



NEW SOUTH WALES



Legislative Assembly

**PARLIAMENTARY
DEBATES**

(HANSARD)

**FIFTY-FIRST PARLIAMENT
THIRD SESSION**

OFFICIAL HANSARD

Tuesday, 2 June 1998

LEGISLATIVE ASSEMBLY

Tuesday, 2 June 1998

Mr Speaker (The Hon. John Henry Murray) took the chair at 2.15 p.m.

Mr Speaker offered the Prayer.

ASSENT TO BILLS

Assent to the following bills reported:

Parliamentary Contributory Superannuation Legislation
Amendment Bill
Farm Debt Mediation Amendment Bill
Saint Andrew's College Amendment Bill

BUSINESS OF THE HOUSE

Order of Business

Motion by Mr Whelan agreed to:

That, further to the resolution of the House on Thursday 28 May 1998 relating to the introduction of the Appropriation Bill and cognate bills, standing and sessional orders be suspended to allow at 4.00 p.m. this day the interruption of the business then before the House for the introduction of the Appropriation Bill, the Appropriation (Parliament) Bill, the Appropriation (Special Offices) Bill, the Appropriation (1997-98 Budget Variations) Bill, the Electricity Supply Amendment (Transmission Operator's Levy) Bill, the Premium Property Tax Bill, the Public Finance and Audit Amendment Bill and the State Revenue Legislation Further Amendment Bill by the Premier up to and including the second reading speech.

AUSTRALIAN SPORTSWOMEN

Ministerial Statement

Ms HARRISON (Parramatta—Minister for Sport and Recreation) [2.16 p.m.]: In the past 48 hours we have witnessed two sporting feats that bring credit to Australian sport and particularly to Australian women's sport. Two young Sydney women have placed themselves alongside the greatest women athletes this country has produced. One, Susie Maroney, battling enormous physical and mental odds, has set a new record for long distance ocean swimming, while the other, Alyson Annan, has helped her team to victory in the Women's World Cup hockey tournament. Alyson was named as the player of the tournament.

I have spoken a number of times in this Chamber about Susie Maroney—about her mental

and physical strength, her courage and her tremendous will to succeed—so it should come as no surprise to honourable members to hear that Susie has completed her historic swim from Mexico to Cuba. It appears she swam 197 kilometres, which took almost 40 hours, fighting sea sickness, jellyfish, storms and extreme fatigue to set the new world record and become the first person to swim from Mexico to Cuba.

Alyson Annan, who comes from the Campbelltown area and is a New South Wales Institute of Sport scholarship holder, has been an important member of the Hockeyroos for a number of years. During the past decade she has scored a number of vital goals to help Australia to victory at the Olympics and several Champions Trophy and World Cup tournaments. In fact, Alyson was the leading goal scorer at a tournament that has just concluded during which she scored her 100th goal for Australia. Alyson's contribution has helped keep Australia at the top of the pack in women's hockey. I have no doubt she will continue to play an integral role in upcoming events such as this year's Commonwealth Games and in 2000 at the Sydney Olympics.

These two young women are outstanding role models for women's sport. The efforts shown by both Susie and Alyson are real examples to our younger generation of what can be achieved with hard work and dedication and with the support of family and friends. Susie and Alyson have both accepted and successfully met their own personal challenges. They have done so with the dignity and style that epitomises the truly great Australian sports men and women of our time. I am sure they will both go on to tackle greater challenges—and we should not be surprised when they succeed. These two young Australian women deserve our praise and support as well as our thanks for the impression they have made and continue to make on the rest of the world. I commend their performances to the House and ask that all honourable members join with me in saying well done to both of them.

Mr HAZZARD (Wakehurst) [2.19 p.m.]: The New South Wales coalition is delighted to join with the Minister to praise two exceptional young women, who are indeed role models for all

Australian athletes. What a magnificent moment for women's sport and what a triumph for Australian athletes! In the past few hours we have witnessed a magnificent display of courage and tenacity by two wonderful young female athletes. Susie Maroney swam 197 kilometres in 39 hours—an extraordinary feat, given she had to face storms and jellyfish and had to overcome extreme fatigue. The coalition is extremely proud of Susie, who lives at Cronulla and does her training in the southern region of Sydney.

The honourable member for Cronulla has asked me to make it clear that people of Cronulla are immensely proud of her. In addition, the Deputy Leader of the Opposition and the honourable member for Sutherland have asked me to pass on their congratulations. We congratulate also Alyson Annan on her fantastic efforts. The record of the Hockeyroos over the past decade has been nothing short of magnificent. Alyson and the other members of the team are wonderful athletes. Julie Towers, a team-mate of Alyson, comes from Taree. Alyson lives in Campbelltown. New South Wales continues to produce female athletes who compete at the highest level. The Opposition congratulates these two young women and other female athletes from New South Wales who are doing so well at this moment.

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, Mr Collins, Mr Debnam, Ms Ficarra, Mr Glachan, Mr Hartcher, Mr Hazzard, Mr Humpherson, Dr Kernohan, Mr Kerr, Mr Kinross, 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.**

Ryde Hospital

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

Land Tax

Petitions 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 and Mrs Skinner.**

Sale of Knives and Extended Police Powers

Petition praying that the sale of knives for unlawful purposes be prohibited and that police be given additional powers to search for illegal weapons, to question people in public places, and to disperse persons loitering or assembled in a public place, received from **Ms Ficarra.**

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 Spoil

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.**

North Head to Little Manly Point Spoil Tunnel

Petition praying that construction of the spoil tunnel from North Head to Little Manly Point be opposed and that the excavated sandstone stockpiled at North Head be used to rehabilitate the North Head sewage treatment plant, 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.**

Recreational Fishing

Petition praying that the House reject changes to bag limits and fish length, and reject any proposal to introduce saltwater licence fees for recreational fishing, received from **Mr Fraser.**

JOINT STANDING COMMITTEE UPON ROAD SAFETY

Reports

Mr Gibson, as Chairman, tabled the following reports, dated June 1998:

Staysafe 41: Review of the Road Safety Situation in New South Wales in 1995.

Staysafe 42: Review of the Road Safety Situation in New South Wales in 1996.

Ordered to be printed.

QUESTIONS WITHOUT NOTICE**QUESTIONS WITHOUT NOTICE
ADMISSIBILITY**

Mr SPEAKER: Order! I ask all members to take particular note of the statement I am about to make in relation to questions without notice. In recent weeks the Chair has become increasingly concerned about the form and content of questions without notice. I remind members that the provisions of Standing Order 137 apply to questions without notice in the same way as they apply to questions upon notice. There appears to be a tendency to include in questions without notice imputations of improper motives, arguments, inferences and expressions of opinion. The inclusion of all or any of those matters in a question without notice would cause the Chair to rule the question out of order. The launching of a personal attack or the imputing of improper motives in the guise of a question without notice is in breach of Standing Order 82. Such matters should be dealt with by way of substantive motion. In essence, questions without notice should be brief, singular in nature, to the point and, most important, they should not contain additional information or asides that are not necessary to make the question intelligible. The Chair proposes to enforce those guidelines. If members are in doubt as to the admissibility of their questions, I suggest they avail themselves of the excellent advice of the Clerks at the table.

CONDUCT OF JUSTICE VINCE BRUCE

Mr COLLINS: My question is addressed to the Premier. What would be the effect of the removal of Justice Bruce as a judge of the Supreme Court on the Copper 7 case, which involves nine Australian women seeking damages for injuries allegedly sustained through the use of a contraceptive device? What steps is the Premier taking to ensure that these women are not further inconvenienced in this complex medical negligence case?

Mr CARR: I discussed this matter this morning with the Attorney General, who is seeking advice and conducting discussions to see that the disruptive effect of Justice Bruce's removal, if that is the decision of the Parliament, is minimised. I will seek further advice from the Attorney General and report back to the House. It is an important matter. We would try to salvage what we can out of the proceedings, thus minimising the distress to the women involved in the court case.

**CHICHESTER DAM ELECTRICITY
GENERATION**

Mr PRICE: My question without notice is addressed to the Minister for Urban Affairs and Planning. What proposals does the Government have to use the water in Chichester Dam for the generation of electricity?

Mr KNOWLES: Last week honourable members will recall that I announced my decision to approve the biggest co-generation plant anywhere in Australia at Kurnell: \$250 million worth of new investment, the biggest single reduction in greenhouse gases anywhere in the country and the first plant in Australia to use huge volumes of tertiary-treated effluent out of the Cronulla sewage treatment plant. Since that announcement the Government has been roundly congratulated by leaders of the business community, the environmental movement and of course members of the local Kurnell community. In particular, I note the congratulations of the Liberal Mayor of Sutherland, Councillor Schreiber. In delivering on that commitment, the Government has undertaken a massive win for the environment and a massive win for jobs and investment in this State.

Today I have the pleasure of announcing another project that, while smaller in scale, will produce similar environmental, economic and social benefits to the people living in the Hunter region of the State. Following the Healthy Rivers Commission inquiry into Williams River, the Hunter Water Corporation has decided to install a hydro-electric turbine system at its Chichester Dam near Dungog. The hydro scheme will provide the flows required to satisfy the environmental health of Williams River, generate electricity, reduce costs, reduce greenhouse emissions and allow surplus power to be sold back to the grid.

A key recommendation of the Healthy Rivers Commission inquiry was for Hunter Water to increase the release of environmental flows from Chichester Dam into Williams River by up to 14 million litres each day. This flow regime will dramatically improve the environmental quality of the Williams River system and help underpin the rural economy of the region. Rather than simply let 14 million litres of water go over the dam wall into Williams River and be lost forevermore, in a clever and lateral solution Hunter Water has decided to add value to the process by strapping on a hydro-electric turbine and generating system that will create enough energy to light up a small country town. The amount of electricity generated will be of the order of about 2.6 megawatts each day.

Members opposite are clearly not interested in a major project for the Hunter region that will generate new opportunities for green and clean energy, as well as deal with some of the problems of the Williams River system. As I said, in the first instance the generator will produce about 2.6 megawatts of power each day. As the energy will be produced at minimal cost, there will be substantial savings for Hunter Water that ultimately will be passed on to consumers. The energy will be used initially to operate Chichester Dam, its aeration systems and lighting and general power needs. As I indicated, the surplus energy will be sold onto the grid as part of a cleaner and greener energy system for the Hunter region.

This is a commercially viable, environmentally friendly win for the people of the Hunter. Like the Kurnell decision, it points the way to clever solutions that marry environmental needs to smart business practice. The feasibility study undertaken to assess the proposal demonstrated substantial cost benefits and one of the few ways that added further value to the environmental flows required as a result of the healthy rivers inquiry. Hunter Water Corporation is in the process of calling for expressions of interest from organisations involved in providing the technology required. The design of the turbine will be specified to enable environmental flows to be automatically regulated, stopping the need for installing additional valve work, and therefore further reducing costs. It is anticipated that by March next year Chichester Dam will be not only supplying water to the Hunter but also generating green electricity and playing its part in keeping Williams River healthy.

INTERNATIONAL GARDEN FESTIVAL

Mr HARTCHER: My question without notice is addressed to the Premier. Did the Premier say in March 1997 that hosting the International Garden Festival in Gosford would generate 18,000 jobs and pump \$1.5 billion into the State's economy? Given the enormous boost to jobs and investment that this event would have provided to the central coast, why has the Premier killed off the project?

Mr CARR: It was a decision of the Commonwealth Government to deny this project the underwriting role—

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

Mr CARR: —that under the relevant international convention only national governments

can provide. We await the decision of the Commonwealth Government on whether this project will receive funding from the \$1 billion Federation Fund.

CENTRAL COAST JOB CREATION

Ms ANDREWS: My question without notice is addressed to the Minister for Regional Development, and Minister for Rural Affairs. What is the Government doing to create jobs on the central coast?

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

Mr WOODS: The honourable member for Peats is greatly committed to job creation and economic growth on the central coast. Just a few weeks ago I was able to announce that State Government support, through the regional business development scheme, had secured more than 200 jobs for the central coast.

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

Mr WOODS: Today I can say that targeted support from the State Government has secured a further 100 jobs for the region.

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

Mr WOODS: Since April 1995, 31 job creation projects on the central coast have been assisted by the Government's regional business development scheme. These projects have resulted in the creation of 1,470 full-time and 76 part-time jobs, and a further 118 jobs being retained.

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

Mr WOODS: Australian Panel Products is now moving its entire manufacturing operation from Homebush Bay to Somersby, where it will upgrade and expand its production capacity. Australian Panel Products is a major manufacturer and its presence will help to attract further manufacturing investment in the region. Initially 12 jobs will be relocated there and another 20 will be created over three years, which will generate a significant flow-on effect to the rest of the community.

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

Mr WOODS: The State Government will also help book publishers Hodder Headline Australia and Allen and Unwin Pty Ltd to establish a joint distribution facility on the central coast. That will create a further 70 direct jobs. The company will build a state-of-the-art facility on a greenfields site at the newly established Tuggerah Business Park. The Government is committed to creating jobs on the central coast. This operation will generate up to 50 permanent jobs and at least 20 casual positions at any one time. It will help also to attract other businesses to Tuggerah Business Park and further investment into the region. Construction will commence in July and the facility is expected to be fully operational by January 1999. The managing director of Allen and Unwin, Mr Patrick Gallagher, said that the central coast was chosen because of its cheaper land costs, its transport access and the ready availability of a committed work force.

Mr Gallagher said also that State Government assistance was a significant factor in his company's decision to move out of Sydney. The State Labor Government wants other companies to realise the benefits of regional location. It has the programs, such as the regional business development scheme, to achieve that. But, more importantly, it has the philosophical commitment to help regional communities. Unlike the Opposition, the State Labor Government realises that regional communities have not been well served by the market. Three other significant assistance packages have recently been provided on the central coast. Gosford Terrazzo Company Pty Ltd, C-Dax Systems and Weir Engineering Pty Ltd will create a further 200 jobs between them.

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

Mr WOODS: These jobs will go a long way towards providing central coast employment for central coast people. The Government wants to break the back of the commuter culture. It is using targeted strategies through programs like the regional business development scheme to create new jobs in regional New South Wales.

WATERCOURSE BUFFER ZONES

Mr ARMSTRONG: Does the Minister for Fisheries support as practical the State Government's policy which requires land-holders to create a 50-metre buffer zone and fence off rivers and watercourses to prevent stock from drawing drinking water from them?

Mr MARTIN: Every day the honourable member for Burrinjuck smiles as he watches the Leader of the National Party trying to protect the electorate of Lachlan. This side of the House will always do what is right for the environment, for fisheries and for the farming community. I assure the House that this Government will be doing a great deal. As Minister for Fisheries, I can tell the Leader of the National Party about some of the good things the Government is doing. On budget day when the Leader of the National Party has asked such a leading question, it is only fair—

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

Mr MARTIN: When this Government came to power it found that the coalition had been going on with a lot of nonsense. The 50-metre strip of riparian land about which the Leader of the National Party asked, which was in public ownership during the coalition's administration, was being sold off in nice cosy deals. Before 1918 the boundary of land in a non-tidal area was the centre of the river. After 1918 the foreshore reserve was protected for the benefit of the people. In other countries, such as New Zealand, it is called the Queen's chain. That land was available for access to the waterways. Farmers were also able to use that land to take water and to allow their stock access to the water, but the land was owned by the State. When the Government came to power it found that the previous administration had been selling that land to its mates in cosy little deals.

Mr Yeadon: A dollar an acre!

Mr MARTIN: I am pleased I heard "A dollar an acre" because that is the sort of thing Minister Causley was doing. He was selling rainforest in the Liverpool Ranges for \$1 an acre. The Leader of the National Party has asked a question about the preservation of land and access to waterways. I assure the House that the Government will continue to do the right thing. That is confirmed by the great work that is being undertaken on the edge of my electorate on the Williams River. The Williams River carers are much more enlightened than the Leader of the National Party. The Williams River carers are fine examples of people preserving the river banks. They are doing the right thing, unlike what is being inferred by the Leader of the National Party, who believes in the rape, pillage and degradation of our waterways.

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

Mr MARTIN: The Leader of the National Party asks questions that are supposed to contain the big trick. Let me tell the House about the big trick! The big trick is for him to try to hide what he has been doing in Lachlan. For three years he did not direct a question to the Minister for Agriculture about land and water, until he was challenged for pre-selection. It is nothing short of a disgrace that on today of all days, budget day, the poor member opposite has the audacity to ask that question so that he can go to his electorate and say he has asked a certain number of questions. The Government's commitment to the protection of the State's waterways is shown by its water reform package. The Government is committed to land care, unlike those opposite

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

Mr MARTIN: I could go on at great length about some of the good things the Government has done. For example, I could tell the Leader of the National Party about some of the carp programs, but because it is budget day I will merely thank the Leader of the National Party for his stupid question and wish the honourable member for Burringuck the world of good.

WESTERN SYDNEY PUBLIC TRANSPORT

Mr LYNCH: My question without notice is directed to the Minister for Information Technology, Minister for Forestry, Minister for Ports, and Minister Assisting the Premier on Western Sydney. What is the Government doing to improve public transport in western Sydney?

Mr YEADON: I thank the honourable member for the opportunity to outline to the House just some of the initiatives the Government has undertaken in regard to transport in western Sydney. The Government is fully aware of how important public transport is to the people of western Sydney. The National Roads and Motorists Association, the Western Sydney Regional Organisation of Councils, the Macarthur Regional Organisation of Councils and many other companies and community groups in western Sydney have told the Government that public transport in western Sydney is vital. The Government knows that people in western Sydney, especially women, rely on public transport to get to and from work. The Government knows that public transport is important to help young people to get to school or to other activities, such as sport. The Government also knows that public transport is vital for the protection of the environment.

The major cause of air pollution throughout the Sydney basin is car use. That pollution is blown across western Sydney and is trapped by the Blue Mountains. The Carr Labor Government is not only aware of the importance of public transport, it is also doing something about it. For the first time the State has a strategy for greater western Sydney public transport which is integrated with the Government's air quality management plan. The Government is delivering results for the west based on those initiatives. For example, my colleague the Minister for Transport, and Minister for Roads recently initiated the \$100 million bus transitway system for western Sydney, and what an outstanding announcement it was.

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

Mr YEADON: That joint public-private sector partnership will provide a mass transport system not experienced before in this State. Respected organisations such as WSROC have praised the transitway. On 3 May Councillor Bob Downing, the chair of WSROC, welcomed the announcement by the Minister for Transport. He said:

The development of this vital public transport corridor is long overdue, and I congratulate the Minister and the State Government on this initiative.

He went on to say:

For far too long the urgent public transport needs of western Sydney have been neglected, whilst successive governments have poured money into eastern Sydney transport projects. The transitway will begin the process of redressing the balance.

Those views were echoed by an editorial in the *Fairfield Advance* which stated, "This link is great news." Other community and transport groups, such as the Public Transport Advisory Council, agree. Not only have the Government's initiatives in public transport received the support of the people of western Sydney, they have also received support from an unexpected quarter. The Government has been attacked in the media by some people who claim that the transitway, which is a fantastic initiative, does not go far enough. I acknowledge the support for the transitway from the honourable member for Baulkham Hills. He not only staunchly supports the transitway, he wants it extended to his electorate. He thinks it is so outstanding he wants it extended to Baulkham Hills. The Government certainly welcomes the honourable member's endorsement of that proposal.

The Government is doing an enormous amount to deliver public transport to the west. CityRail is

another example. The Government is upgrading railway stations in western Sydney. It will spend \$18.5 million on improvements to Liverpool railway station; \$21.3 million to upgrade the Richmond line; and more than \$18 million throughout Sydney on the easy access program to make stations, including CityRail stations in western Sydney, more accessible to the elderly, and to people using wheelchairs or pushing strollers. The Government realises that people using CityRail trains want, and should be able to expect, their trips to be safe and hassle free.

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

Mr YEADON: That is particularly important as more people are working later and travelling home on trains late at night. It is also important, especially on weekends when our young people use public transport to travel to and from the cinema, to parties and to a range of other recreational activities. The Government realises that and is delivering for the people in western Sydney. In 1998-99 the Government will spend \$55 million to upgrade security at every CityRail station and car park, and from 1 July two security guards will patrol every train at night in Sydney. The Government is still waiting for the honourable member for Ermington to endorse those outstanding proposals. He is quick to criticise but he never supports the major positive initiatives taken by the Government. Whether passengers are travelling to Parramatta, Penrith, Katoomba, Liverpool or Campbelltown, or anywhere in between, they know guards will be patrolling continually from one end of the train to the other. I repeat: the Government is delivering high-quality public transport options for the people of western Sydney.

What else has the Government done for public transport in the west? It has introduced the Macarthur pass for students. That innovative special student weekly ticket combines point-to-point travel from a student's home railway station to the Macarthur campus of the University of Western Sydney during the week. It also provides students with unlimited travel to Sydney city stations on weekends. That is good for students, for the University of Western Sydney, for CityRail and for the environment. The Government introduced a program to install 300 bicycle lockers at train stations in western Sydney. It has upgraded Blacktown bus-rail interchange at a cost of \$1.8 million, and created a safer environment at Cabramatta railway station at a cost of \$1.5 million. On 29 May the Minister for Transport and I announced a \$5 million upgrade of the bus, car and rail interchange which will benefit bus and rail

passengers at Merrylands station. The design of the Merrylands interchange includes stands for 10 buses with sheltered waiting and seating areas, a 180-space car park, and new ramps and stairways which will mean easy access for the elderly, people with disabilities and people with small children. There will also be bicycle lockers, and tree planting along Terminal Place will create an attractive promenade.

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

Mr YEADON: The Carr Labor Government is working to deliver a world-class, efficient, safe and flexible public transport system for the people of western Sydney. That is in stark contrast with what the coalition is doing and what it did when it was in government. Basically the coalition took no action on public transport, particularly in western Sydney. Does the Opposition have any constructive suggestions or policies for public transport in western Sydney?

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

Mr YEADON: No way! The Government is doing an outstanding job of dealing with security on trains. The last I heard about the honourable member for Ermington was that he wanted a medal because he used public transport to go to the Easter Show at Homebush Bay. That is about two stations from where he lives, and it is probably the only time that he has travelled by public transport in his entire life.

I would be particularly surprised if the member for Ermington has ever been past Parramatta on a train. The Carr Labor Government is improving public transport on a scale never before experienced. It is delivering better government services to the people of Sydney. It is improving the quality of the environment. It is supporting families by reducing air pollution and traffic jams. It is helping people get to work more quickly and more easily. The Carr Labor Government is delivering to western Sydney: the \$100 million transitway; the railway station upgrades; better interchanges for passengers using taxis, private buses and CityRail; cycleways; and better security on railway stations, car parks and on trains. The Government has demonstrated a commitment to the people of the west and it is delivering.

NORTHSIDE STORAGE TUNNEL SPOIL

Dr MACDONALD: My question without notice is directed to the Minister for Urban Affairs

and Planning, who is also the Minister responsible for Sydney Water. What is the Minister's response to the recent proposal to dispose of the 500,000 tonnes of spoil from the northside storage tunnel to rehabilitate a sewage treatment plant at North Head, rather than barging it from Little Manly Point?

Mr KNOWLES: My initial response to the question is to urge the honourable member for Manly to do what the Leader of the Opposition does when he has matters of concern to do with the northside storage tunnel. He comes to me with residents to talk about it in a sensible and constructive manner, rather than grandstand, as the honourable member has tried to do at every opportunity he has. The *Manly Daily*—

[Interruption]

For the record, within the space of one week about two weeks ago—and the Leader of the Opposition will confirm this—I met with a delegation of residents from his electorate, led by the Leader of the Opposition, about specific concerns they had about some of the proposals by Sydney Water and the contract for the construction of the northside storage tunnel. In the same week I had also agreed to meet with representatives of the Manly community led by the Mayor of Manly, Sue Sacker, and the honourable member for Manly.

Dr Macdonald: And you spat the dummy.

Mr KNOWLES: Yes, of course I spat the dummy. Let me tell the House why. I want the House to compare and contrast how members represent their constituents. If the Leader of the Opposition wanted to he could make political capital out of a major and complex capital works program: \$375 million of capital expenditure to reduce by 90 per cent the sewage discharged into Sydney Harbour by the year 2000. That stunning environmental project has been endorsed by people such as Ian Kiernan as not being a bandaid solution but a solution that will end once and for all sewage pollution into the harbour.

The Leader of the Opposition understands that. He realises the alternative, as the shadow minister for the environment has put in the public domain, is specific sewage treatment plants in northside electorates. That is unacceptable to their communities. The Leader of the Opposition came to me with a group of residents and we constructively and sensibly went through the issues. I am confident of an outcome on the issues he has raised.

Mr Souris: However—

Mr KNOWLES: However, within the same week I also agreed to a meeting with the honourable member for Manly, the Mayor of Manly, Sue Sacker, and some of the honourable member's constituents. What happened? That very morning my office got a phone call from the media—"Would the Minister care to give us any comment on the meeting between the honourable member for Manly, Sue Sacker and the residents?" "Who informed you?" "It came from the council or from the honourable member for Manly." "Would you like to comment after the honourable member for Manly's press conference later that afternoon?"

I will never be the straight man for the honourable member for Manly. If he wants to conduct meetings to try to create effective solutions for the residents he purports to represent, he will do it properly and constructively, as the Leader of the Opposition did. That is the way I prefer to do business. If the honourable member wants to do his business in the middle of Macquarie Street or Pitt Street and have public meetings and press conferences around meetings with me, it will be a long time before we meet again.

I confirm once again the value of the northside storage tunnel project. It is fundamentally better than anything that has ever been provided for Sydney Harbour. This is the only time in the State's history that there has been a constructive and complete attempt to manage sewage pollution in our harbour: a reduction by 90 per cent of sewage overflows by the year 2000, with the capacity in the future for recycling and re-use and with the removal of all the sludge trucks that go through the electorate of the honourable member for Manly because the sludge will be able to be moved upstream. These are tangible benefits to a community in Sydney that expects the Government to do something about its harbour, long since neglected by the lot opposite.

The best the honourable member for Gosford could do was to have a talkfest in the dying days of the last Government, a stormwater summit. Everybody came and talked about it but did nothing. Not a zack, not a cent, went into the pot to deal with what have been described as intractable problems. I hold Ian Kiernan up as testament of the fact that this Government has got it right. This is not a bandaid solution but a solution for the long-term benefit of Sydney, its harbour, its environment and its citizens.

Dr MACDONALD: I ask a supplementary question. In view of the answer just given, will the Minister agree to meet the delegation? What will be the conditions to avoid the meeting being cancelled at the last moment?

Mr SPEAKER: Order! That is not a supplementary question. The Minister has already answered the question.

WOLLONGBAR AGRICULTURAL RESEARCH LABORATORY

Mr NEILLY: My question without notice is to the Minister for Agriculture, and Minister for Land and Water Conservation. Will the Minister inform the House what the Government is doing to promote agricultural research at its Wollongbar laboratory near Lismore?

Mr Hartcher: On a point of order. I draw your attention to the ruling you gave at the start of question time concerning the form in which questions should be asked in this House. I submit the form and manner and the phrasing of that question violate your interpretation of Standing Order 137 and should be ruled out of order.

Mr SPEAKER: Order! I took particular note of the question. It is in order.

Mr AMERY: Since the commencement of the term of this Government the honourable member for Cessnock has been a strong supporter of its decision to decentralise research and agriculture services from the suburbs of Sydney, where they were located under the previous Government, to various locations around New South Wales. Wollongbar, which is near Lismore, has been a great beneficiary of that decentralisation project. The honourable member for Cessnock is a true representative of the country electorate, unlike members of the National Party, who actually opposed agriculture services and jobs being relocated from the suburbs to country regions. I thank him for his support. Everyone appreciates the need for a healthy environment and, as World Environment Day approaches, we must remember that that includes agricultural industries.

In fact, a healthy environment is a basic requirement for a productive and healthy agricultural operation. It is good to know that the great majority of New South Wales farmers accept that principle. Most Landcare projects throughout the State highlight it. More and more farmers are becoming increasingly involved with the environment in the management of their farms. Farmers are the long-term carers of our natural resources of land, soil, water and vegetation. That is why this Government has made sure that farmers are part of the process in land management, water management and so on. Farmers can balance the management of our natural resources with carefully designed practices which

work for the benefit of both their farms and the environment.

The Department of Agriculture plays a key role in that process by helping farmers to develop sound management practices through research, development and education. The Wollongbar agricultural institute, the subject of this question, is an important unit of the Department of Agriculture. It specialises in helping farmers, agricultural industries and rural communities to be both environmentally sustainable and economically viable. It addresses a number of environmental issues and is now regarded as a centre of excellence for environmental management with statewide responsibilities. I was at the Wollongbar agricultural institute on the weekend and was pleased to officially launch its open day.

Mr Souris: You were supposed to be at Muswellbrook.

Mr AMERY: I was there, too. The open day provided an excellent opportunity for people to go along and further understand our agricultural systems and the challenges and environments of which they are a part. The open day was a great success, and the institute laid on a vast amount of material and information reflecting the range of work now being carried out at that institute and many other agricultural centres around the State. In the past 12 months the Wollongbar agricultural institute has spent more than \$750,000 on the environmental management of cattle dip sites in the northern region. As a result, more than 150 unused dip sites have been closed down. I know that concerns have been expressed about cattle dips in the past, and I report that the cattle-tick control program of the Department of Agriculture has been working successfully to reduce the overall need for cattle dipping and, of course, the number of dip sites.

Integrated pest management is another important example of the Department of Agriculture moving to reduce environmental impacts. The use of pesticides to control the banana weevil has been cut by a staggering 95 per cent because of that program. Major improvements have been effected in buffalo fly control, as well as a greater tolerance of pests and diseases for plants and animals. All of this results in an overall reduction of chemical usage and, consequently, a reduction of environmental impacts. The agricultural institute at Wollongbar also works on soil conservation measures, the balancing of soil nutrients, recycling and sustainable agricultural production. For example, measures have

been taken to prevent the further disturbance of acid sulphate soils, which are common on the coastal floodplain areas. Those soils contain a huge store of acid that can leach out and degrade rivers and various other habitats.

All agricultural activity and, of course, human activity have an impact on our environment at one stage or another in one form or another. The community decides what level of impact is acceptable, and the work currently in progress at Wollongbar is an excellent example of the way in which agriculture is working to reduce those impacts on our environment. The institute at Wollongbar is truly a centre of excellence. It is one of nine such centres around the State that have been set up by the Department of Agriculture and actively encouraged by the Government. Each centre has its own specialty. Wollongbar, as I have said, focuses on the agricultural environment; Yanco specialises in rice and vegetables; Armidale specialises in beef; Orange specialises in apples, pears and lamb production; Trangie specialises in rangeland management; Wagga Wagga specialises in viticulture and southern cropping systems; Tamworth specialises in northern cropping systems; Narrabri specialises in cotton; and the Elizabeth Macarthur Agricultural Institute at Camden is the State's centre for research and diagnosis of animal and plant diseases.

The Government is continuing to invest in the centres. Since the Carr Government came to office Wollongbar alone has had some \$1.56 million spent on it. Camden has had a capital works program of \$3.7 million, Wagga Wagga has had \$1.7 million spent on it and the centre at Yanco has been the subject of a \$1 million spending program. The centres work hand in hand with other organisations. At Wollongbar, for example, staff work hand in hand with the University of Sydney, the University of Queensland, the Southern Cross University, the Commonwealth Scientific and Industrial Research Organisation and the Queensland Department of Primary Industries. The Government is behind the centres 100 per cent and has actively encouraged their research and operations. The Government's financial investment in the centres is a clear indication of that.

When the Government took office in 1995 more than 10 per cent of Department of Agriculture staff operated within 40 kilometres of the Sydney general post office. Under the Labor Government only 1 per cent of Department of Agriculture staff operate within 40 kilometres of the Sydney GPO. That is a major achievement for the agricultural

industry, and the benefits are felt by many farmers in country areas. Through the relocation of the Rural Assistance Authority from Sydney to Orange the Government has achieved much greater links with the department. There is now more direct contact with regional agronomists and regional directors in the department. Those people are able to respond more effectively to calls for various assistance schemes because they are within arm's reach.

The Department of Agriculture is a success story in many respects and I commend the work it is doing both at a regional level and as a productive organisation. Wollongbar is just one example of the way in which this Government is investing in regional centres. This can only be good news for farmers and country New South Wales as a whole. I congratulate all staff working at the Wollongbar institute and the others I have named. I again thank the honourable member for Cessnock for his keen interest in the facilities provided by the Department of Agriculture in regional centres.

PICTON SEWERAGE SCHEME

Dr KERNOHAN: I address my question to the Minister for Urban Affairs and Planning. Why is the Carr Government charging Wollondilly residents \$3,000 per property to be connected to the Picton sewerage scheme, when the coalition proposal for the scheme would not have required residents to make any capital contribution?

Mr KNOWLES: I shall send the honourable member for Camden a copy of the incorrect letter she wrote to her local papers last year when she tried this nonsense on and I shall issue her with another copy of my press release in response to that letter. The Government has rejected the Independent Pricing and Regulatory Tribunal proposal to charge on a unit basis the people in the Picton area, the Gerringong-Gerroa area and three or four other areas. The honourable member knows that. The assertion that the coalition was going to do something at Picton is palpable nonsense. Contracts will be let shortly and tenders closed for this scheme and two or three others around the State. As the honourable member for Camden knows well, the costs for those residents will be spread equally across the Sydney Water catchment area.

Dr KERNOHAN: I ask a supplementary question. Would the Minister explain why a senior member of Sydney Water said at a public meeting at Wallacia last Saturday that the residents of Picton would be required to pay \$3,000 per property?

Mr KNOWLES: Perhaps the honourable member for Camden could explain where she has been for the past two or three years. When Sydney Water was corporatised it lost the control over—

[*Interruption*]

Perhaps we should ask the honourable member for Gosford, who was also always a vacant member on this subject. IPART sets pricing policy in its determinations and the Government ultimately makes the decisions. The Government has made its decision on this matter and published it about six or seven months ago.

PLANTATION FORESTRY BUDGET

Supplementary Answer

Mr CARR: I should like to provide a supplementary answer to a question asked by the honourable member for Tamworth on 29 April. State Forests allocated an indicative budget of \$3.9 million for softwood plantations in the Walcha area for 1997-98. I am advised that about \$1.9 million is expected to be spent this financial year. The balance of funding will be held over to next financial year. State Forests advise that no funding has been diverted or allocated elsewhere. Given the nature of the plantation program, actual funds spent can vary for a number of reasons, including market factors, availability of suitable land and weather conditions. The Government continues to expand its hardwood and softwood plantations. This financial year the Government expects to spend \$48 million on plantations. That is another example of the Government's commitment to a sustainable timber industry in New South Wales.

Questions without notice concluded.

CONSIDERATION OF URGENT MOTIONS

New England Highway Federal Funding

Mr NEILLY (Cessnock) [3.20 p.m.]: My motion should take precedence today because of the inadequacy of funding provided by the Federal Government for the New England Highway. As a consequence, carnage occurs on that roadway, so this matter is also about lives. We support rural New South Wales. Accordingly, my motion should have priority.

Carp Eradication

Mr J. H. TURNER: The motion is urgent because this House needs to debate, first, the damage caused by carp to the New South Wales environment and, second, the inadequacy of funding that the Government has allocated to carp

eradication. The motion is urgent given that under the Government's program approximately one million fish will be caught—the equivalent of one adult female carp's annual spawning. This House should discuss the decline in natural fish stocks caused by carp, the blue-green algae in our inland waterways, and our muddied waters. Those problems must be discussed urgently because many riverside country towns and rural communities have to draw their water from rivers that are being destroyed by carp. Those communities must have access once again to an adequate and reliable water supply. That can be done only by the Government showing more willpower and putting a program into place. It is urgent that this House debate stream bed damage and loss of aquatic and riverside vegetation caused by carp. Members should also consider the Premier's misleading statements, and should note that to undertake what the Premier said—

Mr Martin: On a point of order. The allusion by the honourable member for Myall Lakes to the Premier making misleading statements is not based on fact. The *Daily Telegraph* has already indicated that it made a typographical error and, in acknowledgment, the honourable member withdrew his press release. Whatever the honourable member for Myall Lakes is trying to do is but farce and nonsense.

Mr SPEAKER: Order! What is the point of order?

Mr Martin: The honourable member is trying to mislead the House. He should argue why his motion is more important than that of the honourable member for Cessnock. He should not make excuses for something the coalition did nothing about for seven years.

Mr SPEAKER: Order! Until his last statement, the member for Myall Lakes had presented his arguments for priority in compliance with the standing orders. However, the Chair is unable to rule on the validity or otherwise of those arguments.

Mr J. H. TURNER: I intend to seek leave to make a personal statement at the end of this speech because the Minister has told an outright lie, as will be clarified shortly. My motion is urgent because carp removed during an eradication program could be used as replacement stock for imported fishmeal or in fish processing plants and thus encourage inland employment in places such as Narrabri. [*Time expired.*]

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

The House divided.**Ayes, 48**

Ms Allan	Mr Markham
Mr Amery	Mr Martin
Mr Anderson	Ms Meagher
Ms Andrews	Mr Mills
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
Mr Gibson	Mr Rumble
Mrs Grusovin	Mr Scully
Ms Hall	Mr Shedden
Mr Harrison	Mr Stewart
Ms Harrison	Mr Sullivan
Mr Hunter	Mr Watkins
Mr Iemma	Mr Whelan
Mr Knowles	Mr Woods
Mr Langton	Mr Yeadon
Mrs Lo Po'	
Mr Lynch	<i>Tellers,</i>
Mr McBride	Mr Beckroge
Mr McManus	Mr Thompson

Noes, 45

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 Schipp
Mr Ellis	Mr Schultz
Ms Ficarra	Ms Seaton
Mr Glachan	Mrs Skinner
Mr Hartcher	Mr Slack-Smith
Mr Hazzard	Mr Small
Mr Humpherson	Mr Smith
Mr Jeffery	Mr Souris
Dr Kernohan	Mrs Stone
Mr Kinross	Mr Tink
Mr MacCarthy	Mr J. H. Turner
Dr Macdonald	Mr R. W. Turner
Mr Merton	Mr Windsor
Mr Oakeshott	<i>Tellers,</i>
Mr O'Doherty	Mr Fraser
Mr O'Farrell	Mr Kerr

Pairs

Mr Knight	Mr Armstrong
Mr Tripodi	Mr Beck

Question so resolved in the affirmative.**CARP ERADICATION****Personal Explanation**

Mr J. H. TURNER, by leave: I wish to make an explanation under Standing Order 70. During the preceding debate the Minister for Fisheries said that I had withdrawn a press release I had issued in relation to the debate concerning the carp eradication program. That claim is not true and is incorrect.

NEW ENGLAND HIGHWAY FEDERAL FUNDING**Urgent Motion**

Mr NEILLY (Cessnock) [3.37 p.m.]: I move:

That this House:

- (1) notes the failure of the Federal Government to adequately fund the maintenance and upgrade of the New England Highway, an important highway link;
- (2) expresses its alarm at the Federal Government decision to reduce funding in the last Federal budget from \$45 million to \$39 million; and
- (3) commends the State Government for its commitment to improving roads in rural and regional New South Wales.

Last Saturday, while travelling through my electorate along the New England Highway towards the Bayswater colliery, I noticed beside the road a freshly painted white cross with the name "Clinton" written on it. After a moment I recalled that Clinton was a young bloke from Cessnock, aged about 21 or 22, who died in a motor vehicle accident not far from the entrance to the Bayswater power station in the mid-1980s. A couple of years later his father, who was a deputy at the Liddell coalmine and a former traffic sergeant, was found gassed in the pit. As those thoughts ran through my mind I realised how fortunate I had been in getting significant works done on the New England Highway under the former Labor Federal Government. But how things have changed in the intervening period.

The State's national highway system is suffering under John Howard's attack on its road funding. John Howard and Peter Costello in their 1998-99 Federal budget have cut road funding to New South Wales by \$26 million in real terms. Reduced funding for the national highway program means that several badly needed major road projects cannot go ahead. This is another attack on regional New South Wales by the Federal Government,

which has slashed services in the bush. National highway funding to New South Wales has been reduced from \$320 million in 1995-96 to \$232 million in this budget—a massive 28 per cent funding cut.

Nowhere is the effect of the Federal Government's policy more apparent than on the New England Highway. The Federal Government's neglect of that highway is a national disgrace. The Federal Government has ignored the proposals by the State Government concerning key projects for the New England Highway. The State Government submitted a number of projects to the Federal Government outlining areas deserving urgent attention. The submissions for this year included: \$7 million dollars for the Rose Valley Creek deviation, and \$2 million for road widening to Wilburtree Street and Scott Road, Tamworth.

The Federal Government has allocated nothing towards those projects in its 1998 budget—zilch, not even a brass razoo. Nor has it committed any funding in the next four years to the proposed \$15.3 million Devil's Pinch project, also on the New England Highway. This stretch north of Armidale, according to the Commonwealth's assessment, is "one of the worst sections" of the highway. The honourable member for Northern Tablelands congratulated the Federal Government for promising a feasibility study, but funding was not made available—another hollow promise. The Sunnyside realignment north of Armidale is another black spot neglected by the Federal Government, despite previous pleas from the New South Wales Government for funding. On Friday, 15 May this area was the scene of a tragic accident in which a highly respected member of the Tenterfield community, Roman Catholic priest Father Lefevre, was killed.

Unfortunately, accidents will continue to happen on the New England Highway whilst the Federal Government continues to neglect its responsibilities for funding the national highway system. This highway, along with the rest of the national highway system, is already suffering a 28 per cent reduction in maintenance spending in real terms. This will inevitably impact on road safety, especially in rural New South Wales. The rural economy will be hurt if our national highways are not adequately maintained. Total national highway funding has fallen from \$834 million in 1995-96 to \$675 million in 1998-99.

The three budgets of the Federal Government have cut national highway funding to New South Wales by a total of \$88 million. This represents

more than 55 per cent of total funding cuts to national highways across Australia. Consequently, New South Wales is bearing the brunt of these cuts. This has occurred despite the Federal Government's promises on road funding before the last election, which included "continuation of Federal road funding expenditure commitments at current levels", as stated by the shadow minister. By cutting back on national highway funding the Federal Government is stalling the provision of critical national infrastructure projects. The Federal Government's commitments to road funding before the last election included a special program of upgrading the Pacific Highway, with \$100 million of the \$750 million total over ten years to be allocated from the national highway allocation.

However, forward funding profiles indicate that the Federal Government, contrary to its promise, will fund its whole \$750 million commitment at the expense of national highways. In other words, the Federal Government made a commitment to provide additional funding for the Pacific Highway upgrade without a diminution, save for \$100 million, in funding for the national highway program; and that commitment has been maintained but not in the promised format. The Commonwealth collects about 35¢ per litre in fuel excise from road users and returns only 7¢ per litre to roads by way of the grants I have outlined.

Mr Chappell: It was your mob that did that.

Mr NEILLY: We are talking big dollars, not petty cash. The Federal Government is failing to meet its election promise and needs to look urgently at its priorities for road funding. The Federal coalition Government has shown in its budget that it cares nothing for the people of New South Wales, especially those in western Sydney, the Hunter, and rural and regional New South Wales. For some time I have been looking forward to construction of the proposed link route between the F3 and the New England Highway in the Cessnock electorate, as urban roads in my electorate are carrying national highway traffic. The \$233 million project has never been funded and no commitment to funding has been made. I think I will be waiting a long time for that project to begin. If the New England Highway is to continue as part and parcel of the national highway route, it is vital that the link between the F3 and the New England Highway be put in place.

Mr Chappell: To meet up with Freemans Waterhole.

Mr NEILLY: That is correct. The New South Wales coalition has shown by its silence that it

supports these cuts to road funding in New South Wales. Members opposite, together with their Federal colleagues, stand condemned for deserting the people of New South Wales. I urge the House to thoroughly consider and support my motion. Regional areas in New South Wales are suffering from drought, movement of people from rural areas to the city, and so on. The New South Wales Government has put in place its share of infrastructure. Most of the major works involved in upgrading the golden highway between Dubbo and Newcastle have been funded by the State Government—the Government which before the last election gave a commitment to fund the necessary roadworks to upgrade that route. People travelling from Muswellbrook to the port of Newcastle travel along part of the link between Mitchells Line Road and the New England Highway. There are only a few problems down that end of the road. However, the problems on the New England Highway between Branxton and Maitland must be addressed. I urge the House to support the motion.

Mr RIXON (Lismore) [3.43 p.m.]: I move:

That the motion be amended by leaving out all words after the word "That" with a view to inserting instead "this House condemns the repeated failure of the Carr Government to properly fund country and regional roads such as the Summerland Way and the Gwydir Highway."

Let us get a couple of facts straight. In 1996-97 the Federal Government put \$321 million towards roads in New South Wales; in 1997-98, \$390 million; and in 1998-99, \$545.18 million. New South Wales receives approximately one-third of the \$1.62 billion allocated for roads in the Federal budget. Let us look at where that money will be spent on the New England Highway. Careful consideration has been given to expenditure on roadworks on the New England Highway. In the 1998-99 Federal budget \$7.7 million has been allocated for the Lenaghans Drive duplication, and the \$52 million, 7.5 kilometre Lenaghans Drive freeway west of Newcastle is expected to open at Christmas. The Black Hill Road bridge will open later this month—five months ahead of schedule.

The Beresfield to Minmi connector is due to be completed towards the end of the year. The \$330,000 pedestrian overbridge represents the final stage of a Commonwealth-funded safety improvement program on the New England Highway at Metford. New traffic control signals at Chelmsford Drive and Chisholm Road provide greater traffic connectivity between residential areas, the highway and Greenhills shopping centre. The graceful arch bridge to be located 700 metres east of the Chisholm Road intersection will strengthen

community links between Metford and Ashtonfield and lead to greater road safety. Tenders have been called for the long-awaited construction of new traffic signals and road improvements at the Arthur Street—New England Highway intersection at Rutherford. Arthur Street provides the main access to Rutherford shopping centre, Maitland City Bowling Club and various child-care facilities.

Installation of traffic lights is expected to start in June, with the \$150,000 cost to be met from the Federal Government's national highway program. A program of installing several overtaking lanes on the New England Highway between Maitland and Muswellbrook is proceeding at a cost of \$14 million. Four new passing lanes southbound were completed last April and complement those finished and opened to traffic late last year between Lochinvar and Kaludah Creek and Mudies Road and Range Road. All lane works are due to be completed by the end of 1998.

In the 1998-99 Federal budget \$11 million has been allocated for the Belford bends upgrade. This federally funded New England Highway deviation at Belford bends eliminates a bad accident-prone section of highway between Branxton and Singleton. Construction of the six-kilometre, four-lane deviation, including bridges over Black Creek and Jump Up Creek, will be completed by early next year, and planning has commenced on a bypass at Muswellbrook. And the list goes on! My colleague the honourable member for Northern Tablelands will continue to enumerate the list. Let me contrast that with the record of the Labor Party. From 1983-84 to 1995-96 the former Federal Labor Government increased petrol excise from 7¢ a litre to its current level of between 34¢ and 36¢. Over the same period road funding provided by the Federal Labor Government did not keep pace with the increase in excise revenue.

In 1982-83, in the period of the former coalition Government, the Federal Government of those days spent 67 per cent of fuel taxes on roads. What did Labor do? It spent eight per cent of those taxes on roads—a drop from 67 per cent to eight per cent. Labor abandoned many worthwhile roadworks when it narrowed its focus to national highways—a situation being rectified by the Federal coalition Government. The honourable member for Cessnock mentioned the sad death of a young man in his area. He should remember that it was the Labor Government that abolished the black spots program. Labor promised to upgrade the Pacific Highway but never delivered on its promise. Another 13 projects promised by Labor were lost.

Labor's policy is to concentrate Federal funding on the western Sydney area around the Olympic Games site and other such areas, neglecting country areas. Labor abandoned the New England Highway. The Federal coalition Government has committed funding to numerous New England Highway projects. Since 1974 the Federal Government has promised a bypass at Albury-Wodonga. Labor promised that for 13 years, yet it failed to deliver. I remind honourable members that Labor abolished the life-saving black spots program, which was worth \$16.96 million to New South Wales.

Once again the honourable member for Cessnock told us the results of that Labor Government action in his area. Let me examine some other Labor promises. When the honourable member for Kogarah was Opposition spokesperson he said that all funds raised by the 3 x 3 levy would be hypothecated to roads. On 7 June 1995 Labor broke that promise and passed legislation that enabled money raised from the 3 x 3 levy to be spent on other than roadworks. In that year alone a total of approximately \$170 million went from direct road funding into various other projects. The coalition ensured that the 60-40 rural-city split was implemented so that vast areas of the State that depend so heavily on road transport received a fair share of funds.

What happened under this Labor Government? That 60-40 split was decreased to 53 per cent for rural areas and 47 per cent for the city, representing a diversion of tens of millions of dollars from regional roads into the city. Once again, Labor does not care what happens outside NSW—Newcastle, Sydney, Wollongong. Labor promises to maintain existing rural road construction and maintenance programs, yet in the 1997-98 roads budget the Carr Government cut funding to country New South Wales by a massive \$50 million. The coalition's amendment highlights problems with country and regional roads, such as the Summerland Way.

None of Labor's promises can be believed. During the last election campaign Labor promised that during the life of this Parliament \$50 million would be spent on improving the Summerland Way. How much has been spent to date? Only \$17 million. Can we expect \$33 million in today's budget so that Labor will not be lying? If that happens, I will be the first to congratulate the Labor Party. Once again, it is only too obvious that this New South Wales Government is the most hypocritical of all Labor governments, promising all sorts of things and breaking those promises. The Federal Government is improving country roads, looking after black spots and saving lives. What

does New South Wales get? A bunch of whingeing wimps who criticise what the Federal Government is doing.

Instead of hearing complaints about the Federal Government, let us hear what the State Government will do to overcome its disastrous record of the past three and a bit years. It has only a few months remaining in office to do something about it. Today's budget will be a great lesson for all of us, when those broken promises are fixed up. I urge the House to support the amendment and give this lax Labor promise-breaking Government the message it deserves: do something about country roads and stop just talking about it.

Mr PRICE (Waratah) [3.53 p.m.]: I support the motion, and certainly do not support the amendment. My colleague the honourable member for Lismore should get his facts about the Summerland Way correct. The Summerland Way is being upgraded to a proper inland alternative to the Pacific Highway. The State Government has made a commitment of \$50 million over four years for the route. It spent \$8.9 million in 1995-96, \$8.4 million in 1996-97, and a further \$11.4 million has been allocated in 1997-98. The Federal Government declared the Summerland Way a road of national importance and promised to provide up to \$20 million in funding assistance over four years commencing in 1997-98. The dates are critical because honourable members will recall that the Federal Government did not approve the start of any projects in the 1997-98 budget year. We are still waiting on the Federal Government to provide funds for improvements to Summerland Way.

This House has heard much rhetoric and many mistruths about State Government funding. I am disappointed that the honourable member for Lismore has been so misguided. I should like to speak about that section of the New England Highway that crosses the Pacific Highway north. The honourable member for Lismore commented on Lenaghans Drive and the F3 connectors to the Pacific Highway and the New England Highway where they join John Renshaw Drive at the intersection of Weakleys Drive. The New England Highway continues across Weakleys Drive until it reaches the new section close to the Newcastle and Maitland boundaries. The former Federal Labor Government approved construction of those roads and funds were allocated. The Federal member for Paterson, who does not seem to have anything else to talk about, announced those projects three times.

The Black Hill Road bridge was opened a fortnight ago. As a member of the Black Hill school board I use the bridge occasionally. The Government has allocated \$21 million for construction of the two

connectors, which will be completed by the end of this year. I am concerned that at the end of Weakleys Drive at the intersection of the New England Highway are three sets of traffic lights 800 metres apart. In 1995 the Federal Government allocated money for an environmental impact statement on the construction of a road connecting Thornton Road with Anderson Drive, Beresfield, parallel to the highway, to provide for the construction of a major interchange on the New England Highway that would link the Link Road, the New England Highway and Weakleys Drive. That would be achieved by way of a massive overpass, a substantial roundabout or one set of integrated traffic signals.

This would remove the three sets of temporary traffic signals currently in place. The result would be a functional highway that did not require major traffic to stop on three occasions on the way towards Maitland. The delays caused by these traffic lights are incredible, but after Minister Sharp wiped out former Labor Minister Brereton's approval for this project the Federal Government in this year's budget decided to proceed with the link and the interchange and allocated half a million dollars for a planning stage. It is a safety issue. Over the last few years a number of deaths have resulted in the vicinity of those temporary traffic lights on the New England Highway. The Federal Government accepted responsibility for providing a safe mechanism to avoid that. The delay has been three years and we now get a planning project!

The Commonwealth Government should hang its head in shame. Local people have been saddled with a road disaster and many families have suffered tragedies through the death of loved ones. The situation will continue to drag on while ever a conservative government has control in Canberra. The only way reasonable progress can be achieved is by returning to a decent program provided by a Labor government that will reinstate safety programs as originally envisaged and get on with the job. I support the motion. It is important that the Federal Government gets the message. I look forward to a successful Labor election in the next few months.

Mr CHAPPELL (Northern Tablelands) [3.58 p.m.]: I should like to comment particularly about that section of the New England Highway that traverses the New England region, and not Maitland, Cessnock or those areas to the south. This highway runs all the way to the Queensland border and very often has been neglected by this State Government, as it sets the priority for expenditure of Federal road funding in New South Wales.

Any State member of the Australian Labor Party who seeks to move a motion condemning the

Federal coalition Government for the manner in which it directs its road funding in New South Wales should first have regard to the actions of the State Government. The priorities were established by the New South Wales Minister for Roads on advice from the Roads and Traffic Authority in New South Wales. To the extent that there has been a diversion of funds away from the New England Highway—which is true, there has been a net reduction in funding at present—the priority has been set by the Government of New South Wales.

Honourable members should bear that in mind. Priority and attention must be given to a number of black spots and other work that needs to be carried out. Mention was made by the honourable member for Cessnock of two or three major projects between Tamworth and the Queensland border. The first is the Rose Valley deviation—

Pursuant to resolution business interrupted.

APPROPRIATION BILL

APPROPRIATION (PARLIAMENT) BILL

APPROPRIATION (SPECIAL OFFICES) BILL

APPROPRIATION (1997-98 BUDGET VARIATIONS) BILL

ELECTRICITY SUPPLY AMENDMENT (TRANSMISSION OPERATOR'S LEVY) BILL

PREMIUM PROPERTY TAX BILL

PUBLIC FINANCE AND AUDIT AMENDMENT BILL

STATE REVENUE LEGISLATION FURTHER AMENDMENT BILL

Mr Speaker laid upon the table a copy of the Budget Estimates 1998-99, volumes 1 and 2 Budget Paper No. 3.

Ordered to be printed.

Bills introduced and read a first time.

Second Reading

Mr CARR (Maroubra—Premier, Minister for the Arts, and Minister for Ethnic Affairs) [4.00 p.m.]: I move:

That these bills be now read a second time.

Pursuant to resolution debate adjourned.

BUDGET SPEECH

Mr SPEAKER: Order! I advise honourable members that the House has requested the attendance of the Hon. Michael Rueben Egan, MLC. Members should extend to him the usual courtesy and listen in silence to his speech.

The Hon. M. R. Egan may be admitted.

[The Hon. M. R. Egan was conducted by the Serjeant-at-Arms onto the floor of the Chamber.]

The Hon. M. R. EGAN (Treasurer, Minister for State Development, and Vice-President of the Executive Council) [4.03 p.m.]: As we approach the third millennium, most Australians, and particularly the people of Australia's premier State, should do so with thanks for our blessings, pride in our achievements and confidence in our future.

Especially here in New South Wales, we are blessed with nature's gifts, with talented people, with a spirit of enterprise, with an ethos of civility, tolerance and fairness, and with many cultures from all parts of the world.

We have the advantage also, I believe, of pride in the strength of our nation and its communities, and a commitment to pass on our legacy to the next generation, strengthened and enhanced in every way.

I am pleased to report that as New South Wales prepares for the challenge and opportunities of the twenty-first century, it does so from a Triple 'A' financial foundation.

Among the hundreds of national and state governments around the world, only a handful can claim a Triple 'A' credit rating. New South Wales is a member of that elite.

As proud as I am of the contribution of Labor governments to that achievement, I also acknowledge that it is an achievement of all governments of all political colours over the last half-century.

I can also proudly report that the Carr Government is the first government in the last 50 years, and probably ever, to have reduced the State's net financial liabilities, rather than add to them.

Net general government debt is down \$1.9 billion from three years ago.

Total State public sector net debt is down by \$1 billion.

And total net liabilities, including debt and unfunded liabilities, are down by over \$3.5 billion—over \$1,600 per family.

Our assets, on the other hand, continue to grow.

Today, the net worth of the New South Wales public sector is estimated to be \$68 billion, compared with just over \$20 billion in Victoria.

In three years, the people's equity has increased by \$4 billion—over \$1,800 per family.

But, as vital as it is, a Triple 'A' financial position is only a part of our goal.

The real challenge, the real goal, is to ensure that New South Wales is Triple 'A' in every way:

- Triple 'A' finances
- Triple 'A' support for families
- Triple 'A' hospitals, schools and public services
- Triple 'A' infrastructure
- Triple 'A' security in our streets and neighbourhoods
- Triple 'A' support for our communities and country regions
- Triple 'A' protection of our natural environment
- and a Triple 'A' environment for new investment and new jobs

In short, we aim to make New South Wales Triple 'A' in every way.

Mr SPEAKER: Order! The Leader of the Opposition will show some leadership and remain silent. He will have an opportunity to comment on the Budget Speech at the appropriate time.

The Hon. M. R. EGAN: Like the three Budgets before it, this Budget is directed towards achieving all of those key objectives.

Safety and security for our people and our communities are noble and achievable public goals. They can also become cheap catchcries.

And they are mere catchcries if, as a State and as a Nation, we are only concerned with the wellbeing of a majority and not all of our citizens.

Or, if they are meant to hide from our citizens the continuing changes we must make to securely manage the challenges of the global economy and the fragility of our eco-systems.

Unfettered market forces and a mean and shrivelled public sector are not recipes for security, safety and stability—but rather for a two-tier society of winners and losers, disharmony, confrontation, and social breakdown that will hurt us all.

A good budget is therefore not just a statement of financial aspirations, but more importantly a statement of community aspirations and values as well.

The level, quality and efficiency of our publicly funded goods and services is every bit as important for our individual and community wellbeing as the level of personal income we enjoy.

A strong financial result is not the limit of our ambition, nor the extent of our imagination and certainly not the sum of our compassion.

This Budget tightens our grip on a Triple 'A' credit rating by paying its way and by carefully directing spending and investment.

But this Budget also advances fairness, decency and confidence by getting behind families with hundreds of measures, large and small.

I now turn to the priority initiatives contained in the 1998 Budget.

PRIORITY INITIATIVES

Health

This year's expenses for health and hospitals will total \$6,633 million, an increase over last year's allocation of \$426 million, and an increase of \$1,342 million over the 1994 allocation.

This year's health and hospital expenses equal the total of all of the Commonwealth health payments of \$1,992 million, all of our land tax revenue (\$945 million), all of our revenue from lotteries (\$274 million), all of our revenue from poker machine taxes (\$826 million), and all of our wagering and other gaming taxes (\$342 million), plus another \$2,254 million from other revenue sources.

This year's expenses will cater for an estimated 1,330,000 hospital admissions, almost 60,000 more than in 1994-95.

On an average day, 80,000 people will be treated or cared for in the New South Wales health system—20,000 inpatients per day, 5,000 emergency department patients, 22,000 outpatients, and 31,000 people receiving non-inpatient services such as dental and community health services.

In addition, ambulances will be sent out an average 2,000 times each day.

These services will be provided by over 81,000 staff, working from over 1,000 health facilities throughout the State.

The financial burden on the New South Wales Government has been exacerbated by the Federal Government avoiding its responsibilities to meet the additional costs imposed by declining private health insurance membership and usage, the rising costs of medical technology and an ageing population.

Since 1994-95, New South Wales funding for health has increased by 37.4 per cent in real terms, while Commonwealth contributions to our health system have risen by only 12.8 per cent.

In addition to the \$6,633 million for the annual running expenses of our health and hospital system, we are investing strongly in new health assets.

In our four Budgets, we have invested \$1.8 billion in new hospitals and health facilities.

This year we will invest \$458 million in new health assets.

\$79 million will be invested to complete a number of facilities, including:

- new clinical service block at Wollongong Hospital at a total cost of \$51 million;
- Stage 1 of the Nepean Hospital redevelopment at a total cost of \$99 million;
- Stage 1 of the Maitland Hospital redevelopment at a total cost of \$28 million;
- the Long Jetty Community Health Centre at a total cost of \$1.8 million;
- the Inner West New Canterbury Hospital at a total cost of \$80 million; and
- the new Lithgow Hospital at an estimated total cost of \$26 million.

Mr SPEAKER: Order! The Deputy Leader of the Opposition has interjected a number of times. In normal circumstances I would have directed that he be removed from the Chamber. I have not done so, but if he continues to interrupt I will invoke the standing orders.

The Hon. M. R. EGAN: A further \$356 million will be invested in 1998-99 on ongoing projects, including:

- redevelopment of Blacktown and Mt Druitt Hospitals, with an estimated total cost of \$96 million;
- redevelopment of the Royal Prince Alfred and other Central Sydney hospitals at an estimated total cost of \$326 million;
- construction of the new hospital at Coffs Harbour, at an estimated total cost of \$54 million; and
- redevelopment of Campbelltown and Camden Hospitals and local community health centres at an estimated total cost of \$86 million.

A number of new health investments will commence in 1998-99, with a total estimated cost of \$235 million, and a cost in 1998-99 of \$23.2 million.

These include:

- the replacement of Hickman House at Wollongong Hospital, at an estimated total cost of \$62.5 million;
- new community health centres at Erina and Tuggerah and a new day surgery at Wyong Hospital, at an estimated total cost of \$11.6 million;
- rebuilding of the Emergency Department and Intensive Care unit at John Hunter Hospital; development of a Cancer Research Institute at the Newcastle Mater Hospital, at an estimated total cost of \$13.6 million;
- a new inpatient facility at Wallsend Hospital, at an estimated total cost of \$4.3 million;
- upgrading of facilities at Royal North Shore Hospital and the Community Health Centre at Ryde, at an estimated total cost of \$18.5 million;

- a five-year redevelopment of Sutherland Hospital at a cost of \$79 million;
- upgrading of a range of mental health facilities across the State at an estimated total cost of \$23 million;
- replacement of ambulances, and work on new, relocated and refurbished Ambulance Stations, at an estimated total cost of \$18.3 million.

All in all, our spending on hospitals, including both our annual running expenses and our new investments, is a \$7 billion plus commitment to keeping the New South Wales hospital system the best in the world.

This Budget also commits the Government to a seven-year, \$200-million plan of practical and down-to-earth measures to improve the health and living standards of Aboriginal families and communities.

Education

Another vital \$7-billion plus commitment in 1998-99, is to make sure that our children have the best possible start in life.

The single most important catalyst for economic growth and jobs is a highly educated work force.

For the Education and Training portfolio in 1998-99, we will invest \$258 million in new assets, and will allocate \$6,551 million for schools, educational and training operating expenses.

This is an increase of \$318 million over last year's allocation and an increase of around \$1.2 billion since 1994-95.

Since coming to office, this Government has created an additional 2,250 teaching positions. Victoria, by comparison, has slashed the number of teachers by 9,000—a rather stark contrast, I believe, between Labor values and priorities, and those of the Liberal Party.

We are particularly proud of our initiatives to improve the reading skills of primary students. This year \$65 million will be spent on literacy initiatives.

Almost \$901 million, an increase of \$75 million, will be spent on rural education programs, special education programs for students with disabilities, programs for students from

disadvantaged backgrounds, programs for Aboriginal education, programs for students of non-English speaking backgrounds and other equity programs.

\$407 million will be allocated to non-government schools, an increase of \$25 million.

A further \$68 million will be spent in 1998-99 on the Technology in Schools program.

We will fully meet our commitment to provide an additional 90,000 computers to schools, including a final roll out of 22,000 units early in the 1999 school year.

In 1998-99 we will be training another 3,800 teachers in the use of technology in the classroom, bringing the total number of technology trained teachers to more than 15,000.

We want New South Wales children to leave school streets ahead of the rest, fully prepared for the jobs of the twenty-first Century.

More than \$255 million will also be invested in 1998-99 in new educational assets; including 29 new building projects at schools, and continuation of work on another 25 projects.

Our asset acquisition investment program for TAFE will see the completion of major works at a number of colleges including Bathurst, Bega, Lithgow, Loftus, Ourimbah, Shellharbour, Wollongong and Wetherill Park. Construction will also continue on the Campbelltown, Hornsby and Nirimba Projects.

Work will commence on 20 new major TAFE projects in 1998-99. These include developments at Baulkham Hills, Griffith, Mount Druitt, Nowra and Wollongong.

The construction of new facilities at Shoalhaven and Thurgoona will also commence, as will the refurbishment of the Bankstown/St George, Chullora, Meadowbank and Ultimo sites.

Work will also commence on the construction of the Education and Training Centre at Liverpool, in a collaborative arrangement between TAFE New South Wales and the University of Western Sydney, Macarthur.

And, by the way, the Back-to-School allowance is here to stay.

Mr O'Doherty: Shame!

The Hon. M. R. EGAN: "Shame," he said.

[Interruption]

Mr SPEAKER: Order! The honourable member for Pittwater will remain silent. I ask members of the Opposition not to provoke the Treasurer, for obvious reasons.

The Hon. M. R. EGAN: The Opposition does not like it. The Opposition would like to abolish Labor's Back-to-School allowance to fund the abolition of land tax on million-dollar-plus residential land. But the parents of New South Wales need it and value it. Just ask them and you will know what I mean.

And mark my words: when all of the Olympics expenditure is out of the way, one of the first things we will want to do is increase Labor's Back-to-School allowance.

Community, Aged and Disability Services

One of the most enduring truths of Australian government is that people in need can count on a Labor Government to get behind them.

The facts speak for themselves. In 1994-95, the last Budget before the Carr Government took office, the allocation for expenses in the community, aged and disability portfolio was \$991 million.

It is now \$1,355 million, an increase of \$364 million or almost 37 per cent.

This includes an increase of \$143 million in this Budget around 12 per cent higher than last year's allocation.

In recognition of the increasing need in this area, the Department of Community Services' expenses for 1998-99 will be increased by \$91 million over last year's allocation. This includes a \$43 million supplementation to its base funding.

Expenses to provide support and assistance to children, adolescents and families under stress or in crises will amount to \$316 million—\$30 million more than last year's allocation.

Included in this program is \$89.3 million for the protection of children from abuse and neglect.

The Government has allocated an additional \$9.5 million to provide child care places in 1998-99.

Total funding under the Disability Services program for 1998-99 will amount to \$461.2 million—an increase of \$48 million over last year's allocation.

This includes additional funding of \$14 million in 1998-99 to meet crisis support and accommodation needs.

A \$15 million increase in funding for the Home and Community Care program will supplement the existing extensive range of support services to assist frail older people and people with disabilities to live independently and minimise premature or inappropriate admission to permanent residential care.

Public Transport

I am also pleased to report that more and more people are travelling on public trains, buses and ferries.

Annual passenger trips on State Transit buses and ferries have increased by almost 20 million since 1994-95. Annual passenger trips on CityRail have increased by more than 20 million. Well done Carl! Well done Brian!

Our trains and buses are carrying on average 200,000 more people every working day than they were four years ago.

The rail reforms introduced on 1 July 1996 have continued to improve the accountability and performance of the four rail entities.

We have reduced public transport losses and dramatically improved services.

Nevertheless, Budget subsidies for public transport operations will still exceed \$1,830 million in 1998-99.

Improved security and safety on public transport is a key aim.

From 1 July this year, two security guards will be posted on every CityRail train service after 7.00 p.m.

Over \$55 million will be invested over two years to improve lighting and provide closed circuit television and Help Points at every CityRail Station,

and improved security in commuter car parks and interchanges.

Our aim is to make every train a safe train, and every station a safe station.

In 1998-99 the Budget will provide a total of \$330 million to be invested in public transport assets.

Almost \$40 million for 124 new buses, 26 of which will run on natural gas.

Almost \$30 million will be invested on refurbishing CityRail carriages.

Over \$18 million will be invested in 1998-99 under the Easy Access Program.

By 2003, this Program, with a total cost of \$87 million, will see 33 stations upgraded to provide easier access for people with mobility problems.

A total of \$149 million will be invested this year in the New Southern Railway and Stage One of the East Hills amplification, providing underground rail transport from Kingsford Smith Airport to the City and providing additional train paths for commuters from South Western Sydney.

This \$730 million project will be completed by May 2000.

\$12 million will be invested this year on the Lidcombe-Homebush Bay shuttle, to provide uninterrupted services to Homebush Bay without inconveniencing regular peak hour commuters.

Amplification of the Richmond line, which will facilitate more frequent train services to the rapidly growing area between Blacktown and Richmond, will be completed at a further cost in 1998-99 of \$13 million.

A total of \$31 million has also been allocated to the Flemington Junction grade separation project to achieve an efficient separation of freight and passenger services along the Western line.

This year the Government will also commence construction of a 20-kilometre Liverpool-to-Parramatta Transitway, solely for the use of buses.

This \$100 million Transitway will mean a fast, reliable service between places such as Bonnyrigg Plaza, Fairfield Hospital, Liverpool CBD, Miller TAFE, Parramatta CBD, Prairiewood, the Prestons

industrial area, Stockland Town Centre, Wetherill Park TAFE, and the Yennora, Wetherill Park and Smithfield industrial areas.

The new Transitway will also include separate bikeways along the road.

Roads

The total roads program for 1998-99 will total \$2,085 million. This includes:

- the continuation of an average of \$145 million a year for roads in the West and South West of Sydney;
- \$6.5 million for the Liverpool to Parramatta Transitway (Stage One);
- \$100 million for Pacific Highway projects, plus another \$60 million in State funds—to be matched dollar for dollar by the Commonwealth—on jointly funded projects;
- \$12 million for the commencement of a five-year program to upgrade 140 country timber bridges at a total cost of \$129 million;
- \$14 million for the West Charlestown Bypass, \$13 million for widening the F6, \$4.6 million for realignment of the Great Western Highway at South Bowenfels, \$7.9 million for the Illalong Creek Deviation west of Yass, and \$4.7 million for the interchange at Princes Highway and New Lake Entrance Road;
- \$130 million for the M5 East and \$20.3 million for continuation of Section Three of the City West Link Road; and
- \$12 million for the Woronora Bridge with an estimated total cost of \$30 million.

Tourism

Over the last few years, building approvals and construction of new motels and hotels in New South Wales have gone gangbusters.

In 1995-96 there were new approvals totalling \$100 million. This increased to \$302 million in 1996-97 and \$390 million in the first six months of 1997-98.

The pace of new approvals will slow down appreciably as the lead time before the Olympics diminishes. Nevertheless, they provide a strong platform for the growth of our tourism industry well beyond the 2000 Olympics.

In 1998-99, we will spend \$44.6 million on tourism support and promotion.

\$22.5 million will be spent on domestic and international marketing programs for statewide tourism.

\$2.9 million will support specific regional tourism marketing and development.

\$2 million will be spent to assist with the promotion of special events in Sydney and Regional New South Wales.

This Budget also funds an additional \$6 million over three years to undertake a major promotional campaign in the important European and North American markets.

Recent changes in exchange rates, and the increasing international focus given to the Sydney Olympics, mean that there is strong growth potential in these markets to help offset any loss in visitor numbers resulting from the current downturn in Asia.

Police

We will continue to increase our spending on Police to make our streets and neighbourhoods safer.

Last year's Police budget included \$70 million for the Guns Buy-Back scheme. Excluding the impact of these payments, the total expense allocation for the Police Service in 1998-99 is \$82 million higher than last year's allocation.

This reflects increased funding for police salaries, additional funds to assist implementation of the Wood Royal Commission recommendations and the Commissioner's reform agenda, costs of the Olympic Security Group, and additional police.

This Budget funds the hiring of 100 extra police. As well, we have redeployed almost 2,000 police to frontline duties through the continued restructuring of the service.

With the aim of improving police response times, this Budget begins a \$33 million program to upgrade the statewide "000" service.

The Carr Government has given the Police Service record numbers and a record budget.

The next few years will be a historic opportunity to re-establish a proud, honest, efficient, professional, crackjack Police Service—a Police Service befitting the overwhelming majority of

honest and dedicated police, and benefiting the whole community.

Commissioner Ryan has been given a great task. He needs and deserves the support of the community and all sides of Parliament.

If he is undermined, we will all be the losers. If he succeeds, we all win.

Environment

This year's Budget again builds on the Carr Government's ongoing commitment to preserving and protecting our natural environment.

A total of \$395 million will be allocated to the environment portfolio for annual expenses—more than double the allocation in 1994-95.

Over the last three years, the Government has declared 49 new parks and reserves at a total cost of almost \$50 million. In 1998-99 the Government will spend \$15 million on the establishment of new national parks and regional parks, including \$14.2 million for the Jervis Bay National Park.

The Government is continuing its commitment to waste minimisation. In 1998-99 the Government will provide \$25.1 million for the Waste Planning and Management Fund to support Regional Waste Board programs and operations, and other waste management initiatives.

Up to \$6 million of this money will be used specifically to support kerbside recycling services provided by local government.

The Government will provide \$50 million for backlog water supply and sewerage projects in rural areas under the Country Town Water Supply and Sewerage Scheme.

To assist local government and public land managers in improving stormwater management, the Government will provide \$15.2 million in 1998-99 as part of a total \$60 million package.

In 1998-99 the Government will provide \$8.3 million as part of the five-year \$58.3 million Flood Management Strategy for the Hawkesbury-Nepean area.

This will be complemented by Sydney Water's construction of a \$100 million auxiliary spillway at Warragamba Dam to ensure that the dam meets current safety standards.

Sydney Water will spend \$8.9 million on this project in 1998-99.

The Government has extended the lifetime of the highly successful Sustainable Energy Development Authority by two years.

SEDA's funding will be maintained at \$15 million in 1998-99, and a further \$30 million is committed in the forward estimates to extend its lifetime to five years.

Agriculture, Forestry, Land and Water Resources

A total of \$1,206 million will be allocated to agriculture, forestry and land and water conservation.

In generations to come, the first Carr Labor Government will be seen as having charted the course to save our rivers, to save our forests and to save our land.

No government before has had the fortitude or the creativity to tackle these seemingly intractable, but vital issues.

Our forest reforms, our water reforms and our land reforms have been designed to strike the right balance; to ensure that our farming and forestry communities have a viable, ecologically and economically sustainable future, and that our land and rivers continue as sources of life and beauty.

And we have provided the money for implementation and adjustment assistance.

In 1998-99, \$25.6 million will be provided as part of the Government's five-year, \$117 million plan to implement key water reforms to achieve clean, healthy, productive and sustainable use of the State's water systems.

Another \$25.4 million will be spent this year as part of the five-year, \$120 million Forestry Industry Adjustment Package.

The eucalypt plantation program which we commenced in 1995-96 will receive a further \$15 million from the Budget this year. Together with a State Forests allocation—making \$22 million in total for 1998-99—a further 7,500 hectares will be targeted for planting.

The Government anticipates that the private sector will play a major role in the future funding of hardwood plantations.

During the year, State Forests will introduce an annuity scheme to secure access to land for 1999-2000. The opportunity for the development of carbon credit trading, as part of the response to the greenhouse challenge, has great potential to improve the commerciality of hardwood plantations.

In the coming year \$5 million will be allocated as the second instalment of the three-year \$15 million Native Vegetation Management Fund.

We will also be spending \$82 million in the coming year on food and fibre product programs, \$47 million on quality assurance programs and reducing the threat of pests, diseases and weeds to New South Wales, \$52 million on resource management programs and \$39 million on agricultural education, animal welfare and rural support.

The Total Catchment Management program will receive another \$5 million in 1998-99.

\$3.9 million will be allocated to the Rivercare program.

\$17.3 million will be contributed as our share of the costs of the Murray-Darling Basin Commission, an increase of \$2.5 million, \$12.9 million to Irrigation Areas and Districts and \$18 million for works, including the implementation of Land and Water Management Plans.

In addition to these programs, the Government will provide more than \$500 million of subsidies and concessions to help rural communities.

The Olympics

Australia's Olympics, the Sydney 2000 Olympics, will dazzle the world.

The 1.3 million city and country visitors who attended the first Royal Easter Show at Homebush Bay had but a glimpse of what is to come.

They will be the best Olympics the world has ever seen.

While the actual events at the Olympics and the Paralympics will take only a few weeks, they will benefit Australians and Australia's international reputation for decades to come.

They will leave an enduring memory of Sydney, New South Wales, Australia, as the best city, in the best State, in the best country of the world.

And they will forge an enduring economic reputation for Australia as an ideal place to invest and as the source of first-class produce, products, services and ideas.

In international markets, the Olympics will serve to brand Australian goods and services as simply first-class.

I am pleased to report that we have already broken the back of the Olympics construction expenditure.

Out of the \$2,185 million to be spent on construction by the Olympic Co-ordination Authority, \$1,413 million will have been spent by the end of June 1998, including \$621 million in this financial year.

In 1998-99, construction expenditure will decline to \$491 million. We will see the completion of the Olympic Stadium well over a year before the opening of the Games, and test events will begin to take place in each of the major venues.

All of the Olympic construction is on budget.

All of the Olympic construction costs are being paid for now, upfront. Not a single cent will be left to pay in September 2000.

In other words, we've paid for the Olympics and reduced debt at the same time.

In the lead-up to, and during the Games, there will obviously be increased calls on services such as police, transport and health.

We are determined that the Olympics will not diminish the normal services available to our city and country communities.

This Budget and the forward estimates for 1999-2000 and 2000-2001 will therefore provide for a \$404 million Treasurer's reserve to augment these essential services.

Helping Business and Securing Investment and Jobs

The Carr Government will remain at the forefront of economic and structural reform.

As I have said in each of my Budgets:

These reforms are not driven by academic fascination with abstract theories. They are driven by a commonsense determination to win the investment, the business and the jobs we need.

That means driving down costs and removing unnecessary obstacles to investment and business.

Securing jobs means forging a competitive edge so that New South Wales firms can win orders and New South Wales can continue to win the investment and the business we need to provide satisfactory and rewarding jobs for all those who seek them.

We have introduced major reforms in electricity, gas, ports and rail, and—to give credit where credit is due—have continued the implementation of the previous Government's reforms to Sydney Water and Hunter Water.

The index of Government charges shows a real reduction in prices between 1993-94 and 1997-98 of approximately 17.5 per cent.

Over the last four years, average water bills for Sydney Water's business customers have fallen 44 per cent in real terms.

In the four years from 1996-97, businesses will benefit by \$80 million as the property value component of their bills is reduced.

The benefits of reform in the electricity industry are also obvious. In real terms, more than \$850 million in savings have already been passed on to consumers.

New South Wales households and businesses have the cheapest power in Australia.

An average household pays \$165 a year less for power than a similar household in Victoria.

And a local small business pays an average \$3,400 less each year than its Victorian counterpart.

On the basis of IPART price path determinations, average electricity prices will fall by a further 3 per cent in real terms in 1998-99.

For the average household, that will mean a reduction in real terms of \$20 in their annual electricity bill.

The Government has also declared war on red tape and bureaucratic delays.

On 1 July this year major changes are being introduced to the planning, land use and natural resources approval system.

These more simple, efficient, effective and speedier mechanisms will be a boon to business and investment.

As well, the Government will soon be releasing its exposure draft bill on regulatory flexibility, to ensure a performance-based rather than a prescriptive regulatory environment.

Investment Promotion

I said last year that the international focus on Sydney, New South Wales and Australia in the lead-up to the 2000 Olympics, provides us with a golden opportunity to sell our wares to the world.

And it is an opportunity we will not miss.

The Government's Olympic Business Roundtable has formulated the strategies which are now being implemented.

Investment 2000, a targeted investment promotions campaign has already commenced its European and Asian road shows.

I am pleased that the Commonwealth Government has now joined the promotion and is now jointly sponsoring and funding the program together with Telstra, Westpac and the New South Wales Government.

Over the next three years, the Government will also make available \$6 million to fund the Australian Technology Showcase Program which will promote the leading-edge technologies of some 200 New South Wales companies to the world.

These are mainly small to medium sized companies, and many of them are based in regional and country areas.

Last weekend, the Premier and the Minister for Regional and Rural Affairs launched the Government's Direction Statement on Regional Growth and Lifestyle.

\$5 million a year will be provided to the Regional Economic Transition Scheme to assist in the development of new industries and jobs in towns facing major structural change.

For Lithgow, Cobar, Goulburn and other towns, this program represents a lifeline of hope.

The Government has also allocated \$1 million per year to help overcome negative and false perceptions of country lifestyle and attract skilled labour to regional centres.

These programs complement the Country Centres Growth Strategy, which identifies economic opportunities and gives government support to their advancement.

New South Wales now has 63 per cent of the 406 Asia-Pacific regional headquarters located in Australia.

We have secured major new investment wins in financial services, information technology and call centres, and will achieve even stronger results this year.

In the year to date, 45 per cent of business building approvals in Australia—new motels and hotels, new shops, new factories, new offices and other new business premises—are here in New South Wales, compared with only 20 per cent in the next strongest State, Victoria.

Small business development will continue to be encouraged with a range of activities specifically directed at the 250,000 small firms in New South Wales.

The activities funded include Business Enterprise Centres, the Business Expansion Program, the Small Business Development Corporation, the Business Skills Migration Program and the Women in Business Mentoring Program.

I now turn to the revenue initiatives in the Budget.

REVENUE INITIATIVES

There are no new taxes or tax increases. On the contrary, taxes are coming down.

Two years ago the Howard Government raided the coffers of the States with a three-year levy imposed on every State. For New South Wales that meant handing over \$200 million a year to the Commonwealth Government.

Rather than allow essential services such as schools and hospitals to suffer, we were forced to impose the HAC (Howard And Costello) tax package.

This involved:

- delaying the full reduction of the rate of payroll tax from 7.0 per cent to 6.7 per cent until 1 July 1999;
- increasing the general rate of land tax by 0.15 per cent until the 2000 tax year; and

- increasing the stamp duty rate of motor vehicle transfers by 0.5 per cent until 1 July 1999.

I am pleased to be able to confirm that payroll tax will reduce to 6.7 per cent on 1 July next year.

Likewise, the general land tax rate will be reduced from 1.85 per cent to 1.7 per cent for the 2000 tax year.

The Government has decided, however, to maintain the current stamp duty rate on the transfer of motor vehicles beyond 1 July 1999 to take over the funding of outstanding personal injury claims under the former third party motor vehicle accident schemes.

I emphasise, however, that there will be no increase over the duty currently paid.

Although legislation would not be required until this time next year, the Government is making the announcement now, and will introduce legislation now, so that the Parliament and the public know our intentions before next year's elections. The current stamp duty rate on motor vehicle transfers will stay in place until the backlog of injury claims is fully funded.

By funding the schemes in this way, the Government will, however, be able to phase out the \$43 levy that motorists now pay on their motor vehicle registration every year. This levy raises about \$126 million per annum.

And 600,000 New South Wales families will be the first to benefit.

From 1 July this year, the \$43 levy will be abolished for all of these 600,000 families who receive family allowance payments.

As well, all holders of NSW Senior Cards will benefit from 1 July this year.

The State's hard-pressed farmers and primary producers will also be included in the first round of the levy's abolition.

In other words, from next month 600,000 families, 350,000 seniors and farmers will have their car registration cut by \$43 each year.

From 1 July 1999, the exemption will be extended to all private individuals.

And from 1 July 2000, it will be extended to all business vehicles.

This concession will cost \$421 million over four years—\$55 million in 1998-99, \$102 million in 1999-2000, and \$132 million in subsequent years.

Again, with the aim of putting families first, major concessions are being introduced to help first time home buyers.

The current option of deferring stamp duty, as against taking a 30 per cent upfront discount, is not working. Only 25 per cent of first-time home buyers are taking it, it is more costly to them than the discount option, and many who do take it find that they are creating a later financial trap, with almost 48 per cent of them in arrears.

The Government will therefore replace the existing options of either deferral or a 30 per cent upfront discount, with a much more attractive discount scheme.

For contracts exchanged from midnight tonight, the first-time home buyers' discount will be increased to 50 per cent. This will mean a saving of \$2,200 on a home valued at \$170,000.

To expand the number of families eligible for the scheme, both income and property value limits will be increased significantly.

Mr Kinross: It doesn't say that on page 23.

Mr SPEAKER: Order! The member for Gordon will refrain from interjecting. It is a longstanding tradition of this House that copies of the Budget Speech are not available to members until the speech has been delivered. The member for Gordon will remove the copy of the speech from the Chamber.

The Hon. M. R. EGAN: I will explain to the honourable member for Gordon.

Mr SPEAKER: Order! The member for Gordon will do as I have directed and remove the copy of the speech from the Chamber.

The Hon. M. R. EGAN: For singles, the income limit will increase from \$33,000 to \$39,000.

For couples, the limit will increase from \$48,000 to \$57,000.

These increases will expand eligibility to the scheme to around 80 per cent of households.

In line with this increase, property value limits will also be increased to \$170,000 for the Sydney

area and \$150,000 in the rest of the State.

In addition to the reduction in the general rate of land tax from 1.85 per cent to 1.7 per cent from the 2000 land tax year, significant changes will be made to the threshold at which land tax becomes payable.

In September every year, the Valuer-General will be required to make a declaration of the estimated change in statewide and Sydney land values.

From the 1999 land tax year, the tax threshold for investors will be indexed to the estimated change in statewide land values for commercial, industrial and residential properties. On current indications, this will see next year's threshold rise from \$160,000 to around \$170,000.

For the owners of elite, premium residential property with million-dollar-plus land values, the tax threshold will be indexed to the estimated change in Sydney residential values. On current indications, this will see next year's threshold rise from \$1 million to around \$1.07 million.

To completely allay concerns that this tax might ever extend to ordinary homeowners, the Government will introduce legislation to cap the number of liable properties to 0.2 per cent only two properties in every 1,000 of the total number of owner occupied properties in the State.

Except for a relative handful of properties that might over time fall in or out of the top 0.2 per cent bracket, the message is very clear:

If you do not pay the millionaire's land tax now, you never will.

The Government will also keep in place provisions to ensure that no asset-rich but income-poor owner is forced to sell his or her property. So far, around 60 people have applied for deferral with all applications being granted.

It must be remembered that the high values and the high capital gains that these mainly Sydney harbour side properties have enjoyed, very much depend on the huge amount of ordinary taxpayers' money that goes into making Sydney the world's finest city.

People do not get a \$100,000 or \$200,000 annual capital gain simply because of their own wise investment or far-sightedness. They get it also because the people of Dubbo, the people of Grafton,

the people of Griffith, the people of Menai, the people of Ryde, the people of Parramatta, the people of Penrith, the people of Drummoyne, the people of Coogee, the people of Badgerys Creek and every other town in New South Wales, pay their taxes to provide New South Wales and Sydney with first-class services, first-class attractions and first-class facilities.

This Government believes in a fair sharing of the benefits and a fair sharing of the burdens. Ordinary families have shouldered too much of the burden for too long.

The total net cost of the tax concessions in this Budget is \$380 million over four years—\$84 million in 1998-99, \$68 million in 1999-2000, \$108 million in 2000-2001 and \$121 million in 2001-2002.

BUDGET PRESENTATION

Before I turn to the Budget result, I would like to briefly explain the important changes to this year's Budget presentation.

These changes, which flow from the General Government Debt Elimination Act, set a new benchmark in public sector transparency and accountability for financial management.

For the first time the scope of the Budget includes all General Government Sector agencies as determined by the international statistical standards applied by the Australian Bureau of Statistics.

This increases the number of agencies covered in the Budget Papers from 75 to 118.

The Budget Papers will also adopt, in future and in this budget, the definition of the cash Budget result used by the Bureau of Statistics in its own publications from April this year.

This means that the Budget result cannot be distorted by financing transactions such as equity repayments from Public Trading Enterprises or the proceeds from business asset sales.

With the scope of the Budget and the measurement of its result determined independently of the Government of the day, these changes are a huge step forward in public accountability that this Government is rightly proud to introduce.

They permit a better assessment of the impact of New South Wales public sector transactions on the economy and make it easier for interstate comparisons to be made on a consistent basis.

In addition this year's Budget Papers include a full set of accrual financial statements for each agency and the General Government Sector as a whole. These bring costs to account when they are incurred rather than simply when they are paid.

Governments will no longer be able to burden future generations with hidden costs.

These reforms allow the community to see how the Government expects to manage the assets and liabilities of each agency and makes the Government accountable for its guardianship of the community's investment in the public sector.

1998-99 BUDGET RESULT

The accrual operating surplus for 1998-99 is estimated to be \$1,966 million.

The people's equity in the General Government Sector alone is expected to increase by more than seven per cent during 1998-99 to \$28.9 billion.

Total assets are expected to increase by \$1,434 million while total liabilities will decrease by \$497 million.

On a cash, GFS basis—the usual previous basis for budget results—the estimated Budget result is a surplus of \$45 million.

The impact of the Olympics on the State's Budget is most pronounced in 1998-99. In the absence of the Olympics, the 1998-99 result would be a cash surplus of \$522 million.

It should be remembered that the surplus is after all of our projected current outlays and all of our capital investment in new assets.

Current receipts exceed current outlays by \$2.4 billion.

This surplus, together with capital revenues, completely funds our long-term investment on new capital works and new state assets.

The Budget also funds our superannuation outlays of \$1.5 billion, which are some \$440 million more than the outlays in 1994-95.

Our superannuation funding policies mean that New South Wales will avoid the unfunded superannuation catastrophe that will confront the Commonwealth and a number of other States, early in the new century.

The forward estimates project, on a no change policy basis, cash surpluses of \$215 million in 1999-2000, \$450 million in 2000-2001 and \$952 million in 2001-2002.

These projections are likely to be conservative, due to lower than appropriate level of asset sales projected in the forward years' estimates.

I should also point out that these results are achieved despite the continuing short-changing of New South Wales in the Commonwealth financial grants to the States.

On the basis of the amount New South Wales taxpayers actually pay the Commonwealth in income tax each year, the New South Wales subsidy to the other States will amount to \$1,292 million in 1997-98.

In 1998-99, the New South Wales subsidy to the other States will grow to \$1,383 million.

In other words, every person—every man, woman and child—in New South Wales is subsidising the other States to the extent of \$217 a year.

It is one thing for New South Wales to have to pay all of its own bills. It is entirely unacceptable and entirely unfair for New South Wales to be forced to pay the bills of the other States as well.

CONCLUSION

Three years ago I was given the task of repairing the damage of six years of high deficits, of finding the funds for the Olympics, and finding the funds to improve our services to the community.

We set out to set things right, right from the start.

And as a result, this Budget delivers the big dividends. As we promised:

- It is a Budget that puts families first.
- It is a Budget that bolsters our hospitals, our schools, our police.
- It is a Budget that provides strong support for our great regions and country towns.
- It is a Budget that positions New South Wales for more investment and more jobs.
- It is a secure Budget, a family Budget, a fair Budget and, I believe, a far-sighted Budget.

And, like the three Budgets before it, it is every inch a Labor Budget.

It is a Labor Budget from top to toe.

I will see you next year, Mr Speaker.

APPROPRIATION BILL

APPROPRIATION (PARLIAMENT) BILL

APPROPRIATION (SPECIAL OFFICES) BILL

APPROPRIATION (1997-98 BUDGET VARIATIONS) BILL

ELECTRICITY SUPPLY AMENDMENT (TRANSMISSION OPERATOR'S LEVY) BILL

PREMIUM PROPERTY TAX BILL

PUBLIC FINANCE AND AUDIT AMENDMENT BILL

STATE REVENUE LEGISLATION FURTHER AMENDMENT BILL

Second Reading

Debate resumed from an earlier hour.

Mr CARR (Maroubra—Premier, Minister for the Arts, and Minister for Ethnic Affairs) [5.01 p.m.]: I support the Treasurer. It is an outstanding budgetary achievement to think we are fully funding the Olympics, retiring debt and increasing spending on key services. I commend the bills to the House.

Debate adjourned on motion by Mr Kerr.

FINANCIAL STATEMENTS

Copies of the Budget Speech, Budget Information, State Asset Acquisition Program and the Appropriation Bill and cognate bills tabled and ordered to be printed.

BUSINESS OF THE HOUSE

Precedence of Business

Motion by Mr Whelan agreed to:

That standing orders be suspended to allow Government business to have precedence over all business until private members' statements.

**BUILDING AND CONSTRUCTION INDUSTRY
LONG SERVICE PAYMENTS
AMENDMENT BILL****Second Reading**

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

That this bill be now read a second time.

This bill was introduced in the other place on 29 April and the second reading speech appears at pages 4037 to 4039 of *Hansard*. 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 Peacocke.

PARTNERSHIP AMENDMENT BILL**Second Reading**

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

That this bill be now read a second time.

This bill was introduced in the other place on 20 May and the second reading speech appears at pages 3 and 4 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 Peacocke.

FINES AMENDMENT BILL**Second Reading**

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

That this bill be now read a second time.

This bill was introduced in the other place on 20 May and the second reading speech appears at pages 1 to 3 of the *Hansard* proof for 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 Peacocke.

**DISABILITY DISCRIMINATION
LEGISLATION AMENDMENT BILL****Second Reading**

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

That this bill be now read a second time.

This bill was introduced in the other place on 6 May. The second reading speech appears at pages 4411 and 4412 of *Hansard*. 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 Peacocke.

**TRUSTEE COMPANIES AMENDMENT
(RESERVE LIABILITIES) BILL****Second Reading**

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

That this bill be now read a second time.

The bill was introduced in the other place on 6 May and the second reading speech appears at page 4411 of *Hansard*. The bill is in the same form as introduced in the other place, and I commend the bill to the House.

Debate adjourned on motion by Mr Peacocke.

BILLS RETURNED

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

Darling Harbour Authority Amendment and Repeal Bill
Real Property Amendment Bill
Sydney Cove Redevelopment Authority Amendment Bill

**CRIMES LEGISLATION AMENDMENT
(POLICE AND PUBLIC SAFETY) BILL****In Committee**

Consideration of the Legislative Council's amendments.

*Schedule of amendments referred to
in message of 27 May*

No. 1 Page 4, Schedule 1[3], line 23. Insert "or, in the case of a person dealt with previously for a knife-related

- offence, 10 penalty units or imprisonment for 12 months, or both" after "units".
- No. 2 Page 5, Schedule 1[3], line 8. Insert "or drink" after "food".
- No. 3 Page 5, Schedule 1[3]. Insert after line 25:
- (4) For the purposes of subsection (1), a person is taken to have been dealt with previously for a knife-related offence if the person:
- (a) has been issued with a notice under section 29A in respect of the offence and the person has paid the amount specified in the notice or the amount specified in any process issued subsequent to such a notice, or
- (b) has been convicted of the offence, or
- (c) has been charged with the offence and the court hearing the charge has made an order in relation to the offence under section 556A of the *Crimes Act 1900*.
- (5) In this section, **knife-related offence** means:
- (a) an offence under this section or section 11B or 11D, or
- (b) any other offence that is punishable on conviction by penal servitude or imprisonment for 2 years or more if a knife was used in the commission of the offence, or
- (c) an offence under a law of the Commonwealth or of another State or of a Territory that is punishable on conviction by penal servitude or imprisonment for 2 years or more if a knife was used in the commission of the offence.
- No. 4 Page 5, Schedule 1[3]. Insert after line 28:
- 11D Parents who allow children to carry knives**
- (1) The parent of a child, being a child:
- (a) who is under the age of 18 years, and
- (b) who commits an offence against section 11C,
- is guilty of an offence if the parent knowingly authorised or permitted the child to commit the offence.
- Maximum penalty: 5 penalty units.
- (2) The parent of a child may be proceeded against and dealt with under this section
- whether or not the child has been proceeded against or dealt with under section 11C.
- (3) Nothing in this section affects the liability of the parent's child for an offence committed by the child against section 11C.
- (4) If an act or omission constitutes an offence:
- (a) under this section, and
- (b) under section 11 of the *Children (Protection and Parental Responsibility) Act 1997*,
- the offender is not liable to be punished twice in respect of the act or omission.
- (5) In this section, **parent** of a child has the same meaning it has in the *Children (Protection and Parental Responsibility) Act 1997*.
- No. 5 Page 5, Schedule 1[4], line 31. Omit "11D". Insert instead "11E".
- No. 6 Page 6, Schedule 1[5], line 3. Omit "11E". Insert instead "11F".
- No. 7 Page 6, Schedule 1[6], line 5. Omit "11E". Insert instead "11F".
- No. 8 Page 7, Schedule 1[8]. Insert after line 29:
- (d) in the case of a person who is in a school and is a student at the school, a search of the person's locker at the school and an examination of any bag or other personal effect that is inside the locker.
- No. 9 Page 8, Schedule 1[8], line 5. Omit "officer.". Insert instead "officer, and".
- No. 10 Page 8, Schedule 1[8]. Insert after line 5:
- (d) must, in the case of a search of a student in a school and if reasonably possible to do so, allow the student to nominate an adult who is on the school premises to be present during the search.
- No. 11 Page 9, Schedule 1[8]. Insert after line 16:
- (9) In this section, **locker** means a facility for the storage of a student's personal effects at a school.
- No. 12 Page 13, Schedule 1[8], lines 2-4. Omit all words on those lines. Insert instead:
- This Division does not authorise a police officer to give directions in relation to:
- (a) an industrial dispute, or
- (b) an apparently genuine demonstration or protest, or

- (c) a procession, or
- (d) an organised assembly.

No. 13 Page 14, Schedule 1[10]. Insert after line 17:

- (6) A notice may be issued under this section to a person only if the person has not previously been dealt with for a knife-related offence as referred to in section 11C(4) and (5).

No. 14 Page 15, Schedule 2. Insert after line 31:

- (4) A police officer may request a person to provide proof of the person's name and address.

Legislative Council's amendments agreed to on motion by Mr Whelan.

Resolution reported from Committee and report adopted.

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

PUBLIC AUTHORITIES (FINANCIAL ARRANGEMENTS) AMENDMENT BILL

In Committee

Consideration of the Legislative Council's amendments.

Schedule of amendments referred to in message of 21 May

- No. 1 Page 3, Schedule 1, line 5. Omit "Succession guarantee". Insert instead "Statutory guarantee of performance".
- No. 2 Page 3, Schedule 1, lines 11-13. Omit all words on those lines. Insert instead "guaranteed by the Government. A declaration may be made subject to terms and conditions (specified in the instrument) that restrict the scope or operation of the guarantee and that specify the time when or the circumstances in which the guarantee ceases to be in force."
- No. 3 Page 3, Schedule 1, lines 14-25. Omit all words on those lines. Insert instead:
 - (2) The effect of the declaration concerning such an obligation is (subject to those terms and conditions) that the due performance of the obligation is guaranteed by the Government, notwithstanding that the authority:
 - (a) ceases to exist, or
 - (b) ceases to be responsible for the exercise of the functions constituting the obligation, or

- (c) ceases to be responsible for the exercise of functions relevant to the performance of the obligation,

and that in such a case as is referred to in any of those paragraphs, and without affecting the guarantee, the obligation is (by force of this section) taken to be binding on the successor to the authority or, in the absence of a successor, the Government.

Legislative Council's amendments agreed to on motion by Mr Whelan.

Resolution reported from Committee and report adopted.

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

POLICE INTEGRITY COMMISSION AMENDMENT BILL

Bill introduced and read a first time.

Second Reading

Mr WHELAN (Ashfield—Minister for Police) [5.13 p.m.]: I move:

That this bill be now read a second time.

The Government is proud to introduce the Police Integrity Commission Amendment Bill. It is the next step in the Government's implementation of a wide range of measures recommended by the Royal Commission into the New South Wales Police Service. The introduction of this bill is a key part of the Government's implementation of recommendation 174 of the final report of the royal commission. This recommendation, the final recommendation of the report, is for the appointment of an external strategic auditor upon engagement to the Police Integrity Commission to carry out a qualitative and strategic audit of the reform process, and to report to the Police Integrity Commission, which in turn should report to the Minister and the service. The royal commissioner clearly recognised the need to ensure that change in the Police Service was significant, far-reaching and locked in place. That is why he made this final recommendation in relation to the reform of the Police Service—to ensure there was a process in place to monitor the implementation of reform and report on it over time.

This is the one of the most significant of the many recommendations of the royal commission that this Government has implemented. Its implementation will help to ensure that the reform

agenda being implemented by the Police Service stays on track. It will ensure accountability. This Government supports accountability in the Police Service's implementation of the reform process. The royal commission conceived the audit as an arms-length external inquiry into the process of transformational change within the Police Service. The commission stated that the purpose would be "... to report on success and failures and to advise on measures to improve the reform process". The royal commission also expressed the view that the role of establishing and driving the audit process should be given to the Police Integrity Commission. It noted that "... whilst it is important that the Police Integrity Commission be able to focus uninterrupted on the detection and prevention of serious misconduct, its involvement in the oversight of the reform process is likely to enhance, rather than detract, from the performance of that key role".

The royal commission's recommendation envisages that the Police Integrity Commission will be responsible for settling the audit specifications, engaging the auditor, receiving reports from the auditor and reporting in turn to the service and the Minister. The existing functions of the Police Integrity Commission, as set out in the Police Integrity Commission Act 1996, authorise it to carry out audits of investigations conducted by the Police Service in so far as it is possible to establish a connection with police misconduct or circumstances that are conducive to police misconduct. This bill adds to the principal objects of the Act at section 3 to provide for the auditing and monitoring of particular aspects of the operations and procedures of the Police Service.

The bill gives the Police Integrity Commission a mandate to conduct or commission an audit of the implementation of the reform process within the Police Service. The proposed section 14A clearly outlines the requirement for the Police Integrity Commission to engage an auditor to conduct the audit referred to by the royal commission at recommendation 174 and detailed at appendix 31 of the report. Appendix 31 identified the 10 key reform areas to be addressed by the service and the audit will examine progress in these and related areas. This Government established the Royal Commission into the New South Wales Police Service and has implemented or is implementing 219 of the royal commission's 222 recommendations. This Government has led and supported reform within the New South Wales Police Service to a degree never seen before in this State. This Government will ensure that the reform process does not stall and is

happy to have an independent audit to ensure it. This Government also believes it is important that the public is kept informed.

For this reason, the Government intends that the audit reports will be made publicly available. Of course, this will be subject to the recommendation of the Police Integrity Commission or the police commissioner in relation to any operationally sensitive material. In addition to the provisions in the bill which will facilitate the audit, a number of other amendments are being made to the Police Integrity Commission Act. The first of these concerns the ability of the commission to engage appropriately qualified persons to undertake investigative and surveillance work. The commission needs to use investigators who have the training and experience received by police officers. In addition, it requires investigators who have the common law and statutory powers of a constable. However, the Police Integrity Commission Act, for obvious reasons, prevents the commission from engaging any current or former officer of the New South Wales Police Service.

To date, the commission has met its need for investigators with police powers by engaging, on secondment, police officers from other jurisdictions. That is, it has seconded police officers from the police force of another State or from the Australian Federal Police. The Act currently provides that a commission investigator who is a seconded police officer may exercise all the functions, powers and responsibilities of a New South Wales police officer. The Act also exempts commission investigators and commission surveillance officers who are seconded police officers from permit requirements under the Firearms Act and the Prohibited Weapons Act—similar to the way in which New South Wales police are exempt.

The engagement of police officers on secondment can cause some difficulties for the commission. When it arranges a secondment from the police force of another State, it is required to meet considerable additional expenses for the period of the secondment. In addition, secondments are generally limited to a two-year period, with the result that there is a significant turnover of investigators. Given that there is inevitably a lead time before a seconded police officer becomes fully operationally effective, this can have a disruptive effect on commission investigations. There is also a loss in corporate knowledge and expertise. For this reason, the bill extends the category of persons who may be employed as commission investigators with the powers and responsibilities of police.

It is, of course, recognised that the powers and responsibilities of a police officer cannot be given to anyone that the commission chooses to employ as an investigator. That is why the bill will extend only slightly the category of persons to whom these powers are available. It will include persons who have previously satisfactorily served as police officers for a minimum of five years with another jurisdiction. Furthermore, the proposed exemption from the permit requirements will be extended only to persons with appropriate training and experience. These provisions will enable the commission to engage on a permanent or contract basis persons with appropriate qualifications and experience to work as investigators with the required police powers. As well as enabling the commission to make significant cost savings, there should be improved continuity in the investigative work of the commission.

Another amendment to the Act involves the need to ensure that certain reports prepared by the commission are kept confidential. The commission is required to provide integrity reports before appointments of certain senior officers are made under the Police Service Act. In addition, the commission is authorised to provide these reports in respect of other appointments. The information in these reports is often of a highly sensitive nature. The reports are provided for a very specific purpose only and should not be further disseminated without the approval of the commission. The proposed amendment will have the effect of enabling the commission to direct that, when appropriate, the information provided in a report shall not be further disseminated. That is similar to the protection that was available to such documents when the Police Board was in existence.

A further minor amendment made by the bill will enable the commission to collect information from the Casino Control Authority in the same manner as other law enforcement agencies. The bill will also make a minor addition to part 12 of the Act to ensure that matters relating to the conduct of any staff that may be engaged by the inspector of the Police Integrity Commission are dealt with in the same manner as matters relating to the inspector. The Police Integrity Commission has played a vital role in the reform process to date. The amendments in this bill will enable the Police Integrity Commission to ensure that the fundamental building blocks of reform in the Police Service are in place and are kept in place. As I have indicated, this legislation is clear evidence of the Government's unambiguous commitment to reform the New South Wales Police Service and the maintenance of an

effective Police Integrity Commission. I commend the bill to the House.

Debate adjourned on motion by Mr Peacocke.

PRIVATE MEMBERS' STATEMENTS

TRANSRAPID AUSTRALIA SUPERSPEED MAGLEV TRAIN

Mr McMANUS (Bulli) [5.20 p.m.]: I urgently seek the support of Sutherland Shire Council and my State Liberal colleagues representing the electorates of Sutherland, Cronulla and Miranda on a matter of extreme importance to our constituents which will create employment on a large scale and provide much-needed business opportunities for the shire. I refer specifically to the need for pressure to be brought to bear on the Howard Government to give consideration to and approval of the implementation of the Transrapid superspeed MagLev train, which, I hope, will operate between Sydney and Canberra.

Transrapid Australia has submitted one of four tenders presently before the Government to initiate a high-speed train between these two cities. Undoubtedly the journey from Sydney to Canberra will be the forerunner of an extension of the journey to Melbourne, at which time it will be able to compete with air travel. The train has a top speed of 550 kilometres per hour and will cruise at approximately 400 kilometres per hour during a journey between the city and Wollongong, which will take about 24 minutes. Equally as important, Transrapid intends to implement a number of stops along the route, including one in the Sutherland shire which will result in the travel time from the city to the shire being a phenomenal 11 minutes.

Aside from the benefits of speed, safety and environmental sensitivity, the operation of the Transrapid proposal will create as many as 10,000 jobs during the construction phase and as many as 2,800 permanent jobs on completion. In contrast to my colleagues in the shire, members representing electorates in the Illawarra, including myself, together with the Lord Mayor of Wollongong and the chambers of commerce and industry in the region, continue to make strong representations. However, it is obvious that both my Federal and State colleagues are more concerned about embarrassing their Liberal Prime Minister than promoting what is best for their region, just as they were in the debate about Holsworthy airport.

It is time my honourable colleagues stood up for their community and assisted me in pressuring the Howard coalition to effect the desired result, that is, to ensure the fast train proposal becomes a reality within our district. I understand that councillor Ken McDonell of Sutherland Shire Council will today place on record a notice of motion at Sutherland Shire Council to support my recommendations. It is hoped that Sutherland Shire Council will follow the leadership taken by Wollongong City Council and seek the establishment of the much needed infrastructure.

It is my intention to call together all the relevant players in the proposal. They include Mr Andy Mason of Forbes, Mason and Associates, which represents Transrapid; Mayor Kevin Schreiber, captains of industry and commerce within the shire; and community groups to fully apprise our constituents of this proposal, which I believe will have far-reaching benefits for our region. Engadine and Menai, which I represent, have the highest youth unemployment in this State. The previous Government did little about that. The proposal will create jobs in a depressed region which has high unemployment. Despite that, none of my colleagues in the shire have called for the proposal to be supported.

The matter has not been hidden under the carpet. For some weeks the *Illawarra Mercury* ran a petition which has been headlined in that paper. One would think that one at least of my colleagues would have taken up the cudgels on behalf of his party, if not his constituents, to make sure that his voice is heard in Canberra. If Transrapid is successful it proposes to extend the service towards Prospect. That will help western Sydney. Members of Parliament representing local electorates cannot afford to reject the proposal. We should push as hard as we can to ensure that the proposal is successful, not only for the benefit of government but for the benefit of business and the community.

CRONULLA SEWAGE TREATMENT PLANT AND OCEAN SANDMINING

Mr KERR (Cronulla) [5.25 p.m.]: Water quality in my electorate is of vital concern. It has now been more than three years since the last State election. If one looks at what was promised by the then Labor Opposition, on 24 March 1995 the then shadow minister for the environment, Pam Allan, came to the shire to launch the Sutherland shire environment policy on behalf of the three local Labor candidates: Genevieve Rankin, Noreen Solomon and Paul Smith. A comprehensive document entitled "A Place for our Children to

Grow" included reference to matters of concern such as a sewage treatment plant, ocean sandmining and Port Hacking management.

The sewage treatment plant was supposed to be upgraded to tertiary treatment but, three years down the track, work has not begun on it. I have a number of questions on notice about that matter. Despite the fact that some time ago in this House I raised the prospect of the re-use of water and the capacity of the sewage treatment plant, that matter is being considered only now, in light of the decision made on the cogeneration plant. It is also of interest that Labor campaigned heavily for there to be no deep ocean outfalls. There was to be a permanent ban on ocean sandmining.

The former Minister for the Environment, the Hon. Chris Hartcher, initiated a 25-year ban on ocean sandmining, but we have yet to hear from the Government about that matter. A bill will be presented in relation to sandmining and it will be interesting to hear the Government's attitude. The Minister for Mineral Resources, and Minister for Fisheries has recently advocated that sand be removed and disposed of by commercial operations from the waters of Port Hacking. Two things that are certainly not lacking in relation to Port Hacking are studies and data.

Previous studies have shown that commercial sand extraction requires a large area of suitable land on the foreshores of Port Hacking to enable washing, screening and stockpiling of sand prior to removal of the sand by truck. Exactly which part of the foreshore of Port Hacking would the Minister nominate as being a suitable site for stockpiling? The site is only one part of the problem. Transportation of sand from the stockpile area would involve thousands of truck movements through residential streets or the Royal National Park. That is hardly environmentally responsible. The viability of sandmining in Port Hacking is questionable. Sand in the Port Hacking tidal delta is perceived in the marketplace to be of inferior quality because of the high level of shell. The volume associated with dredging navigational channels is relatively small in commercial terms and would not provide a sufficient resource base.

As I have said on many occasions, it is essential that ferry and public transport channels be maintained. They are the lifeline for the people of Bundeena and Maianbar, not only for commuting but also in the event of emergencies such as bushfires. The proposal to transport sand by barge to sea would be very expensive. The sand would have to be transported many kilometres offshore and

disposed of on the other side of the continental shelf. If the Government is serious it should indicate how much money it is prepared to spend. [*Time expired.*]

Mr WOODS (Clarence—Minister for Regional Development, and Minister for Rural Affairs) [5.30 p.m.]: As the honourable member for Cronulla was speaking I was perusing Budget Paper No. 4, which includes an allocation of \$85 million for the upgrade of the Cronulla sewage treatment plant, with \$16.5 million to be spent this year.

CABRAMATTA TOURISM

Ms MEAGHER (Cabramatta) [5.31 p.m.]: I should like to outline the most recent achievements of the Cabramatta project for tourism development. Some months ago I met with officials from Tourism New South Wales to discuss initiatives to revitalise Cabramatta's lagging visitor numbers. During the late 1980s and early 1990s Cabramatta was a popular destination for daytrippers from Sydney and visitors from all over the State seeking exotic fabrics, Asian cooking ingredients or an inexpensive food experience. Its unique cultural mix guaranteed its reputation as a place of interest in greater western Sydney. Following the murder of John Newman and the subsequent focus on the area's heroin trade, Cabramatta's appeal was overshadowed by a reputation that resulted in significantly depleted visitor numbers.

The Cabramatta project has been successful in co-ordinating rehabilitation initiatives in the area of policing, youth recreation, health and employment opportunities for young people at risk. Perhaps the biggest hurdle it now faces is the restoration of the area's reputation as a desirable place to live and visit. It is my strong belief that the tide of negative perception can be turned by attracting visitors to Cabramatta and promoting the area's many natural assets. By encouraging people to see at first-hand the bustling, vibrant, commercial hub of Cabramatta and by allowing people to see that it is not what the tabloid media have portrayed, we will be able to restore Cabramatta's reputation.

With that objective in mind Tourism New South Wales committed \$15,000 to engage a consultant to develop a tourism strategy and marketing plan. Nicole Sheridan and Associates, in conjunction with Regalia Strategic Solutions, were given the task of drawing on extensive research and undertaking an extensive consultative program with relevant stakeholders. Consultation with the local business community was given priority, because the success of any initiative is dependent upon an

understanding of shared responsibility and joint ownership of a project. Yesterday afternoon the tourism action group, which I chair, considered the first draft of the plan and was commended for setting realistic and practical proposals.

The plan is to be implemented over a three-year period. The first year will focus on product enhancement initiatives that include improving aspects of town amenity and improved signage around the central business district. The plan identifies the target markets and recommends the development of a brochure detailing restaurants, shops and recipes to be distributed through *Vogue Living* and *Australian Gourmet Traveller*. The plan also recommends promotion through the extensive use of avante cards distributed through inner-city and northern cafes, and the implementation of an ongoing direct mail campaign to clubs, coach operators, schools and special interest groups to promote shopping or special interest tours. The draft tourism action plan will be subject to a second round of community consultation over the next two weeks and expanded accordingly.

I am confident that the recommendations for packaging and promoting Cabramatta as a unique Asian shopping destination that is less contrived and more vibrant than Sydney's Chinatown will be welcomed by the local business community. The tourism action plan will be launched in late June to coincide with Cabramatta's recent inclusion as part of the Sydney Food and Wine Festival, which is promoted by Tourism New South Wales. The inclusion of Cabramatta as part of that festival is already netting benefits for the local community. A Sydney-based food writer, Ms Carol Selvarajah, in conjunction with Fairfield City Council and jointly sponsored by Brescia Furniture, will lead food trails to Cabramatta during June. The development of a marketing plan is a vital step to getting Cabramatta back on track. It is vital that this plan is not left on the shelf to collect dust but is expertly implemented and driven.

To assist this process I approached the Office of State and Regional Development for funding under the main street program. I am pleased to advise the Cabramatta community that a grant of \$15,000 has been allocated for the purpose of implementing the plan. The success of my application for main street funding was contingent upon Fairfield City Council giving an undertaking to match the funding provided by the State Government on a dollar-for-dollar basis. Several weeks ago the council provided me with a written undertaking. I thank the council for its continuing commitment to the success of the Cabramatta place management project.

I also take this opportunity to thank the Tourism and Hospitality School of the South West Institute of TAFE, particularly Ms Christine Wilkins, for its committed involvement in the action group. Over recent weeks TAFE students have included the Cabramatta tourism development initiative as part of their curriculum and have surveyed visitors to Cabramatta and netted valuable information for the project. The Cabramatta project is a partnership between council and the State Government and the results achieved to date demonstrate that it has been very successful in guiding the local community through the challenge of rebuilding its reputation as a desirable place to live and a fun and interesting place to visit.

DEPARTMENT OF COMMUNITY SERVICES FOSTER PARENT Mrs SHIRLEY MOORE

Mr FRASER (Coffs Harbour) [5.36 p.m.]: I draw to the attention of the House the plight one of my constituents finds herself in after fostering two children and receiving no assistance from the Department of Community Services. I have written in detail to the Minister for Community Services about the matter and I thank her for coming to the Chamber to listen to my concerns. Since May 1997 Mrs Shirley Moore has had two Aboriginal foster children in her care after the father of the children, and the children, were found outside a DOCS office in a distressed state. The grandparents of the children, in consultation with DOCS and the father, requested that DOCS place these children in Mrs Moore's care. Mrs Moore is a registered carer and foster parent.

Unfortunately, since the children were placed in her care by DOCS Mrs Moore has received no financial assistance of any real value from the department. In that time she has received only two \$40 vouchers. She has informed me that under arrangements for foster parents she is entitled to a total of \$270 per fortnight. Mrs Moore has approached DOCS continually asking for further assistance to allow her to care for the children properly. Because her financial means are limited she has not been able to do so. Unfortunately, the department has ignored her pleas. Mrs Moore made an appointment with the officer in charge of her case, but when she arrived for the appointment she was advised that he was in Kempsey for the day.

The fact that the officer in charge of the case did not keep the appointment and did not notify this distressed woman is appalling. But things got worse. The situation has caused so much stress on the family that Mrs Moore's husband has now left the family home. She has been left with three children

of her own and the two foster children and is in an extremely stressed condition because of her financial state. Mrs Moore's children are suffering because she has little money for food, clothing and other necessities. The council has limited the supply of water to her house because she has been unable to pay the water bill. Mrs Moore is allowed only five litres per person per day for bathing, drinking, washing, et cetera. I ask the Minister to investigate this matter urgently to see what can be done to relieve the plight of Mrs Moore, her three children and the two foster children in her care.

Mrs Moore is a decent person. When she spoke to me she mentioned that one excuse offered to her was that the department believed that the original placement was illegal. I do not know how the placement could be illegal as the grandparents and father of the children approached Mrs Moore, who agreed to the placement of the children as a matter of urgency because of the distressed state of both the father and the children at the time. Although Mrs Moore exercised what I believe was a humane attitude in taking these children into her home, she now finds herself in grave personal circumstances. The stress of the situation has resulted in her husband leaving the home, and all the children are in grave danger because of her situation. I ask the Minister to investigate the matter to try to alleviate Mrs Moore's difficulties as soon as possible.

Mrs LO PO' (Penrith—Minister for Community Services, Minister for Ageing, Minister for Disability Services, and Minister for Women) [5.40 p.m.]: I was given only short notice that the honourable member would be raising this matter in the House. All honourable members have been in this game long enough to know that sometimes there may be another side to the story. Having listened to the story as presented by the honourable member for Coffs Harbour, I too am concerned about this matter, and I will ensure that it is investigated. I understand that the honourable member has written a letter to me but I have not yet received it. The budget presented by the Treasurer this afternoon provides my department with the opportunity to employ 20 more case workers for foster carers. That is a bit of good news and relief.

The truth is that we need foster carers for the placement of children. Children removed from struggling families that need to get on their feet often need to be placed with good foster carers temporarily or for the longer term. If Mrs Moore is a good foster carer and the department is treating her that way we need to lift our game. However, I reserve the right to say that there is another side to

the story. My officers are taking this matter very seriously. Indeed, the director-general is sitting in my office watching this to ensure that we get the full impact of the story. I will do all in my power to ensure that this matter is resolved satisfactorily not for the honourable member, the Minister or Mrs Moore but for the children in her care.

LISAROW PUBLIC SCHOOL SEVENTIETH ANNIVERSARY

Mr McBRIDE (The Entrance) [5.42 p.m.]: I acknowledge the seventieth anniversary of Lisarow Public School and the recent opening of Bailey cottage, the new technology centre for the school. Lisarow Public School is one of a number of heritage and historic village public schools established on the central coast before and after the turn of the last century. These schools include Ourimbah Public School, Tuggerah Public School and Narara Public School. A number of such schools are spread alongside the railway track from Gosford to Wyong. These schools have a rich history in their association with local families and with the central coast. This is the case with Lisarow Public School. Graham Bailey, joint owner of Chickadee Chickens at Lisarow, which is a local company that employs more than 600 people, is a former pupil of Lisarow Public School.

Graham Bailey was born on the central coast, went to school at Lisarow, lives on the central coast, runs a business that is one of the largest direct employers on the central coast, and continues to financially support his former school. Graham is a typical example of the good corporate citizens of the central coast, and I am proud to acknowledge the contribution of Graham and his family to his local community, especially to Lisarow Public School, on this occasion. I also acknowledge the contribution of Barry Gollan, who donated the house for Bailey cottage, David Fisher-Dobbin and Scott Tilden from the parents and citizens association who organised the transport, the parents and citizens who contributed \$12,000, and Wally Bousfield, and the other parents who so ably refurbished the building. Indeed, when I visited the building last Friday Wally Bousfield was still painting the house, and airconditioning was installed only on Saturday.

Bailey cottage now houses 14 networked computers, two computers linked to the Internet supplied by the New South Wales Government, a uniform shop, a reading room, a science and maths storeroom, a kitchen and a bathroom. Lisarow Public School was established in 1928. Mr McLachlan was the first principal and sole teacher with 37 pupils in one class. Teaching at the school began on 28 May

1928. A second teacher, Miss Doris Beetson, was appointed and later married the principal, Mr McLachlan. Extensions valued at some £373 9s were completed in 1929 and these two initial classrooms are still in service at the school today. The school continues to grow and service the area, and had about 80 pupils by the 1970s.

The school rapidly expanded through the 1980s and 1990s, with the addition of two permanent rooms relocated from Gosford High School, nine demountable buildings and a covered outdoor leisure area. Today Lisarow Public School is a comprehensive school with 10 classes and 260 pupils. It is an excellent and typical example of public schools on the central coast. It represents a school community at work: parents and citizens, the school council, pupils, local business and other supporters working for the common good of their school and the larger community. The school is a happy place to teach in and a happy centre for children's learning.

Special recognition should be made of the leadership of the school over the past 70 years. In particular, I acknowledge the leadership and direction given to the school by the current principal, Alan Wort, over the 4½ years since his appointment in 1994. Mr Wort is a hands-on leader with a direct and passionate commitment to his pupils, their parents and his staff. He grew up at Granville in western Sydney and attended Granville Boys High School. On graduating as a teacher he taught at Granville South Public School. He later taught at other schools in western Sydney, the Riverina and the north coast. Indeed, he taught at Grafton before moving to the central coast. Alan brings a lot of experience, skill, commitment and dedication to his role as school principal. Lisarow Public School is a great example of excellence in public education in New South Wales. I congratulate the whole school community on the occasion of the school's seventieth anniversary and the opening and dedication of Bailey cottage technology centre.

Mr WOODS (Clarence—Minister for Regional Development, and Minister for Rural Affairs) [5.47 p.m.]: I join with the honourable member for The Entrance in congratulating Lisarow Public School on its seventieth anniversary, especially as an ex-Grafton person is principal of the school. The school is a good example of the Government working on the ground to provide information technology and to pass on past knowledge, especially from the early years. I am sure the honourable member for The Entrance enjoyed the opening of the technology centre and the seventieth anniversary celebrations at the school.

PITTWATER WATERWAY MANAGEMENT

Mr BROGDEN (Pittwater) [5.48 p.m.]: The quality of water in Pittwater is a direct reflection on the quality of life of the people of Pittwater. Pittwater is a geographical area surrounded by two magnificent bodies of water: the Pacific Ocean, which stretches over 10 beaches, and Pittwater waterway. Pittwater waterway, which is Sydney's second harbour, is a premier recreational area and the yards of 100 houses front onto the water. For that reason I draw the attention of the House to two concerns I have: firstly, the quality of water in Pittwater; and, secondly, sewage overflows from the Warriewood sewage treatment works off Warriewood headland.

On 26 February 1998 the Government, through the Minister for Urban Affairs and Planning, and Minister for Housing, announced that it would appoint a Sydney Harbour manager. I welcomed that announcement and called on the Government to appoint a manager for Pittwater waterway. I see many great advantages in having a Sydney Harbour manager. One public servant would be authorised to enforce clean water regulations, reduce pollution, and bring together and co-ordinate the activities of all government departments and users of Pittwater waterway. For that reason I wrote to the Minister on 9 March asking him to consider the appointment of a manager for Pittwater waterway and, most important, asking him to discuss the matter with me.

On 23 March I received an acknowledgment from the Minister signed by his chief of staff. I am still waiting for a further reply. It was interesting to hear the Minister during question time make a great issue of dealing with members who make requests for meetings. I have made such a request, yet more than two months later I am waiting for a reply from the Minister so that we can sit down and talk about an extremely important issue to the people of Pittwater, that is, the appointment of a government manager to manage and provide the Pittwater community with co-ordinated services. The Pittwater community is concerned also about the sewage outfall from the Warriewood sewage treatment works. No deep ocean facility is available and the sewage outfall dumps directly into the ocean at the headland.

Sewage overflows resulting from storms or increased service volume through the Warriewood sewage treatment plant dump untreated sewage directly off the headland, which is brought back onto either Warriewood Beach or Turimetta Beach with wind and water movements. This concerns the community greatly and angers me. Warriewood Surf Club is tonight holding a community meeting

organised by Pittwater Council at the instigation of the Surfrider Foundation Inc., particularly Dr Rex Campbell. The Surfrider Foundation was instrumental in bringing community and media concern about this important issue to the attention of decision makers. Sydney Water can no longer treat the people of Pittwater as third-class citizens in relation to water quality.

Urgent investigation and action are needed to upgrade the Warriewood sewage treatment works. Consideration must be given to installing a deodorising unit to remove the horrible smell that hangs over Pittwater Road every evening at about 7 o'clock or 8 o'clock as the treatment works reaches its peak for the day. Other options for the STP must be considered, perhaps redirecting overflow through North Head. Consideration must be given to reducing the Warriewood STP catchment area to eliminate overflow. The source of grey water in new houses, particularly in the Warriewood Valley housing development which will produce 1,500 new homes over the next five years, must be investigated. It is essential that the Government commit funds to upgrade sewerage services throughout Pittwater. The Pittwater community is dedicated to its quality of life, which is linked directly to water quality and pollution levels in the community. The Government must act now.

Dr Macdonald: Otherwise you will do it in 1999?

Mr BROGDEN: That is correct.

**ADULT MIGRANT ENGLISH SERVICE
PRIVATISATION**

Mr SULLIVAN (Wollongong) [5.52 p.m.]: I should like to continue my remarks about the privatisation of adult migrant English services in Sydney and the Illawarra region. On the last occasion I raised this matter I referred to a letter dated 15 April from the New South Wales Teachers Federation to the Office of the Commonwealth Ombudsman. In that letter the Federation expressed its objection to the way in which the adult migrant English program had effectively been handed over from a public service to a private monopoly. The letter stated:

This concern surrounds the relationship between the ACL Consortium, ELICOS, NEAS, and their personnel, on the one hand, and the selection panel which awarded the tenders in NSW, and the process of monitoring the AMEP service delivery.

The English Language International Courses for Overseas Students (ELICOS) Association is the industry body for private organisations providing such courses in Australia.

NEAS is the National ELICOS Accreditation Scheme.

DIMA has engaged the National ELICOS Accreditation Scheme (NEAS) to monitor AMEP service delivery. The contract to monitor the AMEP was not put to public tender.

NEAS is very closely connected to ELICOS, being a private non-profit organisation whose focus until recently was the accreditation of ELICOS MEMBERS. It is apparently funded through the fees of accredited colleges, whose industry body is ELICOS.

ACL is one of the largest, if not the largest member of ELICOS.

Helen Zimmerman is at present the CEO of ACL, and was previously a senior AMES employee, in fact its Deputy Director for four years. She is the Deputy Chair of the ELICOS Association and a Director of the NEAS and of the ELICOS Association, and is a Director of the ACL Board.

NEAS is staffed by its Secretariat officials. Its senior official is Maggie Gray, also previously a senior AMES official. Maggie Gray chaired the panel which selected the successful AMEP tenderers (including ACL) for DIMA—

that is the Department of Immigration and Migrant Affairs—

What therefore appears to be the case is that Maggie Gray chaired the panel that selected a company, ACL, whose CEO and Director, Helen Zimmerman, is also the Deputy Chair and a Director of ELICOS, and a Director of NEAS, which employs Maggie Gray.

The NSW Teachers Federation believes that the connection between these people and their organisations and the bodies selecting the tenders and monitoring the provision of services in Adult Migrant English provision is of grave concern.

The letter requests that the matter be thoroughly investigated by the Ombudsman. Basically, the relationship between a number of individuals and organisations is incestuous and aims to supplant the Adult Migrant English Service, which has just celebrated its fiftieth year of providing services within New South Wales. The organisation is held in high regard. The tendering process in which private providers bid for a service which the Commonwealth Government funded through the New South Wales public service but has now been effectively privatised must be investigated.

The whole process has a smell about it. Freedom of choice is not being provided through this; rather, a private monopoly has been put in place to deliver a service that was previously provided by the public sector. The people of the Illawarra do not have a choice. They used to go to AMES, which was a highly regarded and respected institution. Now they must go to the ACL provider which has total monopoly of the service. The argument put forward by DIMA and the Federal Minister is fictitious. The situation is most deplorable and should be monitored.

MULLUMBIMBY SURGICAL SERVICES

Mr D. L. PAGE (Ballina) [5.57 p.m.]: I express my concern at the likely loss of surgical services at Mullumbimby hospital from 30 June. Unfortunately, over the past three years the future of Mullumbimby hospital and its services has been the subject of continual speculation. This has been demoralising for the Brunswick Valley community, which is fiercely supportive of its local hospital. Following temporary closure of the hospital for six months last year to enable an asbestos problem in the roof to be contained, a Brunswick Valley planning committee was appointed to help determine the most appropriate range of future services to be offered at the hospital.

Special emphasis was placed on what was to happen when the hospital was redeveloped after the current asbestos containment period expired in three to four years. The State Government, through the Northern Rivers Area Health Service, asked committee members to undertake the difficult task of prioritising services needed by the community next century. The committee undertook this task in good faith and its members applied themselves to a difficult task with commonsense and open minds to address the future health needs of Brunswick Valley residents. I take this opportunity to thank the committee for its good work, particularly in light of funding constraints.

Unfortunately, the committee feels that the priorities it has identified for the next century are being used as the reason for cutting surgical services at Mullumbimby at the end of this month. The committee also feels that the local health service has a policy of concentrating all surgical services in major centres, to the disadvantage of smaller centres. Some sections of the community are worried that the cutting of surgical services at Mullumbimby Hospital is the forerunner to other cuts, and possible closure of the hospital altogether, when the asbestos containment finishes in three to four years time.

I commend the Northern Rivers Health Service for engaging in public consultation on future services at the hospital. I do not believe that the service intends to close the hospital, but I am particularly concerned that the service is being placed in an impossible situation by not being given enough recurrent funding to properly provide health services in the northern rivers area. Earlier this year surgical services at Ballina were severely cut, again due to insufficient funding. The service is being forced to operate on about \$161 million a year when it really needs about \$175 million. The shortfall is approximately \$15 million. The bottom line is that surgery at Mullumbimby Hospital will cease on 30 June as the Carr Government is not funding the health system properly.

Unlike most country areas in New South Wales, the Brunswick Valley is experiencing rapid population growth and the size of its elderly population is well above the State average. Lack of surgical services at Mullumbimby means that patients have to travel to Lismore or the Tweed for operations. Public transport is virtually non-existent. This imposition causes personal and financial stress to sick people. Mullumbimby is right next to the Pacific Highway, which still has an unacceptably high accident rate despite its upgrade. There are strong arguments why surgical services should remain at Mullumbimby. A petition is currently being circulated in the local community, and I am confident that it will be signed by thousands of local residents who support the retention of surgery at Mullumbimby. I expect to present this petition to Parliament shortly in an attempt to urge the Government to reconsider its decision to close surgery at the hospital.

However, if the Government is hell-bent on closing surgery at Mullumbimby—and I hope this will not be the case—I want the Government to give the Brunswick community and me an unequivocal assurance that any savings generated by closing surgical services will be quarantined and put towards much-needed services in the Brunswick Valley. Accident and emergency services must be retained. More money is needed for in-patient services, obstetric services, a procedure room and a range of community health services, including community mental health, drug and alcohol, general counselling, child and family health and a range of other health needs. There must be no leakage of funding from the Brunswick Valley even if the Government is hell-bent on closing surgical services.

I emphasise that cuts to surgical services would not be necessary if proper funding were in place. Apparently only \$200,000 of recurrent funding would be needed to keep those services going. The Government should make this relatively small amount available to allow surgery to continue into the foreseeable future. Furthermore, a solid commitment must be given about the future of the hospital in the medium and long term. The local community must be assured that the hospital will be redeveloped when the asbestos containment ceases. I call on the Government to give that assurance and to make funding available to enable surgical services at Mullumbimby to continue into the foreseeable future.

Mr WOODS (Clarence—Minister for Regional Development, and Minister for Rural Affairs) [6.02 p.m.]: I hope that the honourable member for Ballina does not forget the massive

overall State funding increases over the past couple of years and the drop in Federal Government funding. When the honourable member is making these comments he should acknowledge that. The Federal Government has made an enormous impact.

NATIONAL RECONCILIATION WEEK

Ms ANDREWS (Peats) [6.03 p.m.]: From 27 May to 3 June this year we commemorate National Reconciliation Week. The dates are quite significant as on 27 May we celebrated the thirty-first year of one of the few successful referenda ever held in Australia. That referendum gave Aboriginal people the right to vote and be counted in the census. It is important to note that up to 1967 Aboriginal people were freely allowed to join the Australian armed forces and to fight for their country during two world wars, though they were not acknowledged simultaneously as Australian citizens. On 3 June 1993 the High Court of Australia handed down the Mabo decision which effectively paved the way for legislation on native title. I acknowledge today the significant role played in this historic legislation by the Hawke and Keating Labor governments.

On the central coast a number of activities and events marked National Reconciliation Week. These included an information day held at The Entrance on the Saturday preceding National Reconciliation Week, that is, 23 May. The day was organised by the Gosford-Wyong Reconciliation Working Group. Approximately 600 persons attended and it was voted a huge success. The master of ceremonies was the mayor of Gosford, and those attending were welcomed by Mr Barry Duncan of the Darkinjung people. Television and radio personality Caroline Jones, Oomera Edwards of Aboriginal Solutions Ourimbah, Laurel Williams of the University of Newcastle and Dr Bob Edwards of the University of Technology, Sydney were among the key speakers on the day.

Sorry books had been distributed throughout the two local government areas in the lead-up to National Reconciliation Week. Thousands of central coast residents lined up in local libraries, administrative buildings, businesses, particularly body shops, and churches to demonstrate their readiness to apologise for the ill thought out policies of past governments by writing their names in the sorry books. The Gosford-Wyong Reconciliation Working Group is now writing up the indigenous history of the local area.

On Thursday 28 May members of the local Aboriginal and non-Aboriginal communities attended a bush tucker barbecue and sports day at the

Juvenile Justice Centre at Mount Penang. The Djuigang dance group performed during the day. The National Parks and Wildlife Service organised the Ironbark Creek scramble on Saturday 30 May. The walk was held in Popran National Park, one of the State's newest national parks, located near Central Mangrove, and took in a number of Aboriginal sites within the park.

National Reconciliation Week is now well entrenched in the central coast's calendar of events. I congratulate all those concerned with this year's success. I am sure that the availability of sorry books throughout Gosford city council and Wyong shire areas and the various activities held to mark National Reconciliation Week will go a long way towards fostering the reconciliation process between Aboriginal and non-Aboriginal communities on the central coast.

GARRAWARRA CENTRE FOR AGED CARE

Ms STONE (Sutherland) [6.06 p.m.]: I wish to speak on Garrawarra Centre for Aged Care, which serves the people of the Sutherland shire and the Illawarra area. I call on the Minister for Health to abandon his desire to downgrade the centre and, instead, to proceed with the former coalition Government's planned redevelopment. The Garrawarra Centre for Aged Care has had a rich and proud tradition for caring that dates from early this century. It has catered especially for the aged for the past 28 years. The current role was developed by the former Southern Sydney Area Health Service, of which I was chairman. Garrawarra's geographic environment is parkland and is ideal for a specialist dementia facility, with beautiful parks and gardens, and space to wander and reflect. The physical facilities are another issue. This is another example of the withdrawal of capital works from the area by the Labor Government.

Specialist providers of dementia care should, by rights, be increasing in size and number, rather than decreasing, as New South Wales demography indicates not only an increasingly ageing population but an associated increase in the prevalence of dementia. Indeed, the Australian Bureau of Statistics data would indicate an unprecedented increase in the proportion of people aged 65 and older. Within this group the proportion of very elderly people, more likely to experience dementia and related disorders, is increasing at a profound rate. The population aged 65 and over will increase by 9.2 per cent up to 2001 and by 74.6 per cent up to 2021. The population 85 and over will increase 37.3 per cent by 2001 and by an astonishing 142.9 per cent by 2021. There is little

justification for the downsizing of facilities which specialise in the management and care of aged persons with dementia and related disorders.

Currently Garrawarra has a highly skilled staff mix with 90 per cent of nursing staff being qualified as either registered or enrolled nurses. The centre also employs 14 diversional therapists, a physiotherapist, an occupational therapist, a pharmacist, a social worker and three career medical officers. These staff are highly skilled in the management of people with dementia and related challenging behaviours and contribute to Garrawarra's reputation as a provider of skilled dementia care. The Garrawarra Centre for Aged Care has a long tradition of being a teaching centre in aged care. Until recently it was one of only two providers offering a specialist postgraduate program in aged care for registered nurses.

The centre is also the largest provider of trainee enrolled nurse positions, with an average of 40 places being made available annually in a program conducted in association with TAFE. Downsizing of service will result if the programs are not continued and funding is withdrawn. In addition to the credible educational profile, the centre is currently leading the way in aged-care nursing by establishing nursing development units in dementia care and end-stage palliative care for dementia patients—a conjoint program with the tertiary sector. Nursing development units in these clinical areas are an Australian first and provide unquestionable value in contributing to nursing research and theory development in the area of aged-care nursing, particularly in dementia management and end-stage palliative care.

How is it, then, that the department has made many statements of support about the provision of dementia-specific specialist facilities, yet for 87 years has neglected one of its largest dementia-specific services? The department has now decided to downsize that service and that is absolutely appalling. The department speaks of the need for specialist education and skilled staff in dementia care. How is it that the Garrawarra Centre for Aged Care is recognised as a teaching centre in that field yet will lose its educational role, along with its funding? It is not that Garrawarra should lose its 100 beds to the Illawarra that is the problem; the problem is that those 100 beds should be extra beds. [*Time expired.*]

Mr WOODS (Clarence—Minister for Regional Development, and Minister for Rural Affairs) [6.11 p.m.]: I point out to the honourable

member for Sutherland that aged care is primarily a Federal Government obligation. Perhaps she should talk to her Federal colleagues in this regard.

Motion by Mr Woods agreed to:

That standing and sessional orders be suspended to extend private members' statements to permit a further statement, from the member for Manly.

YOUTH SUICIDE

Dr MACDONALD (Manly) [6.12 p.m.]: This evening I shall speak about youth suicide prevention. I spoke on this subject on 27 November last year, when I drew the attention of the House to the very high and tragic incidence of suicide in my electorate. I then indicated that my community was examining the establishment of a youth suicide prevention foundation. This evening I shall report on progress so far. Our community has established a youth suicide prevention foundation, which is currently called the Youth for Life Foundation. Recently a workshop was held in conjunction with a group from Victoria, the Here for Life Foundation, which came up to talk about the work it is doing. Our group may well join that group and use its title and the benefits of its corporation.

My community held a meeting on youth suicide prevention on 19 February. On 26 March a workshop was held, on 16 April a steering committee met and on 20 May another workshop was held. Another steering committee meeting is scheduled for next week. I pay particular tribute to Carol Murphy, a constituent who is a mother. Tragically, one of her children took his life a year ago. Carol has been a driving force in seeking to address issues connected with youth suicide. Our community group has realised, through workshops we have held, that clear themes run through these tragic incidences. It is clear that we need to examine issues such as putting a greater emphasis on the family unit, youngsters learning survival skills, good role models, fostering resilience in youth and empowering youth. In that sense, our group is including more youngsters on its steering committee and workshops. I have reported to the news media on this matter on a number of occasions.

The most recent workshop, held on 20 May, reached a clear conclusion that it is important that youth have friendship and support. It is imperative to recognise the real impact and the dangers of bullying and isolation amongst youngsters and the need to deal with those factors. There is a need for more research in this area. The issue of

psychological autopsies has also been raised. A psychological autopsy examines the psychological profiles of those who take their life and those who nearly take their life. The way ahead is uncertain. The honourable member for Swansea spoke about this matter in the House last Thursday and referred to the Life program at Belmont Languages High School. I read her contribution with great interest. Our community group has been investigating the PENN program, developed by a man called Seligman in the United States, which is based on the concept known as "the optimistic child". This program tries to turn youngsters' attitudes around so that they think more positively about life.

Our community group is also considering bringing over the Surf'n'Theatre Company for Young People, which is currently staging a number of performances at the Bondi Pavilion Theatre at Bondi Beach. That group's production, "A Punch in the Face", is a fast-moving and insightful play about bullying and violence in schools, friendship and love, and the search for a sense of oneself. It documents several tragic cases of suicide and the responses that a particular school community was able to generate. The way ahead is through education, understanding and research. As I have said, our community group is holding another meeting next week, and it is considering sending a number of delegates to Canberra. I draw this matter to the attention of the House this evening because the Minister for Health announced at the weekend that he intends to increase the amount of budget funding for both mental health and the prevention of suicide. I indicate to the Minister that Manly as a community is doing its part. Our group is working closely with the community and with health groups in an attempt to unravel the mysteries of this terrible disaster. I will keep in touch with the Minister and seek his assistance at the appropriate time.

Mr WOODS (Clarence—Minister for Regional Development, and Minister for Rural Affairs) [6.17 p.m.]: I commend the honourable member for Manly for his efforts in this enormously worrying trend. His efforts are appreciated. Youth suicide is an issue of tremendous concern in country areas also. A number of tragic instances have taken place in my own region. Any way forward that the honourable member can find will be much appreciated not only in his own area but in the whole of the State.

Private members' statements noted.

[Mr Acting-Speaker (Mr Gaudry) left the chair at 6.18 p.m. The House resumed at 7.30 p.m.]

NEW ENGLAND HIGHWAY FEDERAL FUNDING**Urgent Motion****Debate resumed from an earlier hour.**

Mr CHAPPELL (Northern Tablelands) [7.30 p.m.]: As I said before the Budget was handed down, this cannot stack up as a responsible motion. The State Government negotiates the priorities for the allocation of Federal road funding. Moreover, when considering an actual reduction in funding allocation for the New England Highway during the last couple of years two major projects have to be kept in mind. The first, not so long back—a major project in anyone's language—was the final expenditure on completion of the crossing of the Liverpool Range. The second is that this year there has been a significant reduction in the amount of funding being allocated for the completion of the project at the Belford bends.

The allocation for the Belford bends deviation has been reduced from \$17 million last year to an allocation of \$11 million in the current financial year. That more than accounts for the reduction in the total allocation of funding for the New England Highway. In that part of the New England Highway north of Tamworth a number of significant projects are now coming into cycle, including the Rose Valley deviation. Work on that section of the highway includes the reduction of a significant black spot.

The honourable member for Cessnock referred to the Sunnyside turn-off deviation, which is beyond the Rose Valley deviation. Although it is not yet on the program, it is a significant project which is about to commence. Recently I reported on the need for that work to be commenced, following another fatality in that area. As the honourable member for Cessnock said, the Catholic priest from Tenterfield was killed when he was driving along that section during the early hours of the evening on a wet road. Although it does not appear to be a particularly dangerous section of road, a number of accidents have occurred there.

Funds have been allocated for the final planning works to proceed on a major redevelopment of Devil's Pinch, north of Armidale. That project will proceed in the next financial year. The New England Highway truck facilities to be built at Guyra is a project which all those in the New England area are very much looking forward to. That project has been championed by the Mayor of Guyra and National Party candidate for the Federal seat of New England, Stuart St Clair, who will force it through and I am sure that there will be major funding for it.

Twice in the last week traffic managers have caused me to pull up because of the Llangothlin pavement rehabilitation work, which is well under way. Planning for a Tenterfield bypass has commenced, although that will not happen for several years. Plenty of work needs to be done but the State Government needs to put more money into work on the Gwydir Highway, the Bruxner Highway, the Mount Lindsay main road and all of those other road projects around country New South Wales which are being totally ignored by the Government. This is a cover-up motion.

Mr GAUDRY (Newcastle) [7.33 p.m.]: I am pleased to support the motion moved by the honourable member for Cessnock, and note that the motion was suspended to allow members to hear the Treasurer's Budget Speech. As the Treasurer said, I have no doubt that it is a AAA budget for New South Wales in all areas of expenditure—health, education, community services, infrastructure for the State and, in particular, roads.

I have no doubt when one looks at the budget it confounds one's belief that the Opposition could say that the Government was not spending money on regional and rural New South Wales. I refer to the \$1.24 billion provided for in the budget for expenditure on rural and regional roads. In particular I note provision for some \$4.9 million on the golden highway, that link road from Dubbo which feeds into the New England Highway.

Mr Chappell: On a point of order. Since the urgency motion was moved this afternoon the State Budget has been handed down. Material is being brought into this debate that arises from the budget after this motion was introduced. Surely that is improper material to be used in the debate.

Mr ACTING-SPEAKER (Mr Clough): Order! I uphold the point of order. The honourable member for Newcastle may not debate the Budget Speech that was delivered today. He may refer to road funding that was allocated prior to today.

Mr GAUDRY: I am happy to do that and I will reflect upon the importance of roads. The golden highway from Dubbo linking Newcastle with the New England Highway, which is one of the most significant roads in this State and certainly is a national highway. The New England Highway is suffering a 28 per cent reduction, in real terms, in maintenance spending. The Federal Government's three budgets have cut national highway funding to New South Wales by \$88 million over three years. That is an extremely important statistic because it demonstrates that the Federal Government has been quite happy to take from road transport and road users in New South Wales a huge amount of money through road user charges.

User charges exceed Federal Government expenditure on roads by more than \$6.4 million, or more than 400 per cent. The Federal Government is collecting the dollars but is not spending the dollars to maintain the highways, to keep them safe for transport users who are so important to the economy of the State. Heavy road transport moves freight from the north and north-west, bringing coal or wheat to Newcastle and general cargo down the extremely important golden highway into the port of Newcastle and service Sydney.

It has been made clear by the contributions to this debate, not only from Government members but also from Opposition members, that absolute danger exists on those roads. The roads are inadequate for the heavy vehicles that use them. The mix of those heavy vehicles with domestic traffic can result in tragedy, such as the death of the Catholic priest from Tenterfield referred to by the honourable member for Northern Tablelands. Tragic accidents occur on that roadway not so much because of driver error but because of the conditions of the roads, the lack of passing lanes and a whole range of issues to do with maintenance and upgrades.

As was pointed out by the honourable member for Cessnock, the bleeding of funds from that highway because the Federal Government has transferred them to other areas and the general loss of road funding for New South Wales are having an extremely detrimental effect on the New England Highway. That is not good enough. New South Wales is putting in its share by funding projects for the great benefit of New South Wales and the economy. It is time for the Federal Government to contribute fully its share to New South Wales. [*Time expired.*]

Mr NEILLY (Cessnock) [7.38 p.m.], in reply: The words of honourable members who contributed to this debate revealed that no-one listened to my initial contribution. I repeat: I reject the proposed amendment. I said that the Federal Government's financial commitment to the New England Highway had been at the expense of the upgrading of the Pacific Highway. Of course, that was not stated by the Federal Government in its pre-election commentaries. The Federal Government's three budgets have cut national highway funding to New South Wales by \$242 million, which represents 58 per cent of the total funding cuts to national highways across Australia since 1995-96. Consequently New South Wales is bearing the brunt of these cuts. That is a stark reality. No matter who has proposed the projects, I have stated the real dollar terms.

The Federal Government's promise on road funding before the last election, which stated "continuation of Federal road funding expenditure

commitments at current levels", has not been honoured. The overall level of funding for national highway maintenance, including for the New England Highway, has decreased in real terms by 28 per cent since 1995-96 due to Federal funding cutbacks. The recent Federal budget has continued this inadequate level of funding. The Roads and Traffic Authority estimated that the overall Federal funding shortfall for national highway maintenance, apart from major projects, is \$35 million per annum. Honourable members for the electorates of Lismore and Northern Tablelands said that this debate is not about the full length of the New England Highway. However, my initial comments referred to three sections of the highway in the Armidale and Tamworth areas.

The RTA budget submission to the Federal Government for 1998-99 for major capital projects sought \$22.6 million, but received an allocation of \$11.7 million—a shortfall of \$10.9 million. That shortfall affected two projects along the New England Highway: first, the widening of the road between Wilburtree Street and Scott Road, Tamworth, for which \$2 million was sought, but the allocation was nil; and second, the Rose Valley deviation, 35 to 39 kilometres north of Tamworth, for which \$7 million was sought, but again the allocation was nil. In essence, the shortfall did not occur in Labor Party electorates but in National Party and Liberal Party electorates. I am battling for the coalition blighters.

Mr Chappell: Priorities are set by a State government department, the RTA.

Mr NEILLY: The RTA does not set national highway programs. It forwarded projects to the Federal Government, which bucked it.

Mr Chappell: I think it does. I have been told it does.

Mr NEILLY: The honourable member should discuss this with those who give him advice. Funding was given for the Belford bends because the former Federal Minister, Laurie Brereton, made a commitment to that project prior to the last Federal election, but on the eve of that election along came John Sharp. The Federal member for Hunter certainly kept him on his toes. The black spots program needs to be reviewed, because it has nothing to do with the federally funded safety program. The Liverpool Range was mentioned by the honourable member for Northern Tablelands. The project in that area was started by the former Federal Government and, giving due credit, was concluded by the current Government. I repeat my commitment to the motion and thank the honourable members for the electorates of Lismore, Waratah, Northern Tablelands and Newcastle for their contributions.

Question—That the words stand—put.

The House divided.

Ayes, 46

Ms Allan	Mr Markham
Mr Amery	Mr Martin
Mr Anderson	Ms Meagher
Ms Andrews	Mr Mills
Mr Aquilina	Mr Moss
Mrs Beamer	Mr Nagle
Mr Clough	Mr Neilly
Mr Crittenden	Ms Nori
Mr Debus	Mr Price
Mr Face	Dr Refshauge
Mr Gaudry	Mr Rogan
Mr Gibson	Mr Rumble
Mrs Grusovin	Mr Scully
Ms Hall	Mr Shedden
Mr Harrison	Mr Stewart
Ms Harrison	Mr Sullivan
Mr Hunter	Mr Watkins
Mr Iemma	Mr Whelan
Mr Knowles	Mr Woods
Mr Langton	Mr Yeadon
Mrs Lo Po'	
Mr Lynch	<i>Tellers,</i>
Mr McBride	Mr Beckroge
Mr McManus	Mr Thompson

Noes, 41

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

Pairs

Mr Carr	Mr Armstrong
Mr Knight	Mr Beck
Mr Tripodi	Mr Collins

Question so resolved in the affirmative.

Amendment negatived.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 46

Ms Allan	Mr Markham
Mr Amery	Mr Martin
Mr Anderson	Ms Meagher
Ms Andrews	Mr Mills
Mr Aquilina	Mr Moss
Mrs Beamer	Mr Nagle
Mr Clough	Mr Neilly
Mr Crittenden	Ms Nori
Mr Debus	Mr Price
Mr Face	Dr Refshauge
Mr Gaudry	Mr Rogan
Mr Gibson	Mr Rumble
Mrs Grusovin	Mr Scully
Ms Hall	Mr Shedden
Mr Harrison	Mr Stewart
Ms Harrison	Mr Sullivan
Mr Hunter	Mr Watkins
Mr Iemma	Mr Whelan
Mr Knowles	Mr Woods
Mr Langton	Mr Yeadon
Mrs Lo Po'	
Mr Lynch	<i>Tellers,</i>
Mr McBride	Mr Beckroge
Mr McManus	Mr Thompson

Noes, 41

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

Pairs

Mr Carr	Mr Armstrong
Mr Knight	Mr Beck
Mr Tripodi	Mr Collins

Question so resolved in the affirmative.**Motion agreed to.****NEW SOUTH WALES INSTITUTE OF SPORT****Matter of Public Importance**

Ms HARRISON (Parramatta—Minister for Sport and Recreation) [8.00 p.m.]: Since its establishment in 1995 the New South Wales Institute of Sport—or NSWIS, as it is universally called—has become the best-funded and best-resourced state-based sports institute in the country. It now represents the peak of the elite sporting pathway system in New South Wales and provides the most sophisticated and co-ordinated approach to high-performance sport ever introduced in this State. The institute became fully operational at Olympic Park, Homebush Bay, during the 1996 Atlanta Olympics. The move into the Homebush site and its close physical link with the biggest sporting event in the world will serve as a symbol for many years. It will serve as a beacon, shining a light to exactly where the sporting journey of both the organisation and its athletes are ultimately expected to lead.

With 21 of its 25 squad programs either summer or winter Olympic sports, the institute maintains a heavy Olympic focus with the Sydney Olympics as an obvious primary focus—the first of many Olympics for NSWIS athletes. When it was established the New South Wales Institute of Sport was generally regarded as providing the first real option for elite New South Wales athletes to remain in New South Wales to train rather than to relocate to the Australian Institute of Sport in Canberra or to other States where AIS programs operated, or even to head off overseas. Institute chairman and International Olympic Committee member, Phil Coles, said that before NSWIS was established elite New South Wales athletes were sometimes overlooked for national team representation simply because they lacked the opportunities of some of their competitors. He pointed out that it was not through lack of talent.

New South Wales athletes who decided to stay in New South Wales certainly never had the same access to local sports institutes and all of the services those institutes could offer as some of their interstate counterparts. I am pleased to say that

times have changed. It is important to understand what the institute does and what it has to offer New South Wales and Australian sport. As I said earlier, NSWIS was established in December by an Act of Parliament. Its annual funding of \$5 million comes from two major sources: \$4 million from the New South Wales Government and \$1 million from its principal partner and sponsor, the Registered Clubs Association of New South Wales. In addition, some of its programs are jointly funded through the Australian Sports Commission.

The institute is governed by a high-powered seven-member board that reports to me. The board chairman is IOC member and Australian Olympic Committee director Phil Coles. Other members include broadcaster Alan Jones, Registered Clubs Association president Jack Ball, Womensport Australia president Libby Darlison, Australian wheelchair basketball captain Donna Ritchie, media executive Dee Wilson, and New South Wales Director-General of the Department of Sport and Recreation, Bill Gillooly. Located at Olympic Park, Homebush Bay, in the undercroft of the Sydney International Athletic Centre, the institute will eventually have access to the most superior sports infrastructure in the country and the greatest sports precinct in the world. Unlike the Australian Institute of Sport in Canberra, NSWIS is a non-residential, decentralised organisation. That structure allows athletes to remain in their familiar and supportive home environments without compromising their access to international level coaching and world-class daily training facilities. The institute is specifically responsible for developing and assisting elite New South Wales athletes and coaches, both Olympic and non-Olympic, to be the best they can be.

Mr Hazzard: Whose idea was this? Was this your idea or the coalition's idea?

Ms HARRISON: You did nothing for seven years. The Government finally got it up and running.

Mr ACTING-SPEAKER (Mr Clough): Order! The member for Wakehurst will have an opportunity to contribute to the debate at the appropriate time.

Ms HARRISON: The institute also works with State sporting organisations to co-ordinate high performance and talent development programs throughout the State. Some 680 athletes are currently on scholarships with the institute and those athletes represent 25 different sports. Over the past 18 months the sporting achievements of those 680

athletes have been too numerous to mention in the short time available to me. However, it is appropriate to highlight a few of the outstanding results so far in 1998. I am sure honourable members will agree that the results speak for themselves. In researching the institute's progress, success appears to occur across a wide range of programs and not only in a few so-called glamour sports or those with the biggest budgets.

This year five NSWIS athletes became world champions: swimmers Ian Thorpe and Chris Fydler and female cricketers Belinda Clark, Michelle Goszko and Lisa Keightley. Five winter sports athletes competed in the Nagano Winter Olympics in February: pairs figure skaters Danielle McGrath and Stephen Carr; solo skater Joanne Carter; speed skater Kieran Hansen; and paralympic alpine skier James Patterson. Institute track and field athletes dominated the medal tally at the National Championships at Melbourne three months ago claiming 23 gold, 15 silver and seven bronze medals. Melinda Gainsford-Taylor was named female athlete of the year.

In April institute divers won four of the five gold medals in the women's competition at the Australian Diving Championships, and two athletes, Matthew Spinelli and Krystle Delaforce, were named junior divers of the year. Nine NSWIS swimmers were recently selected as members of the Commonwealth Games team. Seven senior and eight junior kayakers have just been named as members of national teams. In the last fortnight 26 senior and junior rowers were selected to represent Australia at the upcoming European circuit and World Championships. Wheelchair athletes Louise Sauvage, Fabian Blatman and Christie Skelton have been named in the Sydney 2000 Paralympics preparation program.

Six NSWIS baseball players have received professional contract offers from American baseball league teams and five basketball players have signed contracts with National Basketball League teams. In cycling, three riders are preparing for the Junior World Championships in July and another three for the Commonwealth Games in September. At the National Track Championships in March, NSWIS cyclists won 11 gold, 13 silver and six bronze medals, taking home the trophy for the best State for the second year in a row. The institute's senior women's rhythmic gymnastics group qualified for the World Championships, a first for an Australian team. In soccer, six NSWIS men have been offered semiprofessional opportunities with United Kingdom teams and the institute's women's squad won the National Ansett Australian Summer Series.

Eight female softballers from the institute played for Australia at the South Pacific Classic. Five of those players have now been named in the Australian team to play in the world championships in Japan next month. The list goes on, and only five months of the year have elapsed. While the institute aims to maximise the sporting performance of its scholarship holders, it also offers a wide range of services to complete the personal development of its athletes and coaches. The New South Wales Institute of Sport is, by design, not simply a grant organisation.

Though many athletes have their attendance at national and international competition completely funded, there is no wholesale handing over of large sums of money. Instead, the real value of the NSWIS experience often lies in the support services available to the athletes and coaches. Those services include career support, education guidance, counselling, personal development, psychology, and sports science testing. Many of those services were never previously available to the athletes, certainly not at such an advanced and targeted level. The institute aims to assist in the development of well-rounded and balanced athletes.

As honourable members can imagine, the competition for and the final selection of both squad and individual athlete scholarships is highly structured and extremely rigorous. It should be acknowledged that NSWIS is at the summit of elite sport in the State, and those who participate in its programs should be highly regarded by the people of New South Wales. I strongly believe that in establishing an institute New South Wales is behind the other States in timing only. Although the institute is only 18 months down the track in its organisation's operational history, NSWIS is considered by many to be leading the way and setting the standards in servicing and supporting high-performance athletes.

Given that other States have more than a decade's experience behind them, one may well ask how that can be. There are many reasons for the success of NSWIS. Those reasons include the leading edge in technology and equipment the institute boasts, the commitment to innovation and success, the generosity of sponsors and the enthusiasm of key partners like State sporting organisations. When they are combined with perhaps the largest elite athlete talent pool in the country the potential for sporting excellence at both national and international level not only becomes desirable but, more importantly, achievable. So too does the institute's vision to lead Australian sport into the twenty-first century. [*Time expired.*]

Mr HAZZARD (Wakehurst) [8.10 p.m.]: The New South Wales Institute of Sport is one of the success stories of the New South Wales coalition. The Minister, like all good members of the Labor Party, particularly the right wing of the Labor Party, likes to rewrite history. No matter what the Minister said, the New South Wales Institute of Sport was a vision of the New South Wales coalition. Indeed, in the 1994 report of the New South Wales Department of Sport and Recreation, Chris Downy, the former Minister for Sport—an excellent Minister who was involved with sport, understood it and was committed to it—made the announcement that as a result of winning the bid for the Olympics, another coalition initiative, the coalition would move to establish the New South Wales Institute of Sport.

I remind the Minister that it was because of the extraordinary management skills of the coalition that New South Wales won the right to stage the next Olympics. The Minister may believe that is another Labor victory, because the Minister for the Olympics walks around all the time thumping his chest and saying we cannot get along without him. The news is, that in fact we can all get along without him. In fact, most of his side of politics gets along without him. Indeed, the coalition will have no problems at all in taking over what it started, that is, looking after the next Olympics. We will be doing that from 28 March next year.

As the Minister correctly observed, with the winning of the bid to stage the Olympic Games the spotlight in New South Wales turned to elite sports. Unfortunately, prior to the vision of the coalition for a State institute of sport, New South Wales sportsmen were forced to attend the Australian Institute of Sport in Canberra or go overseas to train. There is no question that the birth of the New South Wales Institute of Sport was a necessary advent for sport in this State. The Minister correctly noted that there have been some major achievements in the sporting arena as a result of its establishment. However, before I turn to that let me say a little more about the Minister for the Olympics. In the past few days he has claimed that he is needed to manage the next Olympic Games, that without him there can be no Olympics.

Mr Fraser: They need someone to collect the tickets.

Mr HAZZARD: That is right. He is qualified to be there at the gate, as the honourable member for Coffs Harbour says, to collect the tickets. But in the big wide world, the business world and the community, no-one believes he is doing a good job. No-one particularly likes the way he is running the

preparations for the Olympics. That is the strong message that is coming back to the coalition. We have no doubt that this side of politics has the skill and expertise to carry on the job.

Mr Fraser: Richo told us that.

Mr HAZZARD: Yes. Graham Richardson actually told me just recently—

Mr Fraser: And he never lies.

Mr HAZZARD: No, he never lies. He only does whatever it takes. I am sure he feels the same way, that the Minister is not the man for the job, and that he will support us, if he is still in his present job. The New South Wales Institute of Sport has had many successes. The various athletes the Minister referred to earlier are but a small selection of the athletes who have passed through—

Mr Fraser: Name them.

Mr HAZZARD: A large number of athletes have passed through the institute and have done very well, and I will name but a few of them: Ian Thorpe and Chris Fydler from swimming; Bradley McGee and Sean Eadie from cycling; Joanne Carter from ice skating; Alyson Annan, who was the subject of a bipartisan notice of motion before the House today which asked the House to note the magnificent play by the Hockeyroos in Holland during the past few days when they beat the Netherlands in the World Cup; Matt Shirvington from track and field; and Louise Sauvage, a disabled athlete who stands out as being one of the institute's greatest success stories; Louise McPaul from track and field; Melanie Roach from softball; Boden Hanson from rowing; and, of course, our own local girl from the northern beaches, Melinda Gainsford-Taylor.

There have been a host of successes, and no doubt the Institute of Sport will continue with those successes because there is bipartisan support, as has been demonstrated during this debate, for the continuation of the institute. The coalition is certainly looking forward to greater development of the elite programs to guarantee the successful participation of our athletes in the 2000 Olympics. The New South Wales Institute of Sport is fortunate to have Michael Scott as its director. Michael was appointed in March 1997 and took up the position in about June 1997. He had served for three years as the head of the Department of Sport and Recreation in South Australia and prior to that spent three years in Victoria. He came to the job with all the necessary skills and he has done an excellent job.

Ms Harrison: I am pleased to hear you say that.

Mr HAZZARD: The Minister obviously agrees with my bipartisan comments. The institute needs more government support. Funding for the Institute of Sport has not been increased for the past three years. Fortunately funding of around \$800,000 from the Federal Government has been added to State funding. That may come as a surprise to the Minister, because only a few weeks ago she was jumping up and down in this House and claiming that the Federal Government does not put any money into sport. It does, and it has put \$800,000 into the Institute of Sport. The House should acknowledge that the balance of the funds, \$1 million, comes from the registered clubs. The registered clubs are very concerned about what the Government has been doing to them with an increase in the poker machines tax, but they are nevertheless at the forefront of community sport—doing their bit for New South Wales and doing it well. The clubs contribute \$1 million a year to the New South Wales Institute of Sport. On behalf of the New South Wales coalition—obviously, I cannot offer thanks from the Government—I thank the Registered Clubs Association for its support.

I thank Mr Jack Ball, Alan Jones and Libby Darlison, mentioned by the Minister, and all board members for the fantastic job they have done in the institute's establishment phase. Twenty-five sporting programs are carried out and many activities are undertaken for the sporting elite of the State. The New South Wales Institute of Sport has a specific charter for the development and support of elite and internationally competitive athletes and has a series of programs in line with its directions. The institute supports Australiawide initiatives to reduce the use of performance-enhancing drugs in sport, a major issue for Australia as we move towards the 2000 Olympics. The success of the institute will to a degree be measured at the Olympics.

The amazing work the institute is doing with elite athletes and in encouraging the many regional sports academies should be acknowledged. New South Wales now has academies of sport for the northern inland region, the western region, the Riverina, the Illawarra, the north coast, the Hunter region, western Sydney, the far-west region and south-west Sydney. I thank those at the New South Wales Institute of Sport for the hard work they are doing and I look forward to continued relationships between the coalition and the institute as we move towards the 2000 Olympics.

Mr ROGAN (East Hills) [8.20 p.m.]: I support the remarks made earlier by the Minister. The contribution made by the honourable member for Wakehurst was positive overall—obviously, as shadow minister he has to make some comments that might appear to be damaging to the Government. The honourable member for Wakehurst, understandably, wanted to claim credit for the coalition for the idea of a State sports institute. The honourable member talked about vision. I point out that one can have vision but for success one needs talent, money and drive. That has been achieved by the Minister. The Minister has an impressive record in her portfolio and I am delighted to be able to record my support for the work she is doing, support which I am sure would be shared by all honourable members even though Opposition members may not want to express their support publicly.

All honourable members would applaud the rapid and impressive progress of the New South Wales Institute of Sport. The honourable member for Wakehurst mentioned contributions made by the club industry. Wearing my other hat as a director of a licensed club, the Revesby Workers Club, I am delighted to note how proud that club is to be one of the major clubs making a contribution to the community, in this instance to the development of young athletes. There is no doubt that, despite the relative "newness" of the organisation, the phrase "catch up" has no relevance whatsoever to its operations. Although the New South Wales Institute of Sport is much more than a medal factory, there is perhaps no greater illustration of the impact it is having than in the results being obtained by our young athletes—and honourable members have just heard the Minister for Sport and Recreation list a few of those results that have been posted this year.

The results speak volumes for the calibre of athletes on scholarships with the institute. The athletes are not only the best at what they do in New South Wales—many are the best in Australia and some are the best in the world. But there are many talented sportspeople playing in Saturday afternoon competitions right around the State, and all honourable members would be able to testify to that. It is the opportunity, the support and the backing that elevate State champions to Olympic champions. That is where the New South Wales Institute of Sport can have and is having a huge and unprecedented impact on elite sport. It is worth noting that the institute is in no way arrogant enough to claim full credit for how fast our athletes can run or how high they can jump. Where it can

claim credit is in giving our athletes the very best opportunity to reach their full potential through access to world-class training environments, international-level coaching and the latest sports science and medical-testing facilities and programs.

The way in which athletes are admitted to the New South Wales Institute of Sport programs is worthy of comment. In partnership with the various State sporting organisations and in line with national and international standards, the institute has developed a sport policy framework to ensure consistency and transparency in the admission of sports and athletes to the institute programs and in the allocation of funding and other resources. Central to that framework is performance-based prioritisation and allocation of resources and support to programs across a three-tier structure. As the Minister has said, the current framework has a Sydney 2000 focus. Generally, athletes on the institute's books are representatives on junior or senior national teams who are internationally competitive and, in the case of individual athletes, are ranked in the top 10 in the world.

The honourable member for Wakehurst has mentioned some of those athletes. I single out Ian Thorpe, who is a swimmer from my area. In my capacity as local member I well recall making presentations to Ian when he was winning junior swimming titles. Locally we are very proud of him. I also pay tribute to swimmers Grant Robinson and Shelley Taylor-Smith; track-and-field stars Melinda Gainsford-Taylor, Matt Shirvington, Louise McPaul and Jane Jamieson; and skaters Stephen Carr and Danielle McGrath. I have a long list of people I could name. In this debate we acknowledge our great athletes. [*Time expired.*]

Ms HARRISON (Parramatta—Minister for Sport and Recreation) [8.25 p.m.], in reply: I thank my colleagues for their generally positive contributions to this debate. I note that the shadow minister, despite his contribution being mainly positive, said that the institute was a coalition initiative. I recall that when I was a runner, which was a very, very long time ago now, it was said that a State sports institute was needed. Nothing ever happened; all we had was talk about it and planning for it. If the coalition had a vision for establishing an institute, it was very blurred or tunnel vision because no provision for an institute was included in forward estimates, which was very disappointing and showed that there was no real commitment to an institute. Every week I receive news from the institute about yet another success of one of our athletes or one of our institute teams. When I have the chance to recite them one after another, as I did

just a while ago, I am always amazed and proud at the inroads being made in this area.

Just two years ago the New South Wales Institute of Sport existed on paper only, yet today we are realistically considering fielding a large slice of Australia's Sydney 2000 Olympic team. I was particularly delighted at the success of our track and field athletes, who finished the national championships with 23 gold, 25 silver and seven bronze medals. Traditionally, Victoria has been New South Wales main rival at these events. At the risk of "doing a Jeff Kennett", I shall compare New South Wales results with those of the Victorians. In the open men's competition, New South Wales had 11 victories to Victoria's two; in the open women's competition the institute had nine victories to Victoria's five; and in the junior combined competition—that is, boys and girls—the institute had 18 victories to Victoria's eight.

In addition, New South Wales won the Richard Coombes Shield, which is awarded at these championships to the State or Territory that wins the most open men's titles. The last time New South Wales won the shield was in 1958 and that is 40 years ago! In the past New South Wales has had to bear criticism from a number of quarters for failing to pull its weight on Australian sporting teams. Per head of population, this State lagged behind the other States in quality and size of representation, and despite our pool of talent failed to capitalise on what many regarded as a head start.

But just as the momentum of any sporting event can change quickly, so can the State of play in the wider sporting community. What causes such a change? I believe that when the players step up, the coach motivates harder, the commitment level rises, the atmosphere changes, the supporters applaud louder and the performances are better. These are the dynamics which have helped NSWIS move from just an idea to an ideal. As I mentioned earlier, the bulk of the institute's funding comes from Treasury—a fact that was just overlooked by the shadow minister. The Government is actually putting \$4 million a year into the institute.

The institute also has a generous principal partner, the Registered Clubs Association of New South Wales, which supports our best athletes to the tune of \$1 million per year. I take every opportunity to congratulate the registered clubs of New South Wales on their contribution, and I thank them. The combined financial commitment, together with additional funds from smaller but equally valuable sponsors, sets NSWIS apart from all other State-based institutes around the country.

The commitment means that we can attract international level coaches to come and live here in New South Wales and we can fund more, and better prepared, athletes to national and international training and competitions. We can back our winners on the way to the top, rather than when they reach it. And above all, we have a greater chance of retaining the State's high performance athletes at home, when previously the lure of the Australian Institute of Sport, other State institutes or even the American college system drew them like moths to a flame. Certainly some of the runners I used to run against went to those places.

The funding also has a major psychological effect on the health of the State's sport system as a whole. The concept of an athlete and coach career path has been introduced. Through the Department of Sport and Recreation and State sporting organisations, the opportunities for children to participate in sport are greater than ever. Talent development programs are well-developed and proving their worth in identifying potential champions. Now another goal or light at the end of the tunnel—a scholarship with the State's peak elite sports agency and the prospect of international competition and Olympic glory—is in sight.

Athlete-focused and coach-driven, NSWIS has the systems in place to help our best athletes complete their sporting journey. They are now on a level playing field with Australian and international competitors. That is a major achievement in itself. The institute and its athletes will be expected to mirror, and improve upon, that sporting success in the months and years ahead, and to dominate national team selection well into the future. For the first time in the State's sporting history, I feel confident about that happening.

BILLS RETURNED

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

Dairy Industry Amendment (Trade Practices Exemption) Bill
Gas Pipelines Access (New South Wales) Bill

DRUG MISUSE AND TRAFFICKING AMENDMENT (ONGOING DEALING) BILL

Second Reading

Debate resumed from 7 May.

Mr TINK (Eastwood) [8.33 p.m.]: The Opposition supports the Drug Misuse and Trafficking Amendment (Ongoing Dealing) Bill but

is extremely concerned about unnecessary limitations in schedule 1, which states:

A person who, on 3 or more separate occasions during any period of 30 consecutive days, supplies a prohibited drug (other than cannabis) for financial or material reward is guilty of an offence.

The Opposition believes that there should not be a limit of 30 consecutive days and that cannabis should not be excluded from the ambit of this bill. Other than that, the Opposition supports the bill. Chapter 2 of the royal commission's report into policing responsibilities in New South Wales, in which a fairly lengthy extract deals with legislation of this type, should be examined. The royal commission did not see a need to limit and read down the proposed legislation as the Government has done. At page 229 the report states:

Regardless of the approach taken to the personal use of prohibited drugs, this Commission considers that a need remains for active law enforcement which targets suppliers.

There is no limitation there which says that law enforcement should not be targeting suppliers of cannabis. At page 230 the report recommends:

... that consideration be given to amending the *Drug Misuse and Trafficking Act 1985* by creating an indictable offence of "engaging in commercial" supply to catch those instances where a person, who is obviously engaged in a regular business of supply, is presently able to minimise his or her criminality by holding and dealing in drugs in quantities less than the indictable or commercial quantity.

In the notes to that chapter there is also no reference whatsoever to exclude cannabis from the legislation or indeed to insert a 30-day limit. The royal commission's proposals in both cases in that respect are at large, and the Opposition strongly believes that the legislation should apply at large both to prohibited drugs and to an open-ended time period required to commit the offence. The legislation, as the royal commission said, is designed to deal with people repeatedly dealing in quantities of drugs which at law are deemed to be small quantities of drugs but for which there is no substantial penalty or deterrent for those apprehended.

The royal commission made the point that people who are repeatedly caught dealing in or possessing small quantities of drugs on the street are quite likely to be dealers of commercial quantities if their repeated transactions are aggregated. I agree with the honourable member for Cabramatta that the police have been doing a great job at Cabramatta. I have said that repeatedly and I am happy to say that again tonight. Rather than repeat the Cabramatta round robin the Parliament can do more to back up

the police and give them and the courts powers to deal much more effectively with repeat small-quantity dealers who are pulled in from operation Puccini and other similar operations.

An opportunity presents itself for the Parliament to provide a tangible backup to the police identified by the royal commission to stop the revolving door or round robin effect of people going in and coming out of the courts on minor charges. An enormous amount of police time is invested in waiting in court whilst these matters are dealt with. With not guilty pleas police can be tied up in the courts repeatedly for long periods, even though the final result will be yet another bond or fine, which for the type of people we are talking about is no deterrent at all. This opportunity will send a message to the courts that tougher sentences are expected in these cases. In the drafting of the bill the Government has chosen to talk about the supply of a prohibited drug for financial or material reward. That is an interpretation of the royal commission recommendation. I have already in the Parliament a bill which has the support of the Opposition party room.

Those general words are dealt with in that bill and provide a test of much more general application and therefore greater deterrent. The Opposition does not seek to hold up the bill by quibbling about the words "supply a prohibited drug for financial or material reward" even though it takes a different approach. The coalition, without moving amendments, cannot wear the 30-day limit in respect of cannabis. I respectfully disagree with the letter from the President of the Law Society of New South Wales dated 13 May 1998. I say "respectfully" because I always appreciate the efforts of the Law Society and the Bar Association, which provide submissions to me and to other honourable members that we read with great care. Although full account is taken of their submissions I cannot agree with the key conclusion of the Law Society which stated:

The legislation creates an enormous potential for police harassment and discriminatory action. Individuals will be targeted and they will be liable to a punishment far greater than society would want.

The legislation is before this House because of a recommendation of the royal commission, which identified a serious potential for police corruption under present law. Opposition members agree with the Government that legislation of this type should be put before this Parliament, and passed. Police will be tempted to load up people with a greater quantity of drugs than they are carrying, and the small quantities that repeat dealers carry would result in a round robin. Dealers in small quantities

of drugs come into the courts and leave them without any comprehensive sanction or punishment being imposed.

Regrettably, and illegally, police dealt with that in the past by loading up suspects or planting greater quantities of drugs, which resulted in the offenders going to gaol for longer periods. That is the most serious perversion of the course of justice that one could imagine. I strongly support the royal commission's approach. I believe that whatever concerns there might be about police harassment and discriminatory action—about which the Police Integrity Commission will always need to be vigilant—the greater threat is posed by the problem identified by the royal commission, one that this legislation attempts to address.

I read the contribution by the Minister for Local Government, who described how police would use this legislation. The Minister said that police would gather evidence of three deals without alerting the subject that they were gathering evidence. In that way they would establish three strikes within 30 days through covert surveillance. I understand that, but the coalition does not agree that the bill should be so limited. Open deals occur whereby someone taken to court comes under public notice and is then caught outside the 30-day period on a second or third occasion: why should there be a statutory limit of 30 days? If it is known that a person has come under notice twice within 30 days, that person can take a holiday or withdraw from the dealing loop until the remainder of the 30-day period expires. That person will be able to deal again without being subject to this legislation.

I do not care how many covert operations are run, no-one can convince me that that scenario is not a real one, that informants will not tell people what is going on, or that from time to time key surveillance targets will not find out what is going on and go to ground until the 30-day limit passes. I cannot understand why that limitation is in place; it seems to be an open invitation of the most public type to say, "If you are in trouble and if your two strikes are up, take a hike until the rest of the 30 days expires and then start again without any problem." The limitation of 30 consecutive days is unnecessary. There is no need for that door to be left open for dealers. We have to be tougher than we have been in the past.

I am fortified by the wording of the bill, which otherwise refers to supply for financial or material reward. Those words describe an exceptionally serious offence and I have no difficulty—indeed, I have great comfort—in removing that 30-day

limitation from the bill. For the person supplying financial or material reward a 30-day limitation safety valve is not needed. I am not troubled that that provision would apply to a person who is caught dealing three times over a longer period and seeing that person facing the proposed maximum penalties. I am concerned that the Government has excluded cannabis from the provisions of the bill. For reasons best known to the caucus there is an inability to come to grips with cannabis as a prohibited drug and for it to be treated in the same way as other prohibited drugs. There seems to be a problem in having the same general set of rules for cannabis as for other drugs.

I strongly believe that the Government is allowing the drug problem to get out of control with its inability to deal with this key gateway drug. Schedule 1 to the Drug Misuse and Trafficking Act 1985 makes no distinction between cannabis leaf, cannabis oil, cannabis plant or cannabis resin and drugs such as heroin for the purpose of them being prohibited drugs, other than differences in quantity. The amending bill contains a proposal to delete cannabis, but that proposal is not in line with the thrust of the principal Act. It is not in line with the longstanding thrust of the Parliament's intention contained in the principal Act; it is there because the caucus has a problem in dealing with cannabis in the same way as other drugs.

I am talking about cannabis being supplied for financial or material reward, which should be dealt with in the most serious manner and should not be the subject of an exemption of the type now contemplated. A recently published book entitled *The Drug Precipice*—written by Athol Moffitt, who was the President of the Court of Appeal and Royal Commissioner for the 1973 inquiry into registered clubs; John Malouf, a well-known senior pharmacist; and Craig Thompson, a senior magistrate—in its foreword under the heading "Stop Press" referred to the United Nations Narcotics Control Board report for 1997, published in Vienna on 24 February 1998 and available from United Nations information centres in Australian capital cities. The United Nations report states that the prevalence of cannabis abuse in Australia is amongst the highest in the world. The report further states:

The average THC content of seized cannabis samples in Australia is 5–6 per cent, which is higher than the average reported in any other country . . . This is aggravated by the abuse of cannabis hybrids cultivated indoors and of cannabis oil with even higher THC content. In the light of that situation, the Board notes with concern the ongoing discussion on the legalisation of cannabis consumption in Australia . . .

The report continues:

. . . the abuse of drugs is becoming an increasingly difficult endeavour, at least partly because of the rapid and growing spread of messages in the environment that promote drug abuse. Many of them can be regarded as public incitement and inducement to use and abuse drugs.

. . . [the] debate about the liberalisation and depenalisation of cannabis abuse and the aggressive publicity in favour of its legalisation are major factors contributing to the attitude of many young people towards cannabis abuse.

To maintain a balance in the public debate, policies that offer alternatives to drug legalisation, and reliable information on the likely effects of such legalisation . . . need to be presented. It is also necessary to stress the importance of the international conventions . . . and to see the issues in an international perspective and not just a local one . . . evidence from public opinion polls suggests that the majority of people are not in favour of any form of such legalisation. The debate, unfortunately, has been taken over by a small number of activists who support some form of drug legalisation.

I turn now to what the authors say. Page 7 of the book states:

Of all the illicit drugs, cannabis (marijuana) is the most complex, both chemically and pharmacologically. Misinformation and controversy about it exceed that of any other substance of abuse. Most misleading of all is its label and image as a "soft" drug (like that of a soft drink). There is no such pharmacological classification as a "soft drug", and this term has helped to create the myth that it is harmless. If it had not been introduced this century into Western society and promoted as "soft", it is unlikely that the present general drug epidemic would have occurred on its present scale.

The authors make an important point about THC content on page 8, where they state:

Most of the marijuana used [in Australia] in the 1960s and 1970s was of a milder strength, usually about 1% THC or less.

According to the United Nations report, the strength is now up to 5 per cent or 6 per cent, which is a dramatic increase. Page 8 further states:

In 1990 the American Bar Association reversed a marijuana decriminalisation policy that had been established for 18 years. The reversal was made because the American Bar Association had become aware of the increased potency of the drug, and it expressed concern that strengths had increased sevenfold from 1974 to 1989. The ABA concluded:

It is a far more powerful drug than before, and therefore poses a far more serious hazard to users today. It is one of our nation's most serious public health problems and requires a renewed nationwide effort to reduce its use.

In Australia in 1997, strengths up to *nine times* the level of that which alarmed the American Bar Association in 1989 have been identified. The Australian Commonwealth Health Department issued a warning that "major health concerns" had arisen over the fact that cannabis was found to be *10–15 times* stronger than the marijuana that was used in the 1960s and 1970s².

The footnote refers to the Commonwealth department of health *Handbook for Medical Practitioners and Other Health Care Workers* published by the Australian Government Publishing Service in Canberra in 1993. When speaking about cannabis it must be realised that the marijuana being used now is much more potent than it was, and is far more potent than the potency that caused the American Bar Association to reverse a policy to decriminalise cannabis. As for the gateway effect of cannabis, on pages 16 and 17 the authors quote a document from the National Centre for Addiction and Substance Abuse at Columbia University, New York, in 1997. Page 16 states:

The younger the age of commencement of marijuana, the more likelihood of progression to other illicit drugs . . . Over 75% who used marijuana before the age of 17 went on to use other illicit drugs . . .

However, the percentage decreases for those over the age of 17. I simply mention these matters because the Opposition is of the view that the supply of such a drug for financial or material reward is an extremely serious matter that should be dealt with through significant criminal penalties. Criminal penalties are set out in this bill, but the problem is that the bill does not apply to cannabis. The Opposition's proposed amendment would ensure that the legislation applies to cannabis and that the supply of cannabis for financial or material reward is punished most severely. The Opposition supports the bill. I foreshadow the Opposition's amendments and lay them on the table for the information of honourable members.

If the Government is serious about dealing with the drug problem and if its rhetoric on drugs is to be followed through in a meaningful fashion, it cannot leave cannabis out of the loop when talking about supplying a drug for financial or material reward and it cannot impose a 30-day time limit on the offence of supplying prohibited drugs for financial or material reward. Imposing a 30-day limit on such an offence will simply put hardened criminals to the minor inconvenience of rescheduling their working month. If they have two strikes, and they know they have two strikes, they will simply take the rest of the month off on the proceeds from the two deals already completed, come back after the 30 days and start again with impunity.

That is complete and utter nonsense. It is a joke. There should be no such limitation; the law should apply firmly to both cannabis and a crime of general application without being limited in such an artificial way. Under this legislation few people would be caught. This bill is window-dressing; it is acting for the sake of acting. It will not give effect

to the spirit of what Justice Wood recommended. It does not give police the power to deal with repeat commercial drug suppliers. So long as the legislation remains in its present form, the problem in Cabramatta and in other places where police could do their job better if they had powers with teeth will continue to exist. Police need powers with teeth to tackle the menaces in a way that will act as a deterrent and will allow us to wind back drug abuse.

No question time in this House passes without the Premier, severely embarrassed by the rising crime rate, blaming drugs. He unfairly blames the Federal Government, especially when he and his caucus are not prepared to take the necessary action to give police the power to deal with drugs and to give the courts the power to impose sentences on drug dealers that act as a deterrent. So long as the Government dances on the head of the pin, so long as it puts artificial time limits on the operation of the legislation and so long as it refuses to include cannabis in this legislation, the drug cycle will not be broken, crime rates will not come down and the Premier's talk about drugs being the problem will simply continue to be the hypocritical nonsense we know it to be. The Premier cannot bring those who support him in the Parliament to do what is necessary to tackle the problem.

Ms MEAGHER (Cabramatta) [8.59 p.m.]: The pharmacological dissertation on cannabis by the honourable member for Eastwood was quite interesting, but the streets of Cabramatta and south-west Sydney are not in the grip of a cannabis crisis. Cannabis is not the drug that fuels the Kings Cross sex industry; nor is it the drug about which my constituents express concern. The major issue involves amphetamines, cocaine and heroin, which is the drug that particularly affects my electorate. I reject the amendment proposed by the honourable member for Eastwood. I support the Drug Misuse and Trafficking Amendment (Ongoing Dealing) Bill because it gives an opportunity to put to an end the cat-and-mouse game between drug dealers and police that happens every day on Cabramatta streets. Drug dealers know that under the law if they are caught with a less than commercial quantity of heroin, that is, less than 250 grams, in their possession, they will be subject to little more than fines or, at worst, a penalty of two years imprisonment.

That is not good enough, because those dealers have their drug stash planted in obscure places down the street. Recently in Cabramatta I heard reports of heroin being hidden in newspapers in newsagencies, in cracks in walls and in gardens. Police work is severely impeded when dealers—known faces—are

taken away only to go through the revolving door of the Local Court. The dealers appear in court, are granted bail, and in no time are back out on the street peddling drugs again. That process generates frustration amongst police and produces an enormous amount of community anger. I have met with business association groups and members of the local chamber of commerce and attended various public meetings over this issue. People cannot understand how someone known to police as a drug dealer can be arrested in the morning and be back out on the streets in the afternoon dealing again in drugs.

The community is becoming cynical about the role of police, the power of courts and the penalties applied to those who profit from peddling drugs. This bill is an opportunity to close that loophole. It will restore faith in the judicial system not only among my constituents in Cabramatta but also people across New South Wales. The Drug Misuse and Trafficking Amendment (Ongoing Dealing) Bill is an opportunity to send a clear message that the Government is prepared to legislate to empower police to pick up drug dealers and deal with them appropriately. That will be an important reform. This legislation takes into account the operational requirements of law enforcement without impinging on the rights of law-abiding citizens. It is important because, as mentioned by the honourable member for Eastwood, it comes as a result of a recommendation of the Wood royal commission. Paragraph 2.3.3 in Volume II states:

The Commission accordingly recommends that consideration be given to amending the *Drug Misuse and Trafficking Act 1985* by creating an indictable offence of "engaging in commercial" supply to catch those instances where a person, who is obviously engaged in a regular business of supply, is presently able to minimise his or her criminality by holding and dealing in drugs in quantities less than the indictable or commercial quantity.

I am pleased that, when in opposition, the then Leader of the Opposition, Bob Carr, championed the royal commission and has set about putting its recommendations into effect. Law reform has promptly been introduced into this House. The bill provides the opportunity to obtain better value from our police and from the resources we spend on breaking the cycle of drug use, drug peddling and drug dependency. Police plan and engage in covert operations at quite considerable expense, but that work is impeded because higher penalties cannot be imposed. This bill delivers the law reform to support police in their work and to make better use of additional resources.

The Carr Labor Government has put more police on New South Wales streets than any previous State Government. It has made sure that

the 1998-99 police budget is a record one. I was pleased to hear the Treasurer announce today funding for 100 additional police. But those police will be hindered in their work unless they have appropriate powers at their disposal. The Government has indicated strongly that it is prepared to deal with drug law reform where it can. In 1996 the mandatory life sentences bill was introduced as an amendment to the Drug Misuse and Trafficking Act. That bill sent an important message to those caught supplying commercial quantities of drugs that they would suffer a 20-year penalty of imprisonment. The clear message was that profiting from peddling drugs and preying on the lonely, the young and the vulnerable meant a gaol sentence for a very long time.

The Government also dealt with those people trying to peddle drugs around schools by imposing an automatic additional five-year penalty for selling drugs on or near a school precinct. Of course, other legislation has been introduced to complement the laws relating to those activities that surround the illicit drug trade. I refer specifically to recently introduced tough legislation on pawnbrokers and second-hand dealers. The Drug Misuse and Trafficking Amendment (Ongoing Dealing) Bill amends the Drug Misuse and Trafficking Act to make it an indictable offence to supply any prohibited drug for financial or material reward on three or more separate occasions during a period of 30 days. The bill provides for a maximum sentence of 20 years imprisonment and substantial fines. Penalties under the present Act relate to quantities, and it has been demonstrated, certainly in my electorate and no doubt throughout New South Wales where there is a heroin problem, that existing legislation has been inadequate.

I take on board the comments of the honourable member for Eastwood when he complimented the Cabramatta police for their marvellous job, through Operation Puccini, in breaking the hold of drug dealers on Cabramatta streets. They have reported record arrests and certainly have made a significant improvement in street drug dealing that has been welcomed by the local community. This legislation will go further to empower police to prevent the same faces returning to the streets to sell drugs and it will alleviate anger within the local community. Recently police have undergone extensive consultation with local community members who threatened vigilante style action because of their dissatisfaction with the powers of the police and courts. That merely indicates a sad and dangerous state of affairs within the community. I am sure that Cabramatta residents will be pleased that this tough new legislation will ensure that Fairfield Local Court no longer has a revolving door and that the little drug dealers on the

street will not play cat-and-mouse games with the police for much longer. I commend the bill to the House.

Mr KINROSS (Gordon) [9.07 p.m.]: It was interesting to hear the comments of the honourable member for Cabramatta because she was one of those who dissented from the recommendation for safe injecting rooms, or shooting galleries. Yet, she says she is happy for this bill to exclude cannabis and include the 30-day rule for drug dealing, the two matters about which the Opposition spokesperson commented. The important issue, as the honourable member for Eastwood said, is the mutagenic effects of cannabis. I shall not refer to the detail of that, but a substantial body of research shows that use of cannabis, certainly on an ongoing and sustained basis, is of serious concern to health.

Mr Yeadon: They are health issues.

Mr KINROSS: All drugs are health issues. That is why the report of the committee that considered the use of safe injecting rooms, which the Minister for Health asked to be considered, supported the coalition's view. Indeed, the honourable member for Cronulla led the opposition to safe injecting rooms, or shooting galleries. It is almost unprecedented for members of the Labor Party to break ranks, but it has done so in relation to that report and in relation to this important legislation. It may be that some sanity will prevail in relation to including in this legislation a reference to the use of cannabis. Reference was made to the book *The Drug Precipice* by Athol Moffitt—who in 1986 also wrote a very interesting book entitled *A Quarter to Midnight*.

The honourable former judge is a constituent of mine and whilst the level of detail has not been provided to me that I believe has been provided to the honourable member for Eastwood, nevertheless I know that the judge holds his view very firmly and is concerned about the general use and proliferation of drugs in the community. I also take issue with the suggestion about increased police numbers. The honourable member for Eastwood clearly demonstrated that there are fewer police than the Carr Labor Government promised, even fewer than were in the Police Service in November last year. The Opposition has proved that Labor lied in relation to that issue. Most police officers would want cannabis included as a prohibited drug in this legislation, because of its prolific and widespread use by young people. As parliamentarians we have to be concerned about the use that the young are making of this drug generally.

On the Mike Gibson radio program this morning, a young man, whose name I cannot recall, said that on the north shore the softer drugs—such as Ecstasy and speed, trips I think they are called—are used, but that the hard stuff is generally used in the inner city. I regard those types of drugs as anything but soft. They are all hard drugs and they all affect one's mental state. Members of the public are concerned about the increased use of drugs in the community. The Opposition believes that the foreshadowed amendments will go a long way towards improving the situation if they include cannabis and exclude the 30-day rule. New section 25A of the Drug Misuse and Trafficking Act 1985 states:

(1) Offence provision

A person who, on 3 or more separate occasions during any period of 30 consecutive days, supplies a prohibited drug (other than cannabis) for financial or material reward is guilty of an offence.

The Opposition takes issue with the 30-day rule and the exclusion of cannabis. The term "supply" currently has an extended meaning under the Drug Misuse and Trafficking Act, and "sell" is also widely defined at present to include barter, exchange or dealing in, as well as any other act of supply so long as it is for financial or material reward. Late last year or early this year the honourable member for Eastwood flagged the inconsistency between the number of occasions on which drug dealing took place and the quantity involved. He highlighted that the number of occasions on which someone could be in possession of 30 grams of heroin and still fall below the trafficable quantity threshold was ripe for reform. The amendment foreshadowed by the honourable member for Eastwood should be supported by the Government. In relation to the issue of the satisfaction of the jury, new section 25A(3) states:

If, on the trial of a person for an offence under this section, more than 3 occasions of supplying a prohibited drug are relied on as evidence of commission of the offence, all the members of the jury must be satisfied as to the same 3 occasions in order to find the person guilty of the offence.

Although the wording is somewhat complicated, that provision needs to be read in the context of the other provisions, as well as in the context of the reforms to the legislation proposed by the Opposition. I will not traverse the double jeopardy provisions set out in detail in subsection (5) of new section 25A. The consequential amendments to the Confiscation of Proceeds of Crime Act 1989 and the Criminal Assets Recovery Act 1990 are also welcomed. Most people do not believe it is enough to simply impose a stiff sentence on offenders and lock them up. Given that financial gain is invariably

the motive for drug dealing, they also want the proceeds and profits of such crimes to be confiscated.

Any attempt to strengthen those provisions ought to be supported in order to ensure that the incentive, the motive, and the purpose for drug dealing are removed. Funds so recovered, if not placed in consolidated revenue, could potentially be available to the victims of crime. It is very clear that even if these reforms are included in the bill, drug dealing will continue and the victims of crime should have some recompense against the perpetrators of crime in the community. Item [1] of schedule 2.3 relates to the definition of "drug trafficking offence" in section 6(3) of the Act and inserts a new subsection as follows:

- (c1) section 25A (Offence of supplying prohibited drugs on an ongoing basis),

It is also important not to send mixed messages to the community in relation to drugs. The Minister for Health—indeed, health Ministers generally—always seek to encourage young people not to smoke. I well remember a commercial by the late Yul Brynner urging people, "Whatever you do, don't smoke." This legislation will certainly send a mixed message to people that it is not good to smoke but it is all right to possess or deal in cannabis. For that reason alone it is necessary to put in place not only an appropriate level of penalties, but also a good education program to warn children about the dangers of drug use and the possible effects on their bodies. I understand that some personal development courses in secondary schools instruct young people about drug use to a certain extent. That is an important issue.

I finish my contribution on a somewhat personal note—not personal to me but indeed relating to the Labor Party's leader. I should have thought this was an important issue that the Labor Party would consider carefully, because the Premier's brother died from use of drugs, and the drug involved was heroin. But cannabis was also an important drug in that process. I would have thought that the Premier, who is concerned about the use of drugs, would be sympathetic to the concerns of the Opposition about cannabis use generally and that he would be aware of the importance of the 30-day provision. It is important that the Government addresses the general concerns of the Opposition in relation to this matter.

Debate adjourned on motion by Ms Hall.

COASTAL PROTECTION AMENDMENT BILL (No 2)

Second Reading

Debate resumed from 20 May.

Mr DEBNAM (Vaucluse) [9.20 p.m.]: I am delighted to lead for the coalition on this bill. The Opposition will not oppose the bill but I should like to highlight the hypocrisy of the Carr Government and its stop-start implementation of its Clayton's coastal policy. The Coastal Protection Act dates back to the 1970s. Since that time a number of Labor governments have tried to amend the legislation. True to form, they have not lived up to their rhetoric. The bill amends the Act to support the priorities of the 1997 coastal policy by redefining the coastal zone, reconstituting the Coastal Council and requiring consideration to be given to the principles of ecologically sustainable development.

It is worth noting that the Coastal Council has generally served New South Wales well. However, there are some notable exceptions, such as the period after 1985 when the Premier, who was then planning Minister, failed to reappoint the council. To reinvigorate the council after the Premier's failure as planning Minister, the Greiner Government established the coastal committee in 1989. In 1991 Robert Webster, the responsible Minister, amended the Act to reconstitute the council and to better co-ordinate coastal protection. Unlike Labor, the coalition has been dedicated to real coastal protection.

A number of coalition members will speak in this debate. I wish to acknowledge especially the assistance of the honourable member for Coffs Harbour and the honourable member for South Coast, who, I am sure, will provide dynamic contributions. I acknowledge also the contribution of the honourable member for Ballina, who has served as a member of the Coastal Council for a number of years and has made a significant contribution to coastline protection. In November 1997 the Minister for Urban Affairs and Planning launched his coastal policy with fanfare, and the following was among its wonderful aspirations:

The policy, which is designed to guide coastal management into the next century, builds on the work of the 1990 coastal policy and the 1994 draft revised coastal policy and is the product of an extensive process of review and community participation.

After such superb consultation how could the Minister get it so wrong that after six months he had to pull the 1997 bill out of the House and introduce a new one? How could he and his fellow Ministers fail so regularly? I am reminded of the debate on the Companion Animals Bill last week. Why do the Minister and the Carr Government keep stumbling? Why does everything the Carr Government touches turn to mud? The answer lies in the fact that Labor governments believe only in rhetoric. They have no underlying passion for the issues or for delivering workable solutions. They are only interested in generating tomorrow's headlines.

Mr DEPUTY-SPEAKER: Order! Does the member intend to deal with the subject matter of the bill?

Mr DEBNAM: Yes, Mr Deputy-Speaker. The aim of the coastal policy is to provide for population growth and economic development without putting the natural, cultural and heritage values of the coastal environment at risk. They are admirable aspirations. The 1990 coastal policy was a response to the pressure at that time of large-scale tourist and residential developments that were sometimes proposed for inappropriate locations or were inappropriate in scale or form. Since that time new issues have emerged, including the need to consider the physical location of increased population and its absolute limits, as well as water quality issues. Another issue is the need to ensure better integration of government agencies and community organisations involved in coastal zone planning and management.

Honourable members would know from literature on this topic that more than 80 per cent of the New South Wales population lives along the coast. Between 1981 and 1991 the population in the non-metropolitan coastal areas of New South Wales increased by 45 per cent, compared with a statewide increase of 25 per cent. The 1997 coastal policy focuses the need to reconcile the current rapid population growth being experienced in coastal areas with the need to conserve ecosystems. The coastal policy document is well presented and I wish the Government was competent to live up to what it contains, but it is not. The Government is not competent to deliver workable coastal policy or to deliver a workable legislative program.

I return to the Minister for Urban Affairs and Planning, who introduced the Coastal Protection Amendment Bill in November 1997. As with many Carr Government bills, the legislation was introduced without adequate consultation with the people of New South Wales. Having launched the

bill in Parliament with much fanfare, the Carr Government was then embarrassed by an ongoing, six-month brawl between the Minister for Urban Affairs and Planning, the Minister for the Environment and various community groups. After much huffing and puffing and to-ing and fro-ing the Carr Government was forced into another embarrassing backdown, and the bill was redrafted.

The alterations exceeded the scope of the November 1997 bill, and the Carr Government was forced to withdraw that bill and the current bill was introduced in May. The net result was a six-month delay, further embarrassment, another backflip by the Carr Government and, most important, another broken promise. Let us look at the promises of the Minister for Urban Affairs and Planning. In 1995 he promised, in true Carr Government form, in an urgency debate that:

... this new coastal council will have real teeth, unlike the previous advisory body. It will report directly to the Parliament instead of the Minister for Urban Affairs and Planning, as is previously the case.

The bill does not create an independent body. The bill does not ensure the Coastal Council will report directly to Parliament. The Minister promised that he would ensure that the body would report directly to Parliament. However, the bill does not deliver on that promise. In the same debate the Minister promised:

We will be widening the definition in accordance with public opinion to include significant areas of the Sydney, Newcastle and Wollongong metropolitan areas. These changes will occur largely as a result of the work of the coastal committee during the previous two years.

Has the definition of the bill been widened to honour the Minister's promise in relation to Sydney, Wollongong or Newcastle? Not at all. The promises made by this Government and by the Minister cannot be believed. The bill does not honour the Minister's 1995 promises. He criticised the previous Government's efforts and then dramatically failed in his own efforts and failed to honour his promises. The Minister has condemned the previous Government for exactly what he has proposed; I am sure he cannot explain that hypocrisy. Over the years he has promised the world but has delivered a pebble.

The coalition supports the thrust of the bill. Coastal protection is important to the people of New South Wales and has been for some time, although over the past two decades the priorities have changed and undoubtedly they will continue to change in the future. As I said, the 1997 coastal policy statement provided some good guidelines for

the community. Everyone hopes that the Government will live up to them, but a number of members will speak about the difficulties with the bill as it affects their electorates. The coalition notes the hypocrisy of excluding some urban areas from the coastal policy, most notably the stretch of coastline from Newcastle to the Illawarra. That has been debated over the years and various proposals have been put forward to reduce that exclusion zone.

The Government has not moved on that issue, although the Minister has indicated previously that he would take a more sophisticated approach to the exclusion belt. Obviously he has found that to be a little too difficult in some of the Labor electorates in the exclusion zone. The coalition and the New South Wales community do not trust the Carr Government to get coastal protection right. The introduction of two bills on coastal protection in six months adds nothing to the Government's credibility. The decision for honourable members in this debate is whether they trust the Government to protect the coastline properly. It is worth commenting briefly on some of the past and present displays of Carr Government foreshore abuse. I stress that these are all-important to honourable members as they consider this bill, which is all about coastline or foreshore protection.

Some people have argued that this bill should be opposed because of the outrageous rort of ministerial power shown by Bob Carr three days prior to the 1988 State election. With only 10 months to go before the next State election, people should be rightly worried about what this Carr administration will do in its dying days. The Budget Speech, which was delivered today, demonstrated that the Government is clearly on the way out. The budget was an attempt at an election budget, and that facade will probably last for about 24 hours.

The community has to remember what happened when the current Premier was planning Minister and the previous Labor Government made a late attack on the New South Wales foreshore. With only months to go until the next State election in 1999, the coalition will not oppose this bill, but it will closely watch the actions of the Carr Government in its dying days. The Government, headed by the Premier, Bob Carr, has a sad history of abusing the coastline or of simply being inept.

Several coalition members will speak to the bill this evening and detail difficulties today and in the past, especially under the hand of the Premier when he was planning Minister. The community needs to be reminded that three days before the 1988 State election the Premier, who was then

caretaker planning Minister, signed off on the vandalism, or the first application for vandalism, of east Circular Quay, for reasons the community is yet to understand fully. Not only did he sign off on the outrageous east Circular Quay proposal which now stands a carbuncle on the face of this nation, but against all conventions former planning Minister Carr signed off on that building in the final caretaker days of the former Labor Government.

The outrage on east Circular Quay was executed during the caretaker period immediately preceding an election, when no major decision should be taken. The community will certainly never forgive Bob Carr's outrage on east Circular Quay. Even today the Carr Government has an opportunity to remedy the attack on the foreshore at east Circular Quay by actively pursuing a no-cost option for correction of the disgrace, but for some reason it chooses instead to play politics and try to make it a matter for the Federal Government.

It is not a matter for the Federal Government; it is a matter that lies at the feet of Premier Carr. The outrage at east Circular Quay is Bob Carr's albatross and it will hang around his neck, stinking. I encourage the Minister for Urban Affairs and Planning to do a little more in trying to seek a no-cost solution to the development at east Circular Quay. I encourage the Minister to take a more active role in seeking a no-cost solution to the east Circular Quay fiasco. Honourable members should remember that it was in response to the controversial control of the coastline by former planning Minister Carr in the final days of the Unsworth Government that the Greiner Government, a coalition Government, beefed up coastal protection policy.

Ms Hall: On a point of order. The honourable member is straying from the substance of the bill.

Mr ACTING-SPEAKER (Mr Mills): Order! The honourable member for Vacluse will confine himself to the leave of the bill.

Mr DEBNAM: As I noted a short while ago, the decision for honourable members on this bill is simply whether the Carr Government can be trusted on coastal protection. Abuses today and in the past are relevant. It is under the stewardship of the Carr Government that plans for high-rise units on the Newcastle foreshore are being forced through. The Carr Government is building its own Gold Coast on the Newcastle waterfront. The question of trust is integral to the question of whether honourable members should vote for the bill. Should we trust the Carr Government, a trust that is so often abused? It should be remembered that the Carr Government,

not content with destroying east Circular Quay and bringing Gold Coast high rise to Newcastle, is currently overseeing the proposed approval of a high-rise hotel on the fragile foreshore of Wollongong.

In classic Labor Party abuse of community trust, the Labor-controlled Wollongong City Council, under the watchful eye of the Carr Government, is moving to approve a high-rise hotel in a residential block at Wollongong which is only metres from a crumbling cliff face on the foreshore. The Labor Party wants to oversee the construction of a 12-storey hotel in a beautiful beachside residential precinct in which buildings are restricted to four storeys but which is currently largely comprised of single-storey dwellings—an example of blatantly outrageous planning by local and State Labor governments. Do honourable members remember the old Labor catchcry, "Trust us, we're from the Labor Party"? The Minister must be kidding!

The coalition will not oppose the bill but notes that it does not deliver on the Government's promises. It has very real problems in some areas, such as the widening of the coastal zone while maintaining questionable exclusion areas. Several coalition members will raise the impractical nature of some provisions of this bill as those provisions apply to their electorates and regions. The coalition will continue to remind the Government that the new council is not an independent advisory body with real teeth. Rather, it has gums and old gums at that. The bill simply does not deliver on the Government's rhetoric or on its promises.

Mr HARTCHER (Gosford) [9.36 p.m.]: I draw the attention of honourable members to schedule 1 of the bill. New section 4A(3)(e) states that the western boundary of the area to be included in the coastal zone is to "exclude the urban regions of Sydney, Newcastle, Illawarra and the Central Coast (extending from Newcastle in the north to Shellharbour in the south)". It is appropriate that the central coast be considered for coastal protection, whether it is to be considered in the context of this bill or in some other context. I would welcome some advice from the Minister and his department in that regard. The effect of urban development on the coast has been deleterious.

If the coast is to retain its natural beauty, it is important that there be the appropriate advice and, in instances, controls on coastal development—that is, in areas within the tidal waters of Brisbane Water and areas that run along the magnificent beaches so typical of the central coast. The issue of coastal protection arose in 1978 when legislation was passed as a result of homes being washed into the sea at Wamberal on the central coast. The devastation of

those homes led the Wran Government to consider action to protect coastal areas, which resulted in the Coastal Protection Act 1979. The central coast has always been an important consideration in coastal development, yet it is excluded under this bill. That is an important anomaly.

The House should be told the reason for that exclusion. Failure to protect coastal land on the central coast has serious implications. At this moment Gosford City Council is considering selling for townhouse development waterfront land at Brisbane Water which is used as a park, even though it is not designated as a park but is zoned 5A for special uses. I hope that the Gosford City Council will reconsider. If Gosford were part of the protected area under coastal protection legislation, the council in considering applications of that nature could have the benefit of advice and assistance from the department. Surely most members of this House and most members of the community would agree that it is no longer appropriate to offer waterfront land for commercial development especially when that waterfront land is already in public ownership.

One of the great problems of protecting the coastline is that over the years so much of it has been allowed to fall into private ownership and, accordingly, the cost of resumption is prohibitive. The land at Caroline Bay has been owned by Gosford City Council for many years; it was formally a sewerage works. It is now been rehabilitated as parkland and is used by the community. That land is in a magnificent location on the waterfront and yet the council is considering selling it for commercial development. That issue needs to be addressed. After all, coastal protection is not essentially a divisive issue between the political parties. Both political parties and all members of this House are conscious of the need to protect our beautiful coastline. As member for Gosford, I am especially conscious of the need to protect the beauty of the central coast. I hope that further consideration will be given at some time to ensure adequate coastal protection policies are in force to protect the Gosford area.

Debate adjourned on motion by Ms Hall.

LIQUOR AND REGISTERED CLUBS LEGISLATION AMENDMENT BILL

Second Reading

Debate resumed from 26 May.

Mr SLACK-SMITH (Barwon) [9.41 p.m.]: I have pleasure in leading for the Opposition on this bill. Indeed, I will be the only speaker for the Opposition on the bill. The Opposition supports the

bill, which varies the operation of Governor's licences with respect to the responsible serving and consumption of alcohol. A Governor's licence empowers the Governor to issue licences for the sale of liquor at railway refreshment rooms, on premises vested in the Crown or a public authority constituted by an Act, and in a canteen or at a construction camp or at works of a public nature.

I can remember when Burren Junction was at the junction of the railway line in my electorate. The railway refreshment room was a great point to meet friends and comrades; it was the focal point for the town of Burren Junction. One could not get a meal at the Burren Junction refreshment room but the great thing about it was that 29 different varieties of beer were available to drink. The bill ensures that an applicant for a Governor's licence meets the same requirements that are expected by the Licensing Court in respect of harm minimisation legislation. The objects of the bill are:

- (a) to vary the operation of Governor's licences with respect to responsible serving and consumption of alcohol, and to make further provision with respect to the termination of such licences, and
- (b) to allow nightclubs to stage alcohol-free entertainment for minors and . . .

That is important because minors in our community often have nothing to do. The bill allows a nightclub to provide alcohol-free entertainment. My ten-year-old daughter is a staunch fan of the Spice Girls. I am sure that if my daughter had an opportunity to see the Spice Girls she would be keen to do so, no matter where the venue was. The other objects of the bill are:

- (c) to make further provision with respect to transitional arrangements applying to the duty chargeable on profits derived from gaming machines kept in registered clubs during the duty period commencing on 1 December 1997, and
- (d) to re-enact certain provisions of the *Liquor Act 1982* and to make other amendments by way of statute law revision, and
- (e) to make other, minor amendments of an administrative character.

The bill also makes a consequential amendment to the Liquor and Registered Clubs Legislation Amendment Act 1997. The Opposition has consulted the Registered Clubs Association and the Australian Hotels Association. The Opposition does not oppose this bill. However, in the other place the Opposition will seek to amend new section 67(1)(a) to (f), which relate to complaints against close associates of licensees. That amendment will have the effect of

broadening the eligibility of complaints. In the other place the Opposition will propose an amendment that will alter the definition of "close associate" to include the Minister for Police. In this House the Opposition does not oppose the bill.

Mr FACE (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [9.45 p.m.], in reply: I thank the Opposition for its contribution to the debate. The amendments in the bill are important as they ensure that Governor's licences have the same responsible serving requirements as other liquor licences. When I became the Minister I found that many things had happened which certainly could not be attributed to any of my predecessors. As the honourable member for Barwon correctly stated Governor's licences originally applied to railway refreshment rooms. In years gone by Governor's licences were common. Refreshment rooms were a focal point. People used the trains to depart from towns such as Werris Creek. I remember going into Moree as a child on the way to the farm of family member which was located between Warialda and Delunga. Refreshment rooms were all over the place. Many people would not know where Kelly's Gully is; it is a little town that was the rail head for Warialda. The story goes that the railway should have gone through Warialda and ended up at Kelly's Gully.

Refreshment rooms were a important part of the fabric of society in the country, both in the years prior to the Second World War and after, but they have now outlived their useful purpose. The audit undertaken by my department revealed that those facilities no longer exist. If my memory serves me correctly the last one I had anything to do with was in Byron Bay. That was a rail refreshment room in name only; it was effectively an hotel. Some years ago I went there to see a fellow in the police citizens youth club movement who wanted see me about some building materials and other things.

I happened to be on leave at the time. I walked into the room with a friend of mine who was in charge of the police youth club at the time. We are both fairly large fellows and we pulled up in a blue station sedan out the front. They must have thought we were the local licensing police. The fellow offered us a couple of drinks and said he did not want any payment. We said, "You have got the wrong idea. We are just a couple of ordinary blokes wanting a beer." We told them who we were and by that time everybody had re-entered the bar because they thought we were about to knock the place off. Apparently the betting squad had been active there for a period of time.

Be that as it may, a sensible review of this Act was needed. In one case trustees unknowingly transferred the licence to a caterer who was operating in government premises, which is not permissible under a Governor's licence. This is not the final liquor and registered clubs legislation amendment bill that will come before the House. With the approach of the Olympic Games, other matters will need to be clarified. Whatever bill comes before Parliament I am determined to make certain that someone is made responsible. Clubs and hotels have to comply with the law and other bodies will not be given an easy ride just because they have a Governor's licence. This legislation will help a large public function that has applied for a sublease. That applicant has been informed that it will be given only a temporary licence and that at the end of the day someone will have to accept responsibility. The days of having a front person are long gone; that was quite rightly dealt with in an enforcement package following the royal commission into the Police Service.

Besides fixing up problems with Governor's licences, the bill offers nightclub licensees an opportunity to hold under-18 alcohol-free functions under specific authority issued by the Licensing Court. These authorisations will be subjected to stringent supervisory controls to ensure that minors attending alcohol-free functions cannot gain access to liquor. This provision is very much along the lines of legislation introduced with the best of intentions by the previous Government to allow hotels to hold minors' functions. Unfortunately, that legislation was flawed from the outset because it effectively closed down whole premises; and that was impractical. At that time I used the good example of the Novotel Northbeach in Wollongong, which has a defined ballroom and wanted to hold a minors' function with supervision. Yet the remainder of the hotel had to close down while that function was held. That stupid approach has been rectified by further legislation to assist junior functions.

The honourable member for Northern Tablelands referred me to the Sevens Brothers nightclub in the city of Armidale. At present such premises would not be able to hold a function but under this legislation it will be able to provide alcohol-free and tobacco-free entertainment, or a disco for minors. The bill provides for minor amendments in respect of function licences. Many hiccups with functional licences have been alleviated. Recently I wrote a letter to the editor of the Deniliquin *Pastoral Times*, which was under a complete misapprehension about the intentions of the legislation. I have given an assurance to the honourable member for Albury to clear up that

misapprehension. The police have a lot to answer for regarding the duress that occurred at the Holbrook picnic races. I assure the honourable member I will investigate that.

A range of statute law revisions and other amendments are proposed in the bill. The amendments are of interest to the community and have been agreed to by the Opposition. I thank the Opposition for that. These sensible reforms are part and parcel of the overall package of reforms that I have dealt with since becoming the Minister. The most recent was announced at the caterers awards, following which I proposed to put certain amendments about restaurants to Cabinet. Over time many problems were ignored and the Act needed to be rewritten. We needed to bring in licensing laws to enable people to enjoy themselves without the fear of some people being a nuisance, and to make certain that antisocial behaviour is controlled without being overregulated. I commend the bill to the House.

Motion agreed to.

Bill read a second time and passed through remaining stages.

PERIODIC DETENTION OF PRISONERS AMENDMENT BILL

Second Reading

Debate resumed from 26 May.

Mr COCHRAN (Monaro) [9.55 p.m.]: The Opposition will not oppose the bill. Given that a similar form of this legislation was introduced by the former shadow minister for corrective services, the honourable member for Lane Cove, and pursued by myself and by the Minister, I am pleased that he has seen fit to further modify the Periodic Detention of Prisoners Act to provide for the tightening of criteria used to determine suitability under the program. I am grateful for the support of the backbench chairman, the honourable member for Burrinjuck, and the committee for their consideration of three bills, and also for the support of the honourable member for Lane Cove.

New section 5(7) provides for the making of regulations to prescribe factors which must be taken into account when a probation and parole officer prepares a report to assist the court in deciding whether an offender is suitable for periodic detention. In addition, the offender must take responsibility for compliance with all requirements of periodic detention and sign a legal undertaking.

At first I was a little apprehensive whether that would be effective. However, should the offender read and understand his obligations for compliance with the order, there is little excuse for not complying. The bill seeks to address problems which have arisen in compliance with periodic detention orders. To that extent I support the proposal. The bill removes any doubt that a court must sentence a person to prison before it considers whether to make a periodic detention order.

New subsection 5(1A) provides that should periodic detention fail the offender will face full-time custody for the entire term of the sentence. This subsection strengthens the Act and gives credence to the further effectiveness of periodic detention and will enhance existing law. In addition the bill eliminates the delay which presently occurs once breach action against a detainee has been commenced by removing the cancellation process from the courts and placing it with the Parole Board. It was patently obvious that delays which were occurring were not providing the prison system with the opportunity to process the necessary action through the courts in a reasonable time.

The Parole Board will now be able to facilitate that in a far better way. I give credit to the Minister for identifying that problem, about which the honourable member for Lane Cove will speak. Penalties for non-attendance have been tripled. The bill enables a more rigorous scrutiny of claims for leave on medical grounds. The former bill had an obvious failing whereby detainees were taking sickies and using well-known doctors who were sympathetic to their cause to provide the necessary medical certificates to indicate that they were ineligible to keep their obligations under the order.

To that end, I shall defer to the honourable member for Lane Cove to enable her to make additional remarks. The Opposition will not oppose this bill as it is good legislation that reinforces the intention of the Periodic Detention of Prisoners Act. The bill provides the Department of Corrective Services with the power to take action against those who fail to comply with obligations under periodic detention orders. The Opposition believes that the legislation will enhance the general effectiveness and efficiency of the Department of Corrective Services and of periodic detention.

Mrs CHIKAROVSKI (Lane Cove) [10.00 p.m.]: I echo the words of the honourable member for Monaro and note that the Opposition will not be opposing this bill. More importantly—and this is not something I have done often in relation to the Minister for Corrective Services—I congratulate the

Minister on introducing this bill and on having the good sense to adopt the views of the Opposition about periodic detention. The Minister will recall that last year the periodic detention system fell into much disrepute, simply because it was being abused by the people who were attending or not attending periodic detention, whichever was the case. The Opposition recognises that periodic detention was always meant to be a serious form of detention for prisoners; it was not meant to be an easy alternative.

However, last year it had turned into an easy alternative in the eyes of the community and in reality. Offenders were failing to turn up for periodic detention; they were giving paltry excuses, often months after failing to attend periodic detention; and they were abusing the system in many other ways. The *Daily Telegraph* had a field day with front-page stories about people holidaying in Queensland or going sailing instead of attending periodic detention. In some cases people did not bother to attend periodic detention at all, failing to comply with all periodic detention orders. Those who breached their orders in that way should have been arrested immediately and incarcerated. The concerns of the community prompted the Opposition to bring forward a bill to toughen up periodic detention. I recognise that in this bill the Government has amended the provisions of the Act to toughen up periodic detention as demanded by the community.

New section 5(7) provides for regulations to prescribe factors which must be taken into account in the preparation of a report to assist the court in deciding whether an offender is suitable for periodic detention. The Minister in his second reading speech listed a number of factors which he anticipated will be included in the regulations, including the fact that an offender has a major drug or alcohol problem, whether an offender has a major psychiatric problem, whether an offender has a medical problem that would preclude him from attending periodic detention, whether the nature of an offender's employment or other personal circumstances would make regular attendance at periodic detention impractical, and, lastly, whether an offender has a serious criminal record. I would have thought that last question, whether an offender has a serious criminal record, would be the top priority in the list of considerations.

I am disappointed that the Minister has chosen to include the question whether an offender has a serious criminal record in the regulations but not in the substance of the bill. I say that because people in the community are greatly concerned that offenders being sentenced to periodic detention are unsuitable

as they have a serious criminal record. The Minister will recall that last year the Opposition proposed that people with serious criminal records should not be entitled to periodic detention. I reiterate my view that people who have been convicted of serious crimes should not be entitled to the privilege of periodic detention because they are not suitable by right. Their previous behaviour indicates that they are not suitable for periodic detention. I ask the Minister to consider a further amendment either in this bill or in another bill to include that qualification.

The question of revocation of a periodic detention order received much publicity last year. The community is greatly concerned that people can flagrantly breach periodic detention orders. It is concerned that the department fails to act when people fail to attend, on several occasions in some cases. The department argued that the court process was too time consuming and that was one reason it was unable to act quickly. I congratulate the Minister on transferring the decision to revoke a periodic detention order from the courts to the Parole Board.

In some circumstances a period of 10 days from the date of an application will be too long. I note that the Minister in his second reading speech said that the board will have the capacity to process urgent applications much more quickly. I should like the Minister to give an assurance that such an application will be able to be processed within 24 hours of an offender failing to appear. If the department is to continue to maintain people with serious criminal records in periodic detention the community needs to know that those who fail to appear and breach their periodic detention orders will be dealt with quickly and will not have the opportunity to be involved in horrendous or other crimes.

I ask the Minister for an assurance that the department will immediately notify the Parole Board when an offender has failed to appear for periodic detention, that the department will be in a position to assess whether an urgent application needs to be made to the Parole Board, and that the Parole Board will be properly resourced and able to be convened quickly to process such an application. Without going into detail, I remind the Minister of concerns about some of those who failed to appear last year and the fact that those failures to appear had certain consequences. I am concerned about the provisions relating to applications for formal leave after the event. The Minister rightly pointed out that in some instances people applied for leave months after they had failed to appear.

Indeed, I understand that the young man who went to Queensland was not incarcerated as a result of the department's application for revocation of his periodic detention order, because at the time of the court hearing he applied for a leave of absence which should have counted as one of the three absences that would have led to revocation of his PDO. However, the court accepted that it was an application for leave. The application for leave was made some months after the event. I ask the department to scrutinise enforcement of the seven-day period provision to ensure that it is noted on a person's record that he or she has failed to apply for leave within seven days, that it is made clear to the person that he or she is already in breach when an application for leave is made after the event, and that that should be taken into account when the department considers whether the person should be allowed to continue as a periodic detainee.

I should like the Minister to clarify the provisions relating to concurrent sentences. I understand that time spent in a correctional centre by a detainee will be taken to be served as a detention period. Does that mean that that period is served concurrently with any other period imposed by the court, or will an additional period be served to equate with the time that the person would have been in custody under a periodic detention order? If the sentence is to be served concurrently, why will they have they been let off so lightly? It would be appropriate to extend the sentence the person may be serving after such a sentence has been imposed by the court. It is clear that those sentences would have been served as additional sentences had they gone back to court. However, it is not entirely clear whether they will be allowed to be served concurrently.

On previous occasions the Minister accused me of being too tough. On several occasions in this House he accused me of being a lock them up and throw away the key type of person. I am pleased that my attitude to sentencing has rubbed off on the Minister and that he has decided to put steel into his spine by implementing policies that the community readily expects in the periodic detention system. The Minister made it clear that under this bill, and through its amendments, periodic detainees will enjoy less leniency, as should be the case, and that those who abuse the system will not be allowed to get away with it. I commend the Minister for taking on board the advice of the Opposition and the Leader of the Opposition and the commitment of the Opposition to ensure that in this State law and order is not just about rhetoric; rather, it is about reality and that the talk about being tough on crime is

matched by action. Like the Opposition's position, the Government has decided to do something that makes the rhetoric a reality. I support the bill.

Mr DEBUS (Blue Mountains—Minister for Energy, Minister for Tourism, Minister for Corrective Services, Minister for Emergency Services, and Minister Assisting the Premier on the Arts) [10.11 p.m.], in reply: I thank Opposition members for their contributions, but I feel obliged to point out that notwithstanding the considerable egotism displayed by the honourable member for Lane Cove and her assumption that somehow this bill is all to do with her, the fact is that this bill is part of an easily identifiable ongoing renovation process of the periodic detention system that has been present throughout my term as Minister for Corrective Services. I introduced legislation that involved fingerprinting and photographing of detainees to stamp out fraud and substitution within the system. I trebled the penalty that a court could impose for non-attendance at periodic detention centres. I introduced new rules for medical certificates that made it possible for the periodic detention administration to insist that a detainee visit a government medical officer if it suspected that a detainee was getting medical certificates as an easy excuse to avoid attendance.

Just as important and even more important under my administration was a sustained and successful effort to overcome longstanding administration problems within the periodic detention system. Since the introduction of new legislation last year the review process has been continual and has regularly involved departmental officers. Indeed, I have spoken to judges and magistrates across the State. A senior governor within the Department of Corrective Services was given the project of scrutinising and reviewing the internal administration of the system, and a report was completed on 30 October. A new administrative structure for the periodic detention program was implemented. A new computer system was developed that can automatically record a breach for detainees who fail to attend to serve their period of detention.

The computer system has been available only for the last six months, but it is crucially important to the effective administration of the system. Regardless of which centre the detainee must attend, if there is a failure to attend, the computer records a breach on the following Friday or Monday morning. Importantly, the Judicial Commission is presently working in co-operation with the Department of Corrective Services on a review of the sentencing principles that underline the system. In order that I

may respond completely to the low-key but nevertheless ill-directed criticisms of the Opposition—

Mr Hazzard: Do you want me back as the shadow minister?

Mr DEBUS: I would like to have you back. Only 420 breach notices were issued to detainees in the final year of the previous Government. This shows that people hardly bothered to administer the system. The rate of breaches of periodic detention has remained about the same for the last decade. In 1996-97 under my administration three times as many breach notices were issued. A breach is not an automatic consequence of a notice, but the number of notices issued is a good measure of the degree of stringency with which the system is being administered. However, in the spirit of the beatific co-operation with which the Opposition has conducted the debate, I shall respond to those issues raised by the honourable member for Lane Cove. She asked whether it was appropriate that people who had committed previous criminal offences should be excluded from periodic detention.

Mrs Chikarovski: Serious offences.

Mr DEBUS: The honourable member for Lane Cove says serious offences. Of course, that raises the problem. Obvious issues of definition immediately arise when speaking of serious offences.

Mrs Chikarovski: Parliamentary Counsel resolved that issue.

Mr DEBUS: The legal advice is that the definition of seriousness can become a matter of litigation. That issue has already arisen with home detention. Is it a serious offence to attempt a particular crime? Is it a serious offence to be part of a conspiracy to attempt a particular crime? Should convictions for an attempted crime or for a conspiracy to attempt a particular crime be excluded? The definition presents an endless range of possibilities. It is better not to unduly fetter the judicial discretion in that respect. It is not sensible to spend much time worrying at the legislative level about the definition of serious crime. I do wish that the honourable member for Wakehurst could remain as shadow minister. Clearly he agrees with the obvious good sense of this proposition.

The honourable member for Lane Cove asked about the degree of urgency with which the periodic detention administration could respond in particular circumstances of acknowledged urgency. The Parole

Board, which will have responsibility for hearing proceedings that may lead to a breach of a periodic detention order, quite often has demonstrated its ability to respond urgently in the case of a parole revocation or, in more recent times, in the case of a breach of a home detention order.

Procedures to revoke a periodic detention order and to notify police can be conducted in a virtually instantaneous fashion. A warrant can be issued and the police asked to enforce that warrant in the time it would take someone to make a telephone call and fill in a form. This bill removes any tendency, indeed the acknowledged tendency that presently exists, for legal representatives of people who have been charged with a breach of a periodic detention order to obtain endless court adjournments and deferrals while particular aspects of law are argued. The honourable member for Lane Cove asked some questions about concurrent sentences. It would be grossly unfair if a periodic detainee was arrested for an alleged offence and held in remand for, say, three months, and then the case was dismissed.

During that three months the detainee would not have been able to attend periodic detention and would not have been at liberty in the community, but would nevertheless be unable to count the time served as time off his or her sentence of periodic detention. It would also be unfair if a periodic detainee was given a full-time sentence for a further offence and, at the end of the term of full-time imprisonment, had to resume periodic detention attendance and complete the amount of time that had already been spent in full-time imprisonment. This provision is simply in line with other situations where time in custody counts towards fulfilment of a sentence. The present legislation does nothing at all to change that general principle of sentencing which applies across a variety of sentencing alternatives. Once again I thank honourable members for their contributions and I commend the bill to the House.

Motion agreed to.

Bill read a second time and passed through remaining stages.

BUSINESS OF THE HOUSE

Extension of Sitting

Motion by Mr Debus agreed to:

That the sitting be extended beyond 10.30 p.m.

POLICE SERVICE AMENDMENT (ALCOHOL AND DRUG TESTING) BILL

Second Reading

Debate resumed from 27 May.

Mr TINK (Eastwood) [10.24 p.m.]: The Opposition supports the bill, the object of which is to amend section 211A of the Police Service Act to provide testing of police officers who have been involved whilst on duty in an incident in which a person has been killed or seriously injured as a result of a police motor vehicle pursuit or police shooting, or in which a person has been killed while in police custody, to ascertain whether those officers were affected by alcohol or prohibited drugs. This legislation comes about as a result of recommendations by the State Coroner, Derrick Hand, following the shooting of Ron Levi last year at Bondi. The legislation has the support of the Police Association. I have spoken to Greg Chilvers about it and he has indicated his support. The Opposition supports the bill.

Mr DEBUS (Blue Mountains—Minister for Energy, Minister for Tourism, Minister for Corrective Services, Minister for Emergency Services, and Minister Assisting the Premier on the Arts) [10.25 p.m.], in reply: I thank the honourable member for Eastwood for his splendid contribution to the debate and I commend the bill to the House.

Motion agreed to.

Bill read a second time and passed through remaining stages.

BUSINESS OF THE HOUSE

Order of Business

Motion by Mr Debus agreed to:

That standing and sessional orders be suspended to allow the resumption of the adjourned debate on the Coastal Protection Amendment Bill (No 2)

COASTAL PROTECTION AMENDMENT BILL (No 2)

Second Reading

Debate resumed from an earlier hour.

Mr ELLIS (South Coast) [10.27 p.m.]: In the interests of my electorate, and the coastline of New South Wales, I am obliged to make some comments in regard to the amending legislation. I will begin by

referring to the original legislation, to bring the House up to scratch with what it will do to my electorate, let alone what it will do to the State. A recent newspaper article referring to the Deputy Mayor of the Shoalhaven City Council, Greg Watson, stated:

Cr Greg Watson said the Act puts Shoalhaven in a straight jacket, and likened it to using a sledge hammer to smash a peanut.

"It is also discriminatory, I'd like to know why this policy does not apply to the coastline from Shellharbour right up to Newcastle, this area has been exempted," he said.

I will go back to that matter a little later. The Planning Services Manager of the council, Ernie Royston, is concerned that many of the requirements of the Act are already part of the Shoalhaven City Council's policy. He stated:

However, my concern is that both council officers and state government bureaucrats take a reasonable approach to the legislation.

That is a matter of concern to the people of Shoalhaven because the number of bills, particularly environmental bills, that have been put in place to protect the environment is strangling them: layer upon layer of legislation. The Government is not doing anything to help people to work through the maze and be aware of what they can and cannot do. The newspaper article continued:

Development Services Manager, Tim Fletcher said the legislation will just add another layer to the already complicated system of checks and balances.

He cited the recent Threatened Species Legislation, and the Environment Protection Act, along with various local and regional plans.

The article continued:

Cr Trevor Kilner also referring to the coastal policy bill said that the map of the affected area in Shoalhaven has a gross anomaly.

"It even includes half of Kinghorne Street, which is half in and half out," he said.

For the information of members who are not aware, Kinghorne Street is the main street of Nowra, and Shoalhaven is a city—Shoalhaven City. Prior to these changes the Act covered half the township and the central business district of Nowra. I would like to know what advice the Government is receiving about this legislation and any other environmental legislation. The people in townships affected by the legislation are also entitled to know of the effects of it. The towns in my area affected by the extension of this legislative policy are: Shoalhaven Heads,

Coolangatta, Bomaderry, Nowra, Terara, Greenwell Point, Crookhaven, Culburra Beach, Callala Bay, Callala Beach, Currarong, Huskisson, Woollamia, Vincentia, Hyams Beach, Jervis Bay, Erowal Bay, Sanctuary Point, St George's Basin, Basin View, Wandandian, Sussex Inlet, Swanhaven, Cudmirrah, Bendalong, Manyana, Fishermans Paradise, Berrara, Lake Conjola, Yatte Yattah, Narrawallee, Milton, Ulladulla, Burrill Lake, Tabourie Lake, Termeil, Bawley Point and Kioloa. I am sure all honourable members will agree that these towns need to be protected and should not be built out and turned into another Surfers Paradise. My constituents and I are of that view.

The bill will have an effect on 90 per cent of the residents of the Shoalhaven. No mention is made in this bill, or in any other bill that I have been reading, of the social and economic impact this type of legislation has on the communities. This legislation would have more credibility if the Government realised the effect it has on the Shoalhaven. The Sydney Cove Redevelopment Authority Amendment Bill acknowledges the different authorities involved in that measure. The Government has had to introduce the Sydney Cove Redevelopment Authority Amendment Bill because at least 15 authorities have a management role in the harbour, and more than 20 separate Acts or regulations determine what can and cannot be done on the waterfront.

The Shoalhaven is in a similar position, as more Government authorities are involved in that area than in the Sydney Cove region. Three years ago when the Premier came to the Shoalhaven I spoke to him in the council chambers and drew his attention to the fact that at least 16 statutory and government bodies had to be consulted with regard to anything to be done in the Jervis Bay area. I put my concerns in a letter that I gave the Premier. This bill will introduce another layer of legislation. Since the time I spoke to the Premier State environmental planning policy 46 has been gazetted, as has the threatened species legislation and legislation regarding habitat and vegetation corridors.

There is overlay upon overlay of environmental legislation that affects the Shoalhaven. The Government has a responsibility to provide advice on how to work through this red tape when a developer proposes that a development take place in the Shoalhaven. It is a maze of red tape. This region is being unfairly targeted by this Government. I say that because of the bill currently before the House. I draw attention to new section 4A(3)(e) as set out in schedule 1 to the bill, which specifies the principles that apply to the determination of the boundary:

the boundary is to exclude the urban regions of Sydney, Newcastle, Illawarra, and the Central Coast (extending from Newcastle in the north to Shellharbour in the south).

If that is not discriminatory, I do not know what is. Does it mean that the coastal and beach areas of Bulli are of no concern to this Government? Does it mean that my colleague the honourable member for Gosford, who is green through and through—

Mr Chappell: What about me?

Mr ELLIS: You do not have a coastal area like this. It must be like Tempe tip or something, because it is excluded from the provisions of this bill. Everyone, including the Minister for Urban Affairs and Planning, knows that the central coast needs protection. It is being used so much that the Government needs to protect it. Why is the central coast not included? Why are Bulli and Thirroul not included? Why is Broken Bay not included in the bill? The Entrance is not included. Could it be, with one or two exceptions, that the seats affected are held by the coalition and the rest by Labor? Could it be that the Government does not want to upset the constituents of Labor members with the social and economic impact of these developments? The Shoalhaven community is affected by this legislation.

The community and I want to protect the environment of the Shoalhaven. If we do not, we will not attract the people we need for economic survival. But the Government must explain to the community how to work through all the legislation that has been put in place. No-one has any option but to say the bill is discriminatory because it excludes Sydney, Newcastle, Illawarra and the central coast, and it does not explain why that is being done. Again, the legislation does not address whether there will be any social and economic impact or how a council is to overcome the problems the bill creates. Every council officer to whom I referred—the town planner, the services manager, the deputy mayor, and Councillor Trevor Kilner—want to protect the Shoalhaven. They need support of departments, not necessarily financial, to help them work their way through the legislation so that they can provide for the children of that area.

At present 12,000 children attend schools in the Shoalhaven, and many more are waiting to come into the schools. Many other young residents have left school. Youth unemployment in the Shoalhaven is more than 30 per cent; overall unemployment is about 19 per cent. Without any assistance from the Government this legislation is a red tape minefield. I ask the Government to heed to what I have said, to make contact with the council and me, and advise us

how we can get through all this legislation it has put forward.

The Government has acknowledged the situation in other areas. Again I refer to the Sydney Cove redevelopment legislation, in which the Government recognised that 15 authorities and 20 separate Acts and regulations are involved. People in the Shoalhaven are in the same situation. For this bill to have any credibility it should include the whole of the coastal strip of New South Wales, not only a portion of it. I cannot understand how the Government can have a coastal protection policy when one-third of the coastline has been excluded from the provisions of the legislation.

Mrs CHIKAROVSKI (Lane Cove) [10.38 p.m.]: I confirm the words of my colleague the honourable member for South Coast that the Opposition will not oppose the bill. However, the bill is reasonably typical of this Government in that it has taken a long time to get here. The bill has taken much more time than, I expect, even the Minister for Urban Affairs and Planning thought it would take to be introduced. I remind honourable members that on 25 May 1995 the Minister for Urban Affairs and Planning, speaking on an urgency motion, talked about the need for this bill. He said that the Labor Government recognised that this was a matter of great urgency for the State of New South Wales. Three years later honourable members finally get the bill. I would hate to think how long this Minister would take to introduce a bill to this House if it was not urgent. Of course, that will not happen, because if it is not urgent it would take until next year, and everyone knows what is going to happen next year. They will not be here anyway, so we will not have to worry about it.

The Minister told the House that the new Coastal Council would have "real teeth". I am not too sure what the bill does to give the council real teeth, because, so far as I understand the bill, it does not give the council any more powers than the previous Coastal Council had under the administration of the coalition Government. Three years on and, as the honourable member for Wakehurst said, the council has dentures; no real teeth. The Minister spoke about the need to ensure very broad protection for the coast. Other honourable members who spoke in the debate—and I refer in particular to the honourable member for The Entrance—said that the legislation would protect The Entrance and the central coast. It was said that coastal protection was "particularly important to the central coast, which is surrounded by water on three sides".

Government members said that it was important to have a bill that would protect the central coast, yet the central coast is excluded from the provisions of the bill. The bill excludes all the coast from Newcastle to Wollongong. The area that is probably the most difficult in terms of coastal protection is outside the ambit of the bill; the bill does not protect the very part of the coast that needs it the most, because according to the Minister's second reading speech there are plenty of planning policies to protect that part of the coast. The Government told the House that this legislation was urgent, so honourable members expected a bill that would protect the whole of the coastline, not only selected parts of it. On 25 May 1995 the Minister said that this legislation was urgent—about three years to the day before this bill was finally introduced.

I understand that the Minister has consulted on this legislation. Honourable members may well recall that the legislation was introduced, withdrawn and then re-introduced. I understand that was because of the consultation period, which involved several groups including members of the environmental movement. The environmental movement has recognised that the bill has some limitations but is supportive of it. I ask the Minister to assure the House that a number of the concerns of environmental groups that have not been addressed in the bill—which, as I have said, does not do a great deal for protection of the coast—will be considered by the new council and that the new council will make recommendations to the Minister as to some of the protections required for the coast.

I accept that the Minister for Urban Affairs and Planning is a Minister of goodwill. Today honourable members were made aware that he is a Minister who does not like to be trifled with. The Opposition understands that he is also a Minister who maintains his commitments—it might take him a while to resolve his commitments, but he will come good on them. It is my understanding that several concerns raised by environmental groups will be addressed. Of course, that will not be done by this Minister but by a Minister under a new coalition government—it might be me, the honourable member for Ballina, the honourable member for Vacluse or some other coalition member who is particularly concerned about coastal protection—but it will probably be the honourable member for Vacluse. Opposition members recognise that coastal protection is a vital issue, and it is an issue about which we are all concerned.

Opposition members thank the Minister for finally bringing the bill before the House. We ask

that in future the Minister introduce urgent legislation more quickly than he has done in this instance. We urge the Minister to address as a matter of urgency matters raised by the environmental movement. It should not take another three years for those matters to be resolved. It is important that coastal protection, a matter of concern to honourable members on both sides of the House, be addressed appropriately, as a serious matter. I commend the bill to the House.

Ms HALL (Swansea) [10.45 p.m.]: I support the bill. Coastal protection is a very important issue in the Swansea electorate and it is dear to my heart. Swansea is a coastal electorate, situated between Lake Macquarie and the Pacific Ocean. The coastal environment of my electorate is very fragile, as is all coastline. The coast in the area needs protection. This bill does not cover the coast from the Hunter to Wollongong. I draw to the attention of Opposition members, however, the fact that the draft coastal policy for which the coalition was responsible also did not cover that area and was not intended to provide any protection for the area. Although the bill does not cover the region about which I am so concerned, there is certainly other legislation that provides protection to the coastal area of Swansea, the Hunter and the central coast.

The Minister has given me his undertaking that the coastal portions of Swansea, the Hunter and the central coast, about which I am most concerned, will have the strongest laws applied to it and that no permission will be given for development in that area if it contravenes coastal policy. In my inaugural speech in this House I talked about an area in the Swansea electorate known as Pinny Beach. The previous Government agreed to a local environmental plan that permitted draconian development in that area. Earlier in the debate the honourable member for Vacluse spoke about a hotel built on a cliff. Believe it or not, the previous Government gave permission for a hotel to be built on the cliff at Pinny Beach. It was supported by a local independently controlled council, the mayor of which was a former member for Swansea, Ivan Welsh, before the people of Swansea had the good sense, after one term, to realise that he was not fit to represent the area. That person stood as a Liberal candidate in a subsequent election for the electorate of Charlestown.

The mayor and the council to which I have referred refused to commission an environmental study of the area. When the council was replaced by a more environmentally sensitive council, a council that cared about coastal protection, an environmental study was completed, which showed that there

should be no development in that area. Four thousand houses had been planned for the area, a site of pristine coastal heath and of coastal headlands with sweeping views, various fauna and flora and littoral rainforests. Under any scenario that area was in need of protection. The Greiner Government gave approval for that draconian development. The council approved the placement of marinas in sensitive areas as part of the development. All in all it was a bad thing for the area.

Caves Beach is a short distance from Swansea, which is where Pinny Beach is situated, and it has sweeping views back to Newcastle and would link in well with the coastal park that should be established in that area. The area should not be approved for development. The previous Government sought to turn the area into a concrete jungle with industrial development, highly invasive tourist development and dense residential development, all of which would have been appalling. Another development is planned for an area in Redhead-Belmont called Belmont Sands on land owned by BHP.

The local council once again has Independent and Liberal members who support residential development in environmentally sensitive areas. The area at Redhead-Belmont has been mined by BHP and is part of a unique wetlands system. I am sure the Opposition would allow development to take place there, and that is why we need strict controls on coastal development. A coastal park should be formed at Pinny Beach, and that park could link into the Glenrock area to ensure no inappropriate coastal development. Once that area is developed it will never be a park. It is special and it is uniquely linked into the Hunter, the central coast and Lake Macquarie.

Members must ensure that the coast is protected and that developments such as those approved by the previous Government are not approved. Such approvals will lead to the loss of our most valuable asset, our environment. The environment should be protected and the members of this House must make sure that the coastal area of this State is protected. I congratulate the Minister. As a councillor on Lake Macquarie City Council I tried to deal with the previous Minister through the council. The council wrote letter after letter but the Government rejected any appeals that the council made to protect the environment.

After the present Minister was sworn in, he immediately accepted the ideas that were put to him. I could appreciate that he was a person who was

sympathetic to the preservation of the environment and was keen to have our coastal area protected. I have approached the Minister about the Pinny Beach area. He strongly supports the preservation of the area. He has refused to allow extensive development in the area and has imposed a limit on the number of houses to be built there. Instead of being ruined, degraded and destroyed this most special area will now be protected. Any development will have to pass the eyes and the pen of the Minister. I am confident that the Minister will take into account the sensitive nature of the area and that no development will take place that will contravene policy. The State will benefit greatly from the expansion of the coastal council and from the legislation as a whole. I commend the legislation to the House.

Debate adjourned on motion by Mr D. L. Page.

LEGAL PROFESSION AMENDMENT (COSTS ASSESSMENT) BILL

Second Reading

Debate resumed from 26 May.

Mr KINROSS (Gordon) [10.57 p.m.]: At the outset I should note that I am concerned about the order of legislation on the program. I was told by the Minister's advisor that this matter would not be called on tonight. The Attorney General has discussed with the shadow attorney in another place the amendment which has been flagged following from the Law Society's recommendation. New section 196(1)(a1) provides:

- (a1) fixing fair and reasonable costs for legal services in any motor vehicle accident matter,

I was led to believe the Attorney General had reached an agreement with the shadow minister in another place that this provision would not proceed until the Legislative Council Standing Committee on Law and Justice reviewed the regulation. The committee was already in the middle of an inquiry into costs in connection with legal matters, specifically motor accident matters. It had commissioned a review by the Justice Research Centre of this issue. The centre was originally scheduled to produce its report in May and is now in the final stages of putting forward its proposal.

As I understand it, the major role of the committee on this issue will be to examine a range of factors as to why the costs of the motor vehicle accidents scheme have escalated. It will examine all the factors, some of which may be far more

significant than legal costs. Costs other than legal costs contribute equally, if not more so, to the escalating cost of the motor vehicle accidents scheme. The Standing Committee on Law and Justice is chaired by the Hon. B. H. Vaughan, who, I believe, is happy with the amendment. I am not sure why the Government is proceeding with this important bill. We are so near and yet so far. The Justice Research Centre that was independently commissioned by the Standing Committee on Law and Justice to examine this issue in detail is close to delivering its findings. The Attorney General was invited to release the report when it was scheduled to occur in May. He may now launch that report towards the end of the month.

In regional New South Wales there are concerns about the impact of any system of regulation, as the Minister for Police would know from his days as a solicitor practising in bread and butter matters. Members on this side of the House are reluctant to let Big Brother step in to control costs. Sometimes there are political reasons for inserting provisions that allow some regulation of legal costs. The bill is designed to cover a range of matters which I will not repeat as they are set out in objects (a) to (e) of the bill—and it is object (b) that we object to.

I ask the Minister for Police to reply to the concerns of the Opposition about the pending issue of a report by the Standing Committee on Law and Justice, on which Government members have a majority, based on the report of the Justice Research Centre and after input from the Law Society of New South Wales. After all, the Minister has always relied on the Law Society to provide briefing notes in relation to the matters he dealt with when he was Opposition spokesman on legal matters. With that reservation the Opposition does not oppose the bill.

Mr KERR (Cronulla) [11.03 p.m.]: This important bill is of concern to the legal profession and the honourable member for Port Macquarie is anxious to speak in the debate. The objects of the bill are to amend the Legal Profession Act, and are stated as:

- (a) to remove the requirement that the remuneration of costs assessors be funded from the Statutory Interest Account and that fees and other payments received in relation to a costs assessment be paid to the Statutory Interest Account, and
- (b) to allow regulations to be made under that Act to fix the costs payable for legal services in connection with any motor vehicle accident matter, and

- (c) to allow the proper officer of the Supreme Court to postpone or refund a fee payable under that Act in connection with an application for costs assessment.

The cost of green slips has been of great concern to the community. It should be pointed out that the previous Government privatised the GIO and allowed the private sector into the insurance market. If that had not been done the State would be liable for millions of dollars in unfunded liabilities. The budget delivered today would not have been possible because the State would have faced an immense black hole. Experience has shown that what happened after the deregulation of legal fees did not equate with what happened after there was a reduction in conveyancing costs. The Standing Committee on Law and Justice is examining this procedure. It is my understanding that that committee is looking to the Law Society of New South Wales for a determination of this issue. The legislation may be a little too hurried. It should perhaps have been delayed until the committee reported to Parliament.

Mr OAKESHOTT (Port Macquarie) [11.05 p.m.]: It gives me pleasure to speak on the Legal Professional Amendment (Costs Assessment) Bill. The objects of the bill are:

- (a) to remove the requirement that the remuneration of costs assessors be funded from the Statutory Interest Account and that fees and other payments received in relation to a costs assessment be paid to the Statutory Interest Account, and
- (b) to allow regulations to be made under that Act to fix the costs payable for legal services in connection with any motor vehicle accident matter, and
- (c) to allow the proper officer of the Supreme Court to postpone or refund a fee payable under that Act in connection with an application for costs assessment, and
- (d) to require costs assessors to give reasons for their decisions, and
- (e) to provide for a review procedure in relation to decisions by costs assessors.

I have concerns in relation to paragraph (b). The committee looking into this matter has referred the issue of legal costs relating to motor vehicle accidents to the Justice Research Centre. The legal community has obvious concerns with that matter. The Law Society is also concerned about the proposed regulation of the industry. The society's letter stated:

The Law Society of NSW and other stakeholders have agreed that reforms should await the findings of the Justice Research Centre. That Centre has conducted a significant study of the costs of resolving motor accident claims which has focussed on legal fees for both Applicant and Respondent legal

representatives. It has also examined the impact of advertising on the decisions of claimants to seek compensation and related matters. The study examines legal costs before and after the deregulation of legal fees on 1 July 1994. The study will provide, for the first time, some objective information about increases in legal costs and the significance of those increases when compared with the total costs of administering the Motor Accidents Scheme.

While the provision in the Bill creates only a Regulation making power, its inclusion pre-judges the results of the Justice Research Centre's study. Our submissions to the Government have consistently stated that any reforms in this area should await the outcome of the Justice Research Centre's report.

I highlight that point. The legal profession is concerned that the Government is putting the cart before the horse. It is concerned that the legislation is on the table before objective information is available about why costs have increased over the past few years and whether the legal profession is responsible for those increased costs. While the Opposition supports paragraphs (a), (c), (d) and (e) of the objects of the bill it has grave concerns about why paragraph (b) is being pursued without looking at the objective data.

Mr WHELAN (Ashfield—Minister for Police) [11.09 p.m.], in reply: I thank honourable members for their contributions to the debate on this important bill. The overview of the bill as drafted by the Parliamentary Counsel is clear. Decisions about the minutiae of the bill are made by the Attorney General on behalf of the Government. I support the Attorney General in any decision he makes, both on this bill and on any submission he receives. The bill, which originated in this House, will proceed to the Legislative Council where the Attorney will make decisions on behalf of the Government. I remind honourable members that any amendments made in the upper House will come back to this House for consideration, and time for debate on them will be made available, depending on the circumstances.

Motion agreed to.

Bill read a second time and passed through remaining stages.

House adjourned at 11.14 p.m.
