite my having spoken to a council manager advising him that the money for Green Point will be forthcoming once the Minister has considered all the issues and sought an undertaking from council about an ongoing commitment to maintain Green Point either as a park or as part of the Lake Macquarie State Recreation Area. Lake Macquarie City Council should be condemned for threatening workers and jeopardising a vital resource for the community. [*Time expired*.]

Ms ALLAN (Blacktown—Minister for the Environment) [5.45 p.m.]: I congratulate the honourable member for Swansea on her tireless efforts in relation to Green Point. Today I have written to the Lake Macquarie City Council informing it that it will receive the final instalment of $500,000, as required by the memorandum of understanding signed by the council. I send a strong message to the community of Lake Macquarie that this Government wants to acquire Green Point for inclusion in the Lake Macquarie State Recreation Area. I am appalled that Lake Macquarie City Council is playing political games and is assuming that the Government will not continue to resource Green Point if it is added to the Lake Macquarie State Recreation Area.

Since the Government came to office it has created three new jobs for that State recreation area. In the current financial year the National Parks and Wildlife Service has committed approximately $170,000 for the management of the State recreation area. This funding is for the construction and maintenance of facilities, as well as weed eradication and other projects. Both the Hunter and central coast districts of the National Parks and Wildlife Service provide additional resources, when required, for the management of the State recreation area. The Government has committed total funding of $500,000. That is in addition to the $1.5 million allocated for the rehabilitation of Green Point. In total over the past 2½ years the Government has allotted approximately $2 million to Lake Macquarie for the protection and management of this significant recreational open space. The Government's record speaks for itself; it is beyond question. Therefore, I call on the Lake Macquarie City Council to stop playing political games and to accede to the requests of the Green Point local community that the area become part of the State recreation area, where it will be effectively managed.

GOODWILL VOLLEYBALL INSTITUTE AND SITTING VOLLEYBALL, AUSTRALIA

Mr MacCARTHY (Strathfield) [5.47 p.m.]: I bring to the attention of the House the excellent work of a sporting body based in my electorate called the Goodwill Volleyball Institute and another organisation with which I have become familiar through that group, Sitting Volleyball, Australia. I am pleased that the Minister for Sport and Recreation is in the Chamber to hear about these excellent organisations. The Goodwill Volleyball Institute is a non-profit organisation established in late 1996 to promote the sport of volleyball. It is based in my electorate and I am proud to be one of its patrons; Mr Speaker is another. Its aim is to encourage community participation at all levels within the sport by organising and conducting events for young people, the elderly and the disabled. It is seeking to support young talented athletes by establishing a scholarship fund to assist athletes in developing their sporting skills, coaching, refereeing and sports administration.

This voluntary organisation does not have paid staff and relies on the personal contributions and goodwill of its supporters. It held two highly successful multicultural goodwill volleyball championships in 1996 and 1997. The first involved 10 different ethnic communities from throughout New South Wales and the last was even more successful, bringing together a variety of cultures. The final four teams represented the Russian, Italian, Chinese and mainstream Australian communities. It has organised social volleyball in conjunction with the police, council and the community.

I want to mention particularly some of the key people in the organisation. They include the chairman, Tan Chi Pho, the driving force behind the organisation and a resident in the electorate of Strathfield. Yuri Chernenko is the organisation's secretary. Nicolai Zaika is its treasurer. The well-known Australian sportswoman Sharon Finnan, OAM, is the organisation's public relations expert, and is doing a great deal to promote the sport within the Aboriginal and Torres Strait Island

communities. As a result of my attendance at the last Goodwill Volleyball Cup, I met some of the people associated with sitting volleyball, a sport which I had never heard of before. I am now aware that sitting volleyball is a sport that was developed about 40 years ago in Europe when people were looking for a sport that suited the disabled. Being required to sit on the floor is a great leveller for the able-bodied, enabling disabled and able-bodied people to play this sport together. The Europeans have dominated the sport for many years, but in the past few years the dominating force has been Iran.

The world championships are to be held in Tehran, and the Australian team taking part in those championships is to depart Australia between 12 and 29 April. The athletes will have to pay their own fares, amounting to $5,500. In addition they will have to find the money to engage an official referee from England, because at the moment Australia cannot supply a referee. The team has a little support by way of government funding, but the main funding comes from the selling of T-shirts, car washing, raffles, door-to-door sales and so on. The players have been training as much as possible: last year they trained twice a month; this year they have been training every Sunday at Parramatta high school, which has donated its training facility.

Most players are from the country, and they have to pay their own travel costs. This Parliament and all Australians will wish the Australian disabled sitting volleyball team all the best in their campaign in Tehran, competing against Iran, Netherlands, Norway, Iraq, Japan, Poland, Bosnia, Egypt, and Finland. These two organisations—Sitting Volleyball Australia and the Goodwill Volleyball Institute—epitomise what sport should be all about: encouraging grass roots participation, and bringing people together in a spirit of goodwill. I know that all honourable members will wish the sitting volleyball team success in Iran next week. I wish continued success for the Goodwill Volleyball Institute in its efforts to bring a wonderful sport to all ethnic groups in Australia.

Ms HARRISON (Parramatta—Minister for Sport and Recreation) [5.52 p.m.]: I commend the honourable member for Strathfield for his support of the Goodwill Volleyball Institute. I commend him also on being patron of such a worthwhile organisation. I give them my best wishes for their trip to Iran and wish them every success. I point out that Sharon Finnan works for the Department of Sport and Recreation and does a lot of good work quite apart from that. I congratulate Sharon as well; she deserves the compliment paid her today.

Mr MacCarthy: She is an able representative of the public service.

Ms HARRISON: She is a most able representative. I will pass on to Sharon that comment. It is disappointing that funding of overseas travel is left to the Australian Sports Commission. My department is not actually responsible for overseas travel. However, I would take this opportunity to point out that we have increased funding to disabled athletes by 600 per cent, a sizeable increase, and the reason is that these athletes quite clearly are an inspiration to all that have anything to do with them. I wish them the best of luck and commend the honourable member for Strathfield for bringing this matter to my attention.

ROCKDALE PUBLIC HOUSING

Mr THOMPSON (Rockdale) [5.53 p.m.]: On 11 March last I attended a forum on the future of public housing at Hurstville. The forum was arranged by the St George area housing department. Tenants of the department were invited to attend, and approximately 100 people did so. The purpose of the meeting was to allow discussion on public housing issues, to exchange information, and to generally address matters of interest or concern related to housing. Brief addresses were given by my colleague the honourable member for Hurstville and by me. Representatives of a number of local groups also spoke. There were representatives from Shelter New South Wales, the St George Area Tenants Council, St George Community Housing and the Rockdale Migrant Resource Centre. Officers of the Department of Housing also attended, and a keynote address was given by Mr Mike Allen, the regional director of the southern Sydney area of the Department of Housing.

I place on record my appreciation for the work being done by officers of the Department of Housing in the St George area. Their task is not easy. Indeed, at times it is very difficult. They are often required to exercise the judgment of Solomon in trying to resolve some of the problems that arise. The background against which they work is one of considerable waiting lists, declining finances, and lack of certainty about future funding. In my district there is also an extra heavy demand on public housing due to a number of factors associated with the high proportion of people from non-English speaking backgrounds, including migrants and refugees. Paul Mortimer from the Rockdale Migrant Resource Centre elaborated on these issues at the forum.

Invariably, departmental officers deal with the many problems with sensitivity, and they make every effort to reach a solution. Whilst the forum started off with several brief speeches, most of the morning was devoted to questions and answers and general discussion on housing matters. What came through to me loud and clear was the level of anxiety amongst tenants and tenant-related organisations about the future of public housing in the face of Federal Government funding cuts.

There is a real and palpable concern in our community about the future, about security of tenure, and about whether the Federal Government has any serious concern about addressing the ever-growing public housing waiting list. Ever since the Howard Government came to office, Federal funding for housing has been progressively reduced. This has resulted in the States having to cut back and defer expenditure on new constructions, renovations and repairs. The funding cuts have had a heavy social impact in our district. At the forum to which I referred a petition was circulated. It stated:

> We the undersigned submit that public and community housing form a major social 'safety net' crucial for all Australians.
>
> We, therefore, call on the Commonwealth Minister and all State Housing Ministers:
>
> 1. to maintain a commitment to the buying and building of new social housing properties through a renegotiated Commonwealth-State Housing Agreement starting in 1999.
>
> 2. to protect the public housing system from reforms that disadvantage tenants, such as increasing rents and removing security of tenure.
>
> Dismantling the safety net of social housing will lead to increases in homelessness, overcrowding and poverty levels in Australia.

The current interim Commonwealth-State Housing Agreement ceases in July 1999. Since John Howard came to power in 1996, State and Territory housing Ministers have sought from his Government some commitment to public housing nationally based upon certainty of funding, a broad range of reform to assist all tenants, private and public, and the detail of his plans. Instead, all that has happened is procrastination, funding cuts and absolutely no detail of any plans for reform. With a little more than 12 months to go, there is still no national housing agreement in place. The Minister for Housing, the Hon. Craig Knowles, told this House yesterday:

> In 1996 John Howard, in the first days of his Government, took a decision which was to indicate how important he considered housing in the context of the national agenda: he abolished the Department of Housing and Local Government and placed housing policy under a division of the Department of Social Security. This resulted in a downgrading of housing as a policy issue and a loss of policy expertise. It also was a signpost to his approach to public housing. That is, he thinks public housing is all about "welfare housing". He clearly has no understanding of the broader impact of housing policy for the nation's economy, in particular, the construction industry.

It is clear to me that the Howard approach is to ignore the real battlers in our society. He has ripped $200 million out of public housing, denying New South Wales much-needed funding to build and buy public housing stock in this State. The public housing waiting list grows longer and longer. The basic housing needs of many of my constituents are being put further and further out of reach, thanks to the heartless attitude of the Howard Government. [*Time expired.*]

Ms HARRISON (Parramatta—Minister for Sport and Recreation) [5.58 p.m.]: As the member for Parramatta, I concur with the sentiments expressed by the honourable member for Rockdale. More than half the people who come through the door of my electorate office are worried about their housing situation. I suggest most members of Parliament would have a similar experience. As the Minister for Housing said in this Chamber yesterday, there is a crisis, and it is one which has been aggravated by the current stance of the Prime Minister and his Minister for Social Security. Since 1995 this Government has been like an army fighting a battle with its supply lines cut. The people we have been fighting for, those who rely on housing provided through the public sector, make up the list of casualties. While this casualty list grows, the Commonwealth Government hides its head in the sand. I shall certainly convey the comments made by the honourable member for Rockdale to my ministerial colleague for his consideration. I suspect it will not be the first time he has heard such comments.

INVERELL ELECTORATE CRIME

Mr CHAPPELL (Northern Tablelands) [6.00 p.m.]: I bring to the attention of the House a serious issue affecting the community of Inverell, in my electorate. Over the past several years, and in particular over the last year or so, a major social problem has developed in South side, as it is known—or, more accurately, south Inverell. South Inverell is essentially a Department of Housing estate. Most of the homes in the area are Department of Housing stock, and because of problems that have been occurring there for some time now about 50 of the 160 or so homes are now vacant, have been boarded up and have been vandalised, some more than others. Moreover, I am told that in the past few months the remainder of the

houses have been either broken into, attempted to be broken into or vandalised in some way. So the situation in south Inverell is not a happy one. As a consequence the community at large, in particular the local media, are constantly carrying fairly negative images about south Inverell.

I advise the House that some good things are happening in Inverell. I wish to pay credit to some of the regional and local staff of the Department of Housing, who of course have to carry a fair bit of the responsibility for trying to sort out this issue and rebuild the neighbourhood into a respectable, comfortable and enjoyable living environment. For some time now Kim Penny, a part-time project co-ordinator whose employment is funded by the Neighbourhood Improvement Fund of the Department of Housing, has been attempting to rebuild the community in an effort to get on top of the social issues. She has tried to identify the specific problems and issues that concern the people of south Inverell—including parents, many of whom are single parents—as they grapple with the continuing deterioration of living conditions. Kim Penny and a number of other people have come together to form the neighbourhood advisory board, which now has an active program based on all sorts of different strategies to build a sense of community and cohesion amongst the people of south Inverell. The program seeks to encourage the community to take responsibility and to participate in ways of getting on top of the crime situation—the violence, aggression, name-calling, abuse, all-night disturbances by noisy parties, and the sorts of things we are all too familiar with these days.

A number of workshops are being conducted as part of the action that Kim Penny, officers of the Department of Housing, local police, community services officers and many others are contributing to. Residents workshops and government agencies workshops—that is, all of the government agencies which in one form or another have a role to play—are planned, with plans for joint workshops between residents and agencies to formulate strategies to get on top of this problem. In recent times an independent facilitator, Paul Van Reyk, has been contracted by the department, and I am sure he too will make a significant contribution towards the issue. Some positive aspects have emerged from the problem: a number of different age groups have come together to participate in sorting out their difficulties, identifying their needs and expressing their concerns. Community rebuilding activities have taken place through the holding of local barbeques and social activities, such as a youth concert, and some support work has been done with single mums and the like—things which I am sure many communities have had to do.

I raise the matter in this House today because honourable members need to hear some of the good news about these programs. We need to encourage the local media to report the positive developments and get on with trying to rebuild a difficult community. I am sure that with the goodwill of the majority of residents who live in south Inverell—and that goodwill has certainly been expressed at a number of meetings—and the active support of the various government agencies working in co-operation with all of those who have an interest in Southside, including the local council, we will see a much-improved situation. I would like to say that it will happen overnight; that will not happen. But I believe that over the coming months we can look forward to a positive outcome for south Inverell.

HUNTER ATHLETICS FACILITY

Mr MILLS (Wallsend) [6.05 p.m.]: Tonight I bring to the attention of the House the unintended adverse effect on a football club in the Wallsend electorate of a decision by Lake Macquarie City Council regarding the location of the Hunter regional athletics facility. In so doing I seek the help of the Minister for Transport in solving the short-term problem for the Cardiff Australian Rules football club, which seeks to continue to use Maneela Oval at Glendale as its home ground for the Hunter region Australian Rules football A-grade competition. The Cardiff Hawks were the premiers two years ago, and the Hunter region Australian Rules A-grade competition kicked off the 1998 season last weekend, when Cardiff won its first-round match. Honourable members may be interested in the score. It was as though Sachin Tendulkar was batting for Cardiff Hawks, because Cardiff scored 44 goals, 17 behinds, and 281 points in defeating the Macquarie Magpies, who scored two goals, no behinds, and 12 points. On Monday this week the *Newcastle Herald* reported that "the hapless Macquarie Magpies were pounded by powerhouse Cardiff".

Maneela Oval is located on State Rail Authority land; in fact, it was one of two sporting ovals on the site of the former Cardiff railway workshops. For many years the oval has been leased by Lake Macquarie City Council from State Rail, and improvements to the oval and its change rooms have been made by council and the sporting clubs that use the oval. Cardiff Australian Rules football club began using Maneela Oval as its home ground in 1978, by arrangement with Lake Macquarie City Council. The unintended consequence I referred to arose in this way: in 1993 the Labor members of Parliament in the Hunter region, under the leadership of the Minister for Gaming and Racing, the Hon. Richard Face, who then carried the shadow portfolio

of sport and recreation, agreed to the pooling of our sport and recreation grants across seven electorates so as to enable larger facilities of regional significance to be constructed from sport and recreation grant funding.

Both Newcastle and Lake Macquarie city councils showed their interest in this type of co-operative venture because of the regional standard facilities that had been identified by the Department of Sport and Recreation and the Hunter Academy of Sport, particularly for athletics, swimming, diving and gymnastics. Following joint inspections of a similar model in the Illawarra region, Lake Macquarie City Council put up its hand for an early start on a regional athletics facility. The key decision by Lake Macquarie council was to ask that the regional athletics facility be built on 65 hectares of the Cardiff railway workshops site at Glendale after the workshops ceased operation in 1992.

State members readily agreed with council's choice of location because Glendale is close to the demographic heart of the Hunter region, in particular its more densely populated areas, and the central coast. Negotiations with State Rail commenced with Lake Macquarie City Council seeking access to a portion of State Rail's Cardiff workshops land to construct the regional athletics facility. The negotiations went nowhere until the Carr Labor Government was elected, and the Minister for Sport and Recreation assisted in that process. Negotiations have now proceeded through to the stage where the track is under construction for the regional athletics facility. In December 1996 State Rail signed a deed of agreement with Lake Macquarie council to provide 11 hectares of land for the construction of the athletics facility. A regional gymnastics facility was added to the concept 10 months ago, when the 1997-98 budget was announced.

The agreement also involved the rezoning of the remainder of the State Rail land for various conservation and commercial purposes, which was completed in late 1997. That rezoning provided for State Rail to recoup some of the value of its assets. Therefore the unintended consequence of council's decision regarding the location of the regional athletics and gymnastics facilities at Glendale, and its agreements with the State Government over rezoning of the remainder of the former workshops land, is that Maneela Oval is now subject to redevelopment in accordance with the agreement. Cardiff Aussie Rules football club is naturally concerned about the future of its home ground, both for this season and for the future. State Rail is rightly proceeding with its plans to redevelop its Glendale site in accordance with the agreement with council. The ground is also used in the summer season by the Sulphide Welfare softball club.

I have been advised by the Cardiff Aussie Rules football club that Lake Macquarie council originally told the club it intended to buy the oval from State Rail. I was subsequently advised that the council told the club it could not buy the oval, and that the best the council could do was to recommend that State Rail keep the land for sporting use. I do not want to see Lake Macquarie council engage in blame-shifting. One of the responsibilities of councils is to liaise with sporting clubs in their districts for the provision of home grounds for the clubs. Therefore, Lake Macquarie council has an important duty to the clubs based in Lake Macquarie city who are entered in Hunter region competitions.

Having made its decision to locate the regional athletics facility on State Rail Authority land at Glendale, and having entered into agreements with State Rail about the land use consequences of the agreement, council now has a duty to assist in finding an alternative venue as a home ground for both Cardiff Australian Rules football club—the Cardiff Hawks—and the Sulphide Welfare softball team, who use the ground in summer. I call upon Lake Macquarie City Council not to renege on its responsibility to help those clubs. I can assure the council that I will try to assist in that task. Therefore, I ask the Minister for Transport to bear in mind the sporting needs of the local community as State Rail redevelops the residual land. However, I seek an assurance that the club can continue to use the home ground for the remainder of this season. [*Time expired*.]

Mr FACE (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [6.10 p.m.]: As the Minister Assisting the Premier on Hunter Development I thank the honourable member for Wallsend for bringing this matter to my attention. I have sought information from the Minister for Transport and I have been advised by State Rail that the State property branch has been engaged by the SRA to undertake a disposal strategy for the Cardiff maintenance centre and adjoining lands. The honourable member for Wallsend and I have had a consuming interest in that land in regard to the construction of the nearby athletics field. That includes Maneela Oval at Glendale, which the honourable member for Wallsend referred to today. Part of the strategy involved the lodging of a rezoning application to enable State Rail to achieve the maximum return on its property assets. State

Rail has already transferred 11 hectares of its land to Lake Macquarie City Council, at a nominal charge, for use as a regional athletics facility.

State Rail will seek to put the remainder of the property to the best possible use. A study by the State property branch is nearing completion. However, it would appear that the disposal of the subject property will not take place for several months. As a result of the personal representations made by the honourable member for Wallsend, the Minister for Transport has instructed State Rail to ensure that the oval will be available for use by the Cardiff Australian Rules football club for the entire 1998 football season. Like many other sporting bodies the club is very proud of its traditions. In its infancy it was very well supported by the late Ken Booth, a former local member and the predecessor of the current local member. Members of the club will be pleased to know that at least for this football season it has some certainty of tenure. I hope the Lake Macquarie City Council will resolve this matter.

Private members' statements noted.

TRAFFIC AMENDMENT (CONFISCATION OF KEYS AND DRIVING PREVENTION) BILL

Bill returned from the Legislative Council with an amendment.

In Committee

Consideration of the Legislative Council's amendment.

Schedule of amendment referred to in message of 8 April 1998.

No. 1 Page 3, Schedule 1[2], proposed section 26A. Insert after line 31:

(2) If the police officer is of the opinion that the person concerned is under the influence of alcohol, the person is entitled to request that the person undergo a breath test in order to determine whether or not the person is under the influence of alcohol. If such a request is made, the police officer may not take any action under subsection (1) until the person undergoes the breath test.

Ms HARRISON (Parramatta—Minister for Sport and Recreation) [6.13 p.m.]: I move:

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

Mr FRASER (Coffs Harbour) [6.13 p.m.]: The coalition supports the amendment. In fact it highlights some of the deficiencies in the bill that the Deputy Leader of the National Party referred to when he spoke on the legislation. The amendment will provide that if a person is denied access to his or her keys by a police officer who is concerned that he or she is under the influence of alcohol, that person can request a breath test. The breath test will determine whether that person can be given his or her keys. Although the Opposition supported the legislation it raised some deficiencies. This deficiency has been dealt with, and further amendments should be made to it in the future.

Motion agreed to.

Legislative Council's amendment agreed to.

Resolution reported from Committee and report adopted.

Message sent to the Legislative Council advising it of the resolution.

House adjourned at 6.15 p.m. until Tuesday, 28 April 1998, at 2.15 p.m.