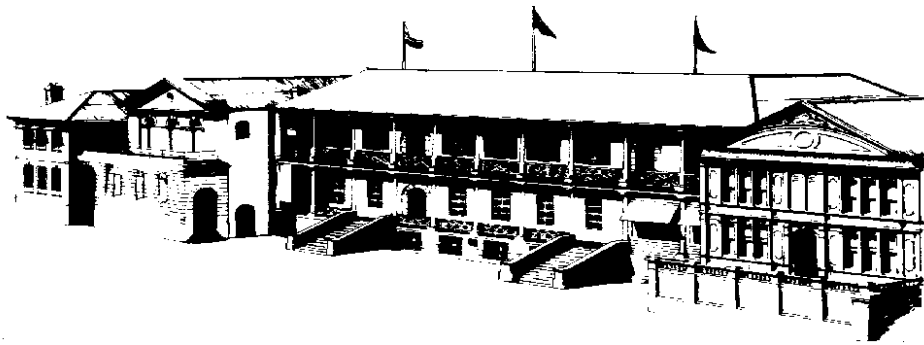




NEW SOUTH WALES



Legislative Assembly

**PARLIAMENTARY
DEBATES**

(HANSARD)

**FIFTY-FIRST PARLIAMENT
SECOND SESSION**

OFFICIAL HANSARD

Tuesday, 17 November 1998

LEGISLATIVE ASSEMBLY

Tuesday, 17 November 1998

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

Mr Speaker offered the Prayer.

BILLS RETURNED

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

Irrigation Corporations Amendment Bill
Meat Industry Amendment Bill

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

Food Production (Safety) Bill

HONOURABLE MEMBER FOR EAST HILLS TWENTY-FIFTH ANNIVERSARY AS A MEMBER OF THE LEGISLATIVE ASSEMBLY

Mr SPEAKER: Today is an auspicious occasion. On behalf of all members and officers of the Legislative Assembly of the New South Wales Parliament I congratulate Pat Rogan, the honourable member for East Hills, on the occasion of the twenty-fifth anniversary of his election as a member of the Legislative Assembly on 17 November 1973. During his parliamentary career he has served the people of the electorate of East Hills with dedication and distinction. He has regularly raised in the House on their behalf matters of concern with great vigour, without fear or favour. It is well recognised that he holds the institution of Parliament in the highest regard and is always willing to offer wise counsel to new members of all political persuasions on the duties and responsibilities expected of a good parliamentarian.

His contribution to the effective functioning of the Parliament through membership of various committees will long be remembered, particularly as Chairman of the Select Committee upon Prostitution—I recall spending some pleasant evenings during that committee's deliberations; I am sure the Leader of the Opposition will endorse that statement—and more recently as Chairman of the Select Committee upon the Administration of State Owned Coal Mines and the Joint Select Committee upon the Threatened Species Conservation Act.

His distinguished service as Temporary Chairman of Committees from 23 May 1995 to 17 September 1996 exhibited his deep understanding of the procedure of the House and Committee of the Whole and his strong belief in fairness to all members. Since his appointment as Parliamentary Secretary for the Environment on 19 July 1996 he has continued to act in a proper, responsible and respectful manner. The New South Wales Legislative Assembly has been well served by his membership, and he can feel pride in knowing that he has always aimed to achieve the highest standards of ethical behaviour. On behalf of all honourable members I wish him a wonderful retirement and offer my congratulations and best wishes.

Mr ROGAN, by consent: Mr Speaker, I thank you for establishing the precedent of recognising the twenty-fifth anniversary of the election of an honourable member to this House. Members of the Legislative Assembly are increasingly becoming a rare breed, given the significant turnover of members of this Chamber over the years. At last count I estimated some 20 voluntary retirements and, no doubt regrettably for many, a number of involuntary departures from this House. The greatest disappointment to me—and this should set alarm bells ringing for all those who cherish a democratic and open system of Government in New South Wales and throughout Australia—is the plummeting level of respect and esteem that members of the community have for members of Parliament. As members of Parliament we must all accept our share of the blame for this alarming development.

However, I point out that we are not all like Mal Colston. From my observation, members on both sides of this House, including the Independent members, with very few exceptions, are dedicated people who, despite their differing philosophical views, work extremely hard towards a more just and caring society for the betterment of all. Regretfully, I single out the media when apportioning blame for the community's loss of faith in parliamentarians and in the institution of Parliament. I shall refer to a few examples. I hasten to add, however, that I could speak for much longer, and give countless illustrations.

The article in the *Sun-Herald* under the headline "Like thieves in the night" reported on the so-called great taxi exposure. In fact, eight members of Parliament claimed taxi voucher dockets worth \$100. The story became a sensational front-page item. An exchange visit to recognise New South Wales' sister-State relationship with California, whose economy is about the tenth largest in the world, was reported on 10 June last year under the near hysterical *Daily Telegraph* headline, "Living it up in the hotel California". That story, which ran for a week in the newspaper, denigrated politicians, who, unlike newspaper editors and proprietors, are accountable in every detail for their actions.

The media has a responsibility to report fairly and to highlight shortcomings. But the two matters I have referred to were given prominence and importance well beyond that which they deserved. I might add, however, that despite being named in that front-page article and various other reports, neither I nor my office received one letter or telephone call on the issue. But the articles had the intended effect, that is, smearing and denigrating all politicians in the mind of the public. Interestingly, an article about the present Government seeking to claw back some of the \$1.5 billion that was ripped off New South Wales to prop up other States—as the previous coalition Government endeavoured to do also—appeared on page 17 of the *Daily Telegraph*.

Am I too sensitive and perhaps a little precious on these issues? No. I have never had any illusions that the job of a member of Parliament sometimes attracts public criticism. After all, the prerequisite for employment in this profession is, other than being competent, to have a thick skin and to not be overly sensitive. I raise this issue today because of the impact these almost daily attacks on members of Parliament will eventually have on the standard of future members of Parliament and the good governance of this State. Will people of good standing, ability and commitment want to assume public office if the reputation of those who do so is so damaged that they are regarded by the public as beneath contempt?

When was the last time a positive story was written about the work carried out in this House or by its many committees on which members serve? For example, the implementation of recommendations by the Public Accounts Committee has saved the State millions of dollars; the recommendations of the Staysafe committee have saved countless lives. These are but two of the many committees of this Parliament on which members, with few exceptions, serve for no remuneration. However, the public are critical of such committees if their members take a trip to further their knowledge about relevant issues.

As to the salaries of parliamentarians, my tax return for the last year was similar to my return the year before, which indicates that I have not received a salary increase. As to superannuation entitlements for members of Parliament, my personal contribution after some 25 years is \$150,000. However, because benefits lock off after 20 years, I will receive no benefit for the \$50,000 I have paid into the scheme in the past 5 years.

There will be one of three possible reactions to my speech. First, my speech will be ignored; second, I will be attacked; or, third—and I can almost guarantee that this will not eventuate—the media will constructively address the issue I raise. Mr Speaker, I thank you and the House for the indulgence given to me to make my contribution. Hopefully, because of the time I have taken and the controversial nature of my speech, I will not be the last member accorded this honour.

DISTINGUISHED VISITORS

Mr SPEAKER: I draw the attention of the House to the presence in the gallery of members of the Irish Parliamentary Committee upon Members Interests, whom I welcome to the Parliament of New South Wales.

AUDIT OFFICE OF NEW SOUTH WALES

Report

Mr Speaker announced, pursuant to the Public Finance and Audit Act 1983, receipt of the performance audit report entitled "Follow-Up of Performance Audits: 1995-1997", dated November 1998.

PETITIONS

Governor of New South Wales

Petitions praying that the office of Governor of New South Wales not be downgraded, received from **Mrs Chikarovski, Mr Glachan, Mr O'Doherty and Mr Rozzoli.**

Land Tax

Petitions praying that land tax on the family home be abolished, received from **Mr Collins and Mr Phillips.**

Land Tax

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

Hurstville Policing

Petition praying that increased police presence be provided in the Hurstville local area command, received from **Ms Ficarra**.

Kings Cross and Woolloomooloo Policing

Petition praying for increased police strength at Kings Cross local area command and police foot patrols in Woolloomooloo, received from **Ms Moore**.

Surry Hills Policing

Petition praying for increased police presence in the Surry Hills area, received from **Ms Moore**.

Kings Cross Policing

Petition praying for increased police presence in Kings Cross, received from **Ms Moore**.

Sir David Martin Reserve

Petition praying that the Sir David Martin Reserve be returned to the public following the Olympics, received from **Ms Moore**.

Gymea TAFE Carpentry and Joinery Relocation

Petition praying that relocation of carpentry and joinery classes from Gymea TAFE to Chullora TAFE be opposed, received from **Mr Phillips**.

Same Sex Relationship Rights

Petition praying that same sex relationships be accorded the same status, rights and benefits as heterosexual relationships, received from **Ms Moore**.

Maitland and Cessnock Sydney Waste Dumping

Petition praying that the proposal to establish a mega waste management facility for the dumping of Sydney waste at the Bloomfield site near Maitland/Cessnock be rejected, received from **Mr Blackmore**, **Mr Mills**, **Mr Neilly** and **Mr Price**.

Regional Forest Agreement

Petition praying that the regional forest agreement process be returned to, received from **Mr Smith**.

Manly Cove Foreshores

Petition praying that the Manly Cove foreshores be protected, and that the Manly Council policy that limits the height and scale of any Manly

Wharf development be respected, received from **Dr Macdonald**.

Hurstville Youth Centre and Commuter Parking

Petition praying that State Rail Authority land adjacent to Hurstville CBD be used for a multipurpose youth centre and a commuter parking facility, received from **Ms Ficarra**.

Cooranbong F3 Noise Reduction Barriers

Petition praying that noise reduction barriers be erected on the F3 at Cooranbong, received from **Mr Hunter**.

Manly Wharf Bus Services

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

Moore Park Passive Recreation

Petition praying that Moore Park be used for passive recreation after construction of the Eastern Distributor and that car parking not be permitted in Moore Park, received from **Ms Moore**.

Moore Park Light Rail System

Petition praying that a light rail public transport system be established to serve sporting venues and the Fox entertainment centre at Moore Park, received from **Ms Moore**.

QUESTIONS WITHOUT NOTICE

GOODS AND SERVICES TAX

Mr COLLINS: My question is to the Premier. Given the Treasurer's public admission earlier today that State revenues will be better off under a goods and services tax [GST], will the Premier now drop all pretence of opposing the GST and other tax reforms by the Howard Government?

Mr CARR: Firstly, that is not what the Treasurer said. Secondly, the agreement signed in Canberra on Friday acknowledges the steadfast opposition of three Labor governments in Australia to the GST.

GOLF CLUB MEMBERSHIP AGE CONCESSION

Mr ROGAN: My question without notice is to the Premier, Minister for the Arts, and Minister for Ethnic Affairs. What is the Government's response to the recent decision affecting elderly golfers?

Mr CARR: Let me congratulate the honourable member on a quarter of a century of service to his community as a member of this House. Over the weekend I became aware of a decision by the equal opportunity division of the Administrative Decisions Tribunal, which ruled that elderly members of the Cronulla Golf Club could not be given discount membership. When the Anti-Discrimination Act was enacted it was never envisaged that it would be used to remove the concessions older people rightfully enjoy. The Act provides mechanisms to recognise the entitlements of special needs groups. We owe a debt of gratitude to our seniors. Many of them do it tough on fixed incomes. They have special needs.

In this generation there are people who fought for Australia in World War II and in subsequent wars. They are entitled to the concessions they receive from government and non-government organisations. The Government will not allow an unintended consequence of the Anti-Discrimination Act to threaten those concessions. The Government offers concessions on public transport, vital medicines, electricity and motor vehicle registrations, and special prices for entertainment and other social activities. Across New South Wales nearly a million Seniors Card holders enjoy concessions from 6,500 businesses. It would be a travesty if those sorts of arrangements were threatened.

Friday's decision arose out of a complaint to the Anti-Discrimination Board by two members of Cronulla Golf Club Ltd. The club provided half-price membership for those people who had been full members of the club for a continuous period of 20 years and who were aged over 65. The tribunal found that the half-fee concession was a breach of the age discrimination provisions of the Act. The discrimination commissioner, Mr Chris Puplick, argued yesterday that it was not legitimate to arbitrarily choose an age at which to grant discounts. But the tribunal's decision may have far-reaching implications for clubs and other organisations that offer discounts to senior citizens.

The Government intends to set the situation right. The Government will reverse the effects of the decision by introducing a regulation under the Anti-Discrimination Act in accordance with mechanisms which recognise the entitlements of special needs groups. Although it is still possible that there will be an appeal in the Caseate case, I believe that action must be taken now to ensure that older members of registered clubs are not prejudiced. The Attorney General will formally consult all groups in the course of developing a suitable regulation to protect the legitimate concessions—

Mr Humpherson: Six months of playing golf.

Mr CARR: No, the decision came down on Friday. He did not hear about it at the Young Liberals—dopey, really dumb! The Attorney General will fully consult all interested groups—full consultation is, after all, the style of the Government—and develop the regulation I have foreshadowed. The men and women affected have paid taxes all their lives. Some of them have fought at war for this country. They deserve a better deal, and the Government will protect their interests.

FOREST AGREEMENTS

Mr ARMSTRONG: How can the Premier guarantee timber industry jobs and resource when the legal opinion I have in my hand shows that the Forestry and National Park Estate Bill is seriously flawed because forest agreements have no binding force and Ministers jointly can amend, suspend or revoke agreements at will without any public consultation? I seek to table the legal opinion.

Mr SPEAKER: Order! It is up to the House.

Mr CARR: Anyone can produce legal advice. I understand that there are two items of legal advice floating about in relation to the Government's forestry legislation. One comes from Aboriginal organisations. It has been widely distributed. Its arguments are strongly and directly refuted by the Crown Solicitor in his advice to the Government, which I am happy to table. I seek leave to lay it on the table. This advice comprehensively rebuts any argument—

Mr Collins: Table both.

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

Mr CARR: I am not going to table your advice because I do not have it. Your advice is your advice. I am tabling my advice. In short, the advice explains that there would be a breach of the Racial Discrimination Act if some fundamental human right such as—

Mr Photios: Point of order: An attempt was made by the Leader of the National Party—

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

Mr Photios: My point of order relates to the Premier's request to table—

Mr SPEAKER: Order!

Mr Photios: No leave was granted.

Mr SPEAKER: Order! The member will resume his seat. If the member spent less time talking and interjecting he would know that the Chair gave permission.

Mr CARR: The advice that the Aboriginal organisations have widely circulated argues that it would be a breach of the Racial Discrimination Act if some fundamental human right such as the right to own or hold property were affected in a discriminatory way by the Government's proposed legislation. However, the Government's bill does not affect native title rights; it expressly protects those rights and provides that laws or instruments which apply to national parks do not and cannot apply in any way that would affect native title. The Government is continuing its discussions with the New South Wales Aboriginal Land Council about how national parks are to be managed in the future. That advice is tabled. There is only one thing to note about the Opposition's position on the Government's forestry package and on national parks. I refer to statements by that little-heard member, the honourable member for Lane Cove, who purports to be the shadow minister for the environment.

She recently repeated her comments which were originally made on the south coast. On 6 November in the Blue Mountains she said, "There are some parks that should definitely not have been nominated and therefore would be delisted"—that is, by a coalition government. She is not the shadow minister for forests. She is the shadow minister responsible for national parks, and she is saying that she wants to delist them. The Government is proud of the fact that it has declared a record-breaking 151 national parks—one million hectares. One of the few policy commitments that can be squeezed out of the mob opposite is that they would undeclare national parks. I am glad that they have nailed down their policy alternatives in such detail. Coalition policy involves commitments to build Armstrong's autobahn over the Blue Mountains; to introduce grid sentencing, which would reduce sentences for serious crimes; and to turn the Clarence River inland. These are the great policy positions of the Opposition—bold policy! Now there is another one: to delist national parks declared by the Government.

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

Mr CARR: Let the people make the choice.

PROBLEM STUDENTS

Mr WATKINS: My question is to the Minister for Education and Training, and Minister Assisting the Premier on Youth Affairs. What is the Government doing to give principals more power to deal with problem students?

Mr AQUILINA: Students, teachers and parents have a right to expect our schools to be safe and effective learning places. Since 1995 the Government has implemented a comprehensive range of measures to ensure that our schools allow effective teaching and learning.

Mr SPEAKER: Order! I call the honourable member for Gosford to order. I place the Leader of the National Party on two calls to order.

Mr AQUILINA: In December 1995 I released the new good discipline and effective learning ministerial statement, which required schools to develop discipline codes, to list strategies to promote good discipline and effective learning and to deal with acceptable behaviour. In 1996 the Government also released the student welfare policy. In addition, the Government has given principals unprecedented powers to search bags and has implemented new procedures for dealing with illegal drug use by students in government schools. The Government expects high standards of student behaviour, and cases of unruly behaviour will not be tolerated.

The Government's strong discipline measures are based on principles of respect, responsibility and rights. The Government believes that there is a need for respect of other students and staff and for students to take responsibility for their actions, and a need to protect the rights of all students. Today I am releasing the Government's new suspension and expulsion procedures, which will give principals greater powers to remove disruptive students from schools. Mr Speaker, you may be able to use some of these procedures in the House.

The new procedures have been developed to give principals clear procedures for taking serious disciplinary action against unruly students. Importantly, the new policy addresses the Ombudsman's criticisms of the policy and procedures of the previous Government—policy and procedures that were ad hoc, unclear and ineffective. Under the new procedures, principals, for the first time, will have the power to expel students from school for continued disruptive behaviour or for unsatisfactory study by a student of post-compulsory age. The new procedures will ensure that teachers and students can teach and learn in a safe and

effective environment. Disruptive students will not be allowed to interfere with the learning of others.

The New South Wales government school system is the largest in Australia and one of the largest in the world. The vast majority of the more than 780,000 students are well behaved, and they receive world-class education in more than 2,200 schools. Unfortunately, in such a large system there will always be some students who do not obey the rules. Those who do not play by the rules must and will pay the consequences. Last year approximately 180 students were disciplined each school day under the suspension policy.

Principals will now have the power to expel a student from school and the responsibility to arrange for an alternative school placement. If an alternative cannot be arranged, the principal must recommend expulsion from the government school system and consult the district office to develop a resolution. Only the Minister may approve expulsion from the government school system on the recommendation of the director-general. Last year I expelled from the government school system the student who attacked his teacher with a knife. Only three months ago I again imposed the ultimate sanction and expelled a student for repeated physical assaults on teachers and fellow students. That type of behaviour cannot and will not be tolerated.

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

Mr AQUILINA: Under the new policy principals must suspend immediately any student who is in possession of suspected illegal drugs, is violent or threatens serious physical violence or is in possession of a prohibited weapon.

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

Mr AQUILINA: Principals may also suspend any student who is persistently disobedient or insolent, engages in verbal harassment and abuse—

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

Mr AQUILINA: —persistently disrupts and prevents the learning and teaching of others, or engages in criminal behaviour related to the school. That is separate from any police investigation. Students can be placed on a short suspension for up to four days or a long suspension of up to 20 school days. Parents will be advised in writing immediately

that their child is to be suspended and will be required to attend a meeting at the school with the principal to discuss the child's behaviour and disciplinary measures. The new procedures have been developed after extensive consultation with principals, teachers, parents, the Police Service, the Department of Community Services and other government agencies. I thank the honourable member for Gladesville for his question and further indicate to him that training for principals and teachers will commence immediately for implementation of the policy at the start of the 1999 school year.

TOBACCO AND HEALTH STRATEGY FUNDING

Dr MACDONALD: Will the Minister for Health confirm that the smoking rate amongst children in New South Wales is rising and is related to the reduction of funding of the tobacco and health strategy and programs such as QUIT?

Dr REFSHAUGE: There is certainly no indication that there has been any direct link between the increase in the rate of smoking amongst children and funding for the QUIT program, which has not been decreased; it has been increased by \$100,000 and now stands at \$1.3 million a year. Funding for all drug and alcohol programs, including tobacco programs, has significantly increased over the last four years under the Government from \$60 million to the current \$70 million.

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

Dr REFSHAUGE: It is not surprising that the member for North Shore constantly interrupts. She needs to get some coverage in the local papers. Genia McCaffery is the local mayor. Honourable members know that when the coalition cannot perform in North Sydney the electorate goes Independent. I would not suggest that the honourable member for North Shore is anything like Bruce Coleman, but when Opposition members stop performing, as they have, North Sydney is an electorate that rapidly goes Independent.

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

Dr REFSHAUGE: The Government will be interested in watching Genia McCaffery. The coalition's performance is not surprising as it has no policies at all.

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

Dr REFSHAUGE: So bad is the coalition's policy development that Remo Nogarotto decided that the coalition cannot handle it and told the front bench that he will take over policy development as of now.

Mrs Skinner: Point of order: Given that this is a Dorothy Dixier, I thought the Minister would give an answer about tobacco. I believe it is a policy-free area. Would you ask the Minister to answer his own question?

Mr SPEAKER: Order! There is no point of order.

Dr REFSHAUGE: The honourable member for Manly, to my understanding, is an Independent. It was not surprising to read today in the paper that the Leader of the Opposition—the man with the sunglasses protocol—likes to be called The Leader. Put on the sunglasses: "Don't talk to me." Take off the sunglasses: "Nobody wants to talk to me." Who is he? The honourable member for Georges River is having a bit of a stoush about preselection, too. The group is after her.

Mr Hartcher: Point of order—

Mr SPEAKER: Order! I foreshadow that the member for Gosford will ask that I direct the Minister to return to the substance of the question. His point of order has some validity. However, I ask members of the Opposition to cease baiting the Minister.

Dr REFSHAUGE: The honourable member for Gosford and his old drug squad mates should stop plotting against The Leader.

Mr Hazzard: Point of order—

Mr SPEAKER: Order! The Chair will not hear a further point of order. The honourable member for Wakehurst will resume his seat.

Dr REFSHAUGE: There have been no cuts to funding for the QUIT program. The Government has increased its drug and alcohol funding from \$50 million to \$70 million. Children around Australia are taking up smoking at a similar rate, and the Government is focusing on preventing that trend. That is why it has allocated \$5 million towards drug education in schools. However, the Government has not focused only on so-called hard drugs but all drugs, such as alcohol and tobacco, that cause such misery in our lives. The Government has increased funding and its commitment to targeting children.

The Government is also committed to ensuring that the sale of tobacco to minors is stamped out, thereby ensuring a reduction in the number of young people taking up cigarette smoking. The Government has prosecuted stores that sell cigarettes to minors. The latest figures from the Central Sydney Area Health Service demonstrate a dramatic reduction in the preparedness of stores to sell tobacco to minors. That is an indication that the legislation and the policing of it is on the right track. Despite the hype about illegal drugs, legal drugs such as alcohol and tobacco still cause massive damage to individuals in our community. The Government will not in any way resile from its commitment to prevent people from taking up cigarette smoking and to reduce alcohol consumption.

Dr MACDONALD: I ask a supplementary question. In view of the Minister's answer, will he undertake to direct the current revenue of \$13.5 million derived by the Government from the alleged sale of cigarettes to children into intervention programs?

Dr REFSHAUGE: The honourable member for Manly may not realise that the legislation with regard to business franchises has changed. The High Court decided that State governments cannot take the money. It is now taken by the Federal Government. I am advised by the Treasurer that as a result the Government has lost out on money which it would formerly have derived from that source. I have no intention of diverting that money away from drug education programs.

NORTH COAST JOB CREATION

Ms NORI: My question without notice is to the Minister for Regional Development, and Minister for Rural Affairs. What is the State Government doing to create further new jobs on the north coast?

Mr WOODS: The State Government is committed to creating new jobs in regional New South Wales. It is using targeted and strategic intervention to support the growth of regional industries and regional economies.

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

Mr WOODS: That approach is winning the support of those in country New South Wales. As time goes by, they are becoming more and more aware that the Government is meeting its commitments. That is, it is making the difficult decisions and promoting business.

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

Mr WOODS: That confidence was in evidence last week. The support of the timber industry for the Government's decision in relation to north-east forests shows that this Government is getting it right.

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

Mr WOODS: The Government is supporting jobs and growth in country New South Wales.

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

Mr WOODS: State Government support for four key businesses on the north coast through the regional business development scheme will create more than 140 new jobs. Those substantial investments are a vote of confidence in the manufacturing capability of the northern rivers region. At Kyogle the timber manufacturer, Norply, has undertaken a \$2.4 million expansion of its mill operation, creating 44 full-time jobs in Kyogle. That is a significant boost for this most important industry sector. Norply has been manufacturing in the northern rivers area for almost eight years and this is the last phase of a three-stage expansion project. The company processes a range of plywood products from softwood timber plantation resources and the expansion will help meet the growing domestic demand for its products. The Government has provided assistance to help upgrade electricity infrastructure, which was critical to the expansion project.

Job creation on the north coast and in country New South Wales is a top priority for this Government. It is helping the stationery products manufacturer, Formprint Pty Ltd, relocate to Lismore. The move will create 20 full-time jobs and seven part-time jobs for Lismore. The company is relocating to a larger site in Lismore to expand its operation and introduce a new dispatch and warehousing facility. The expanded premises will enable the company to move into import replacement. The value of import replacement will result in a total of \$440,000 per annum flowing into the northern rivers economy within the next two to three years.

Another northern rivers manufacturer being assisted by the State Government to create direct jobs for the region is ANT Packaging. The company

produces plastic bottles for the cosmetic and essential oils industry, a major growth industry in the north. Recently a manufacturing facility has been established in Billinudgel and the company will fill orders for more than 12 million plastic bottles per annum. That operation has created three full-time jobs and the company expects this to increase to 12 within a year. However, the facility will not just create jobs; it will also support the future expansion of the complementary medicines industry in the region.

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

Mr WOODS: For example, proponents of the International Technology Park, Cellulose Valley, which is being developed in Lismore, will be able to use the facility as a strong selling point. The bottling facility will offer a service for natural plant product companies which are looking for a total manufacturing capability in the region. As well as the direct jobs generated by these manufacturing investments, there will be a strong flow-on effect to the rest of the northern rivers economy. That will stimulate more investment, more development and more jobs. The State Government is helping Lismore land surveying partnership, Aspect North.

Aspect North will create 60 new skilled jobs and establish itself as a national leader in digital mapping technology, with State Government assistance. That will be another 60 new jobs for Lismore. The Government has helped Aspect North develop a digital mapping facility and a comprehensive business plan. Aspect North has now been shortlisted for a contract with the Department of Defence to convert the army's maps to digital information. The company has made a large commitment to this facility, which has the potential to be a major wealth generator for the area. At this stage the company expects to create up to 60 jobs and will provide skills training for these employees through Southern Cross University. That will greatly strengthen the job skills base in the northern rivers and generate a major flow-on effect for the region.

The Government is using that type of targeted and strategic intervention to assist the growth of regional economies throughout the State. It will result in a more secure future for the people of regional New South Wales. Is it any wonder that these developments and strategies have led to greater employment growth in rural and regional areas than in Sydney, Newcastle, Wollongong and on the central coast? Is it any wonder that the growth in the New South Wales gross domestic product is now greater than the growth in the national GDP, a vast

improvement on the situation when the Opposition was in government?

FOREST AGREEMENTS

Mr D. L. PAGE: My question without notice is directed to the Minister for Regional Development, and Minister for Rural Affairs. In light of his previous answer, does the Minister support without qualification the Forestry and National Park Estate Bill, and is he completely satisfied it will not lead to job losses in the State's timber industry, especially in the seat of Clarence?

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

Mr WOODS: At the present time if there is any issue in public administration that demonstrates the difference between the Opposition and the Government, it is the forestry industry.

Mr SPEAKER: I call the member for Northcott to order.

Mr WOODS: This Government has engaged the community, industry, environmental interests and local government on wide-ranging areas of interest in this decision over a long period. The decision has been made, and it is a good decision for the environment and for industry. It is supported by the industry, the Forest Products Association, sawmillers and a string of others from Sydney to the border.

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

Mr WOODS: They support this decision. Compare that to Opposition members: we do not know where they are; they do not know where they are.

Mr SPEAKER: Order! If members of the Opposition continue to interrupt they will be deemed to be on three calls to order.

Mr WOODS: The honourable member for Ballina's first reaction was to say, "They have stolen our policy."

Mr D. L. Page: Point of order: The Minister is misleading the House—

Mr SPEAKER: Order! There is no point of order.

Mr WOODS: The *Sydney Morning Herald* of 12 November quotes the member for Ballina as

saying, "They have stolen our policy." The Leader of the National Party said on *Stateline*, "The Greens are going to vote for us, the National Party." The honourable member for Lane Cove is going to take away national parks—to reverse the decision. That is why I say that no-one knows where members of the Opposition are, and that is the difference. We are a Government doing what governments want to do: developing policy and making decisions that are not always easy.

Mr SPEAKER: Order! Earlier in question time I warned members of the Opposition that those who continued to interject would be deemed to be on three calls to order. I now place all members of the Opposition, whether or not they have been called to order, on three calls to order.

Mr WOODS: The difference is apparent and people are seeing it. The coalition does not have a policy. The Government is governing.

REGIONAL FIREFIGHTING RESOURCES

Mr PRICE: My question without notice is to the Minister for Energy, Minister for Tourism, Minister for Corrective Services, Minister for Emergency Services, and Minister Assisting the Premier on the Arts. What is the Government doing to improve firefighting resources in rural and regional New South Wales?

Mr DEBUS: I commend the honourable member for his acute interest in all aspects of fire services, especially in the Hunter Valley. During the past four years the Carr Government has substantially increased funding and resources for the State's two fire services: the New South Wales Fire Brigades and the New South Wales Rural Fire Service. Several months ago I informed the House of funding allocations to rural fire brigades around this State from an historic statewide allocation of \$70.5 million. Since coming to office this Government has allocated more than \$80 million for the purchase of 1,039 new and second-hand tankers. That is approximately double that of the former coalition Government during its last four years in office.

In this year's allocation funding has been provided for the acquisition of 245 tankers, including 152 new ones. The Government has provided 583 new tankers during its four years in office. The Fahey-Collins coalition allocated funding for 234. We have also provided almost \$26 million for the acquisition of reconditioned tankers. The previous Government again lagged behind: it provided funding of just \$13.6 million. Today I am

pleased to announce another significant boost to country firefighting resources, with the creation of an additional 73 permanent firefighting positions with the New South Wales Fire Brigades.

Mr Hartcher: All members of the union?

Mr DEBUS: Does the honourable member object? This represents a 75 per cent increase in the number of permanent firefighters across country New South Wales. That means even better fire protection for rural and regional parts of the State. My colleague the Minister for Regional Development will acknowledge that 73 new jobs in country New South Wales is very good news for the regional economy. In fact, it represents additional investment in country New South Wales of more than \$2 million a year.

[*Interruption*]

I am sure the honourable member will be pleased to know that the Maitland fire station is one of 12 fire stations to have this firefighting fund boosted. The 12 stations, which are among the busiest country stations in the State, are Armidale, Bathurst, Dubbo, Goonellabah, Goulburn, Maitland, Nowra, Orange, Port Macquarie, Tamworth and Tweed Heads. Last but not least, the honourable member for Coffs Harbour will be pleased to know that Coffs Harbour fire station is getting three extra positions.

[*Interruption*]

If I were to match the number of permanent firefighters in Coffs Harbour with the number of shadows, I would give him four. The 73 extra permanent firefighters will complement the high level of service already provided by the network of 2,864 permanent firefighters and 3,000 retained firefighters across the State. The 73 positions are in addition to the five new firefighter positions at the Broken Hill fire station recently announced by the Premier. Today's announcement follows consultation between the Fire Brigades, local councils and—the honourable member for Gosford will be relieved to hear this—the Fire Brigade Employees Union, the Rural Fire Service and retained fire fighters, and it is a credit to all concerned. The final details of the allocation of these new permanent firefighter positions are being negotiated with local councils.

The Carr Government is proud of its record of support for the New South Wales Fire Brigades. In the past four years the Government has provided funding of more than \$1.15 billion to the Fire Brigades, including more than \$25 million for the acquisition of new fire engines across the State. Today's boost to country firefighting resources also

complements the additional firefighter jobs created through the \$18 million western Sydney fire station building program, which will result in 12 new fire stations and more than 100 new firefighter positions in Sydney's west.

The former coalition Government built no new fire stations at all, notwithstanding the continued expansion of the south and south-western suburbs of Sydney. Consequently, those parts of Sydney have not been served according to the appropriate standard of fire cover. This Government is building no fewer than 12 new fire stations to correct that extraordinary social inequity. The Government is committed to ensuring that the people of New South Wales have the best possible protection from fire. The 73 new firefighter positions at the 12 country stations will mean that rural and regional New South Wales is even better protected than ever from the scourge of fire.

REGIONAL HEALTH SERVICES

Mr NEILLY: My question without notice is to the Deputy Premier, Minister for Health, and Minister for Aboriginal Affairs. What is the Government doing to encourage healthier rural and regional communities?

Dr REFSHAUGE: The Carr Government has a strong and enduring commitment to improve health care and services in rural and regional New South Wales. We are working in partnership with country communities to achieve that very important goal. We are getting behind country communities to secure a better health future for rural families. The Healthy Country Communities competition is a valuable initiative that contributes a great deal towards realising our agenda for rural health. Clearly, the people in a community are often the ones who can best identify their specific health needs: they have the local knowledge to devise innovative and appropriate solutions.

The Healthy Country Communities competition recognises the value of that local knowledge. We are supporting country communities by giving them the resources to develop viable, relevant projects to improve local health. The 1998 competition will see \$210,000 awarded to community projects to promote health and prevent illness at the local level. I am proud to announce a series of winners in the 1998 competition. The winners of the competition have shown just how much can be achieved when local communities work together to encourage better health and to prevent disease.

The 1998 project winners include those raising awareness of mental health issues, health education and disease prevention among Aboriginal people,

and reducing the harm caused by drugs. Seven prizes in the \$15,000 category have been awarded, along with three prizes of \$5,000 each. The Community Market Garden project in Goodooga won \$15,000. Run by Goodooga Health Service, with support from local bodies, this project aims to provide fresh fruit and vegetables to the isolated Goodooga community. Until now these have been in limited supply in Goodooga, where most of the population are of Aboriginal descent.

In the western Riverina area, \$15,000 goes to the Partners in Health project, which is run by the Griffith Association of Relatives and Friends of the Mentally Ill. It embraces Leeton and Narrandera in implementing a school education program and community awareness of mental health issues. In Coonamble and Gulargambone we are awarding \$15,000 to the Healthy Mums, Healthy Babies—Healthy Families for the Future project, which comprises a parent education program for teenage and Aboriginal mothers to improve nutrition, decrease social isolation and reduce the harm caused by drugs. On the mid-north coast, the Mental Health through Physical Activity campaign wins \$15,000. The project, based in the Nambucca, Bellingen and Coffs Harbour local areas, is run by the Mid North Coast Mental Health Community Consultative Committee.

Mr Fraser: Just give us a hospital.

Dr REFSHAUGE: The honourable member for Coffs Harbour does not want that committee. I will make sure we amend our press release to the Coffs Harbour area to show that it is opposed by the local member. The project aims to reduce presentations for depression, stress and anxiety, and to heighten community awareness of the value of forms of aerobic exercise to psychological forms of wellbeing. In the mid-western area the winner of \$15,000 is the Aboriginal Community Sports Day project in Cowra, which will consist of a day of family sporting events to improve Aboriginal health. It will be repeated during Reconciliation Week in 1999 to encourage greater participation.

The Health Promotion for Rural Aboriginal Communities in the Hunter wins \$15,000. The program was developed by the Hunter Centre for Health Advancement and the Awabakal Medical Service, and will be based in Muswellbrook. It will promote health and prevent disease among Aboriginal people through greater access to health services, screening facilities and health education. Another \$15,000 has been won by a project developed by the Mountain Blue Orchards in Wollongbar. The project will expand services to marginalised and disadvantaged people by providing good nutrition, basic counselling services, work skills, crisis and medium-term accommodation.

In the Southern Area Health Service, three prizes of \$5,000 go to the Integrated Parentcraft program in Goulburn; the Exercise and the Elderly: Improving Fitness and Preventing Falls program, again in Goulburn; and the Eurobodalla Spirit Strategic Plan for Suicide Prevention. Eight other prizes are also being awarded in the \$5,000 category. Judging will now take place for a statewide first-place winner of \$50,000 which will be announced in December. Each of these projects is set to make a valuable contribution to the health of rural families. We will continue to work with rural and regional communities to deliver real benefits to areas with special needs. I congratulate all those who participated in this important program, and I thank them for their commitment to developing healthier country communities. I note that the honourable member for Coffs Harbour does not want his community to receive a prize.

Questions without notice concluded.

CONSIDERATION OF URGENT MOTION

Old-growth Forests

Mr COLLINS (Willoughby—Leader of the Opposition) [3.26 p.m.]: The motion of which I gave notice earlier today is urgent because the Premier's forest and national parks decision has provoked the combined opposition of environmentalists, the timber industry and the trade union movement. Never before has there been this coalition of disapproval against a Government in New South Wales. In 1995 the Premier promised everything to everyone. But now that time is running out it is obvious that he has delivered nothing to anyone. The Premier has delivered nothing to the environmental movement, which is incensed by his betrayal.

Who can forget the Premier's repeated promise to the environmental movement or his pledge to the people of New South Wales to save the old-growth forests? The green movement and the environmental movement say as one that he has walked away from that pledge, just as he walked away from other pledges, such as halving hospital waiting lists, abolishing tolls and so on. They have been betrayed by the Premier. They are angry, and they have every right to be: the Premier has betrayed them in these closing days of the Fifty-first Parliament.

He has delivered nothing to the timber industry, which rightly fears massive job losses on the north coast, the south coast and in the Hunter. The timber industry has every right to be concerned about this turn of events, this sudden abandonment by the Premier of an agreement process that had taken years to reach even this point. He has delivered nothing even to his allies the trade union movement, which is evidenced by the threat of the

Construction, Forestry, Mining and Energy Union to disaffiliate because of the Premier's betrayal. The reason for Labor's forest disaster is simple: the Premier tried to play politics with our forests and he failed. The Premier and his Government cannot be trusted. In the run-up to the 1995 election, the answer to almost every question—

Mr E. T. Page: Point of order: The Leader of the Opposition is debating the issue. He has made no mention of why this matter is urgent or why the Parliament should suspend standing orders to hear it. I would like to be convinced that this matter is urgent. If the motion is carried, I am prepared to listen to the debate.

Mr COLLINS: The matter is urgent because the Minister, if he does not know, has to realise that these are the closing days of the Fifty-first Parliament. The Leader of the House has said that the time for this Parliament is running out. This matter has to be resolved before Parliament rises. Labor sought to overturn the joint national policy statement agreed to in 1992 by every government in Australia. This motion is urgent because the Government proceeded to act unilaterally. It has been too clever by half. Without the involvement of the Commonwealth it is putting \$16 million of funding at risk—funding to help logging families in places such as Cooma, Maitland and Grafton; families that are dependent upon the Parliament resolving this issue in its closing days. Not just the timber industry is up in arms; environmentalists and the green movement have complained loudly, and well they should. They know that this is a chance to resolve the issue, but it is slipping through the fingers of this inept, incompetent Government.

Mr Whelan: Point of order: The honourable member is debating the motion, which he is not permitted to do. Debate on this matter will take place later today, so the Leader of the Opposition will have ample time to raise this issue and any other issues.

Mr SPEAKER: Order! The latter comments of the Leader of the House have nothing to do with the point of order.

Mr COLLINS: All the groups mentioned in this urgency motion have been led up a dry gulch by the Premier. They have been tricked by the masterminds who have tricked the rest of the community on issues such as the M4 and hospital patients. The Carr Labor Government rushed to announce its first promise, hoping to grab the votes of stakeholders before next year's election. The stunt backfired. It will cost jobs and investment. This matter is urgent because people's livelihoods hang on the resolution of this issue by the Parliament.

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

The House divided.

Ayes, 45

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

Noes, 48

Ms Allan	Mr Martin
Mr Amery	Ms Meagher
Mr Anderson	Mr Mills
Ms Andrews	Mr Moss
Mr Aquilina	Mr Nagle
Mrs Beamer	Mr Neilly
Mr Carr	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
Mr Harrison	Mr Shedden
Ms Harrison	Mr Stewart
Mr Hunter	Mr Sullivan
Mr Iemma	Mr Tripodi
Mr Knight	Mr Watkins
Mr Knowles	Mr Whelan
Mr Langton	Mr Woods
Mrs Lo Po'	Mr Yeadon
Mr Lynch	<i>Tellers,</i>
Mr McBride	Mr Beckroge
Mr McManus	Mr Thompson
Mr Markham	

Pair

Mr Peacocke Mr Clough

Question so resolved in the negative.**FOREST AGREEMENTS**

Mr ARMSTRONG: Pursuant to standing order 305 I seek leave to suspend standing and sessional orders to allow me to table legal advice.

Leave not granted.**MINISTER FOR TRANSPORT, AND
MINISTER FOR ROADS****Motion of Censure**

Mr PHOTIOS (Ermington) [3.40 p.m.]: I move:

That this House censures the Minister for Transport, and Minister for Roads for:

- (1) his blatant attempts to mislead the people of New South Wales with a portfolio of road and rail projects that are little more than hollow election promises, and
- (2) his almost daily transport and roads announcements totalling \$4.3 billion of which only 3 per cent are funded and which include:
 - (a) Parramatta to Chatswood rail link at \$1.4 billion;
 - (b) Western orbital road network at \$800 million;
 - (c) the New Millennium trains at \$200 million;
 - (d) Parramatta to Liverpool transitway at \$200 million;
 - (e) the rail station security package at \$55 million;
 - (f) bus security cameras at \$4 million;
 - (g) the M5 East extension at \$850 million;
 - (h) integrated ticketing at \$300 million;
 - (i) Great Western Highway upgrade at \$360 million;
 - (j) the ferry upgrade at \$100 million; and
- (3) his neglect of rural and regional New South Wales.

Today in this House the Opposition wants to bring to account the Minister for Transport, and Minister for Roads. The time has come for the public to know that the Minister is not telling the truth. The time has come for the Minister to be held to account for his hollow, reckless promises; for his largely unfunded commitments, made weekly over the past six months, worth on average almost \$100 million. Carl Scully has become Bob Carr's understudy as the Minister for broken promises. He is the Minister for dreams, soon to become the Minister for broken dreams.

Today the Opposition released an analysis of the Minister's promises since November last year, when he was sworn in. The survey shows that

barely a cent of funding through the normal budgetary processes has been committed for at least 12 major transport projects announced by the Minister. In fact, only three of the schemes have any funding commitment, and nine are totally unfunded. His fancy promises are as far from the truth as the Government's pledge to lift the tolls on the M4 and M5. The Minister is treating the public, the media and commuters like fools by promising the world when he knows he cannot deliver. It has been overheard in the corridors of Parliament House that when comparing the Minister's package to Christopher Skase's debts, Christopher Skase looks like a good financial manager. The Minister's humble home in Edensor Park may not be as grand as a Majorcan mansion, but his office is clicking up some debts.

The Minister wants the Parramatta to Chatswood rail link fully government funded at a cost of \$1.4 billion. Like the Government, the coalition supports the project in principle. However, we would maximise the private sector contribution, which would leave more money for a greater range of public transport infrastructure. The \$220 million project for the new millennium trains is part of a greater \$1 billion vision for new trains. I note that although the project is estimated to cost \$220 million, little more than a couple of million dollars is allocated in the expenditure column of the budget. The Parramatta to Liverpool transitway will cost \$200 million. Only a matter of months ago the bus transitway project was estimated to cost \$100 million.

The Minister's financial incompetence is such that with the addition of just a few more kilometres of transitway the project has doubled in expenditure, from \$100 million to \$200 million. In any event, where will the money come from? Only \$6.5 million is allocated in the budget. The Government is massively short-changing this project, just as it is on other projects. The credibility gap is widening. For four years the Carr Government has promised to introduce a system of integrated ticketing. There has been no tender process, no contract and no integrated ticketing. But there has been an unfunded commitment of \$300 million of fancy money by the Government.

The Minister's old favourite—the M5 east extension—will cost \$850 million. The project started at \$500 million, but because of incompetence, bad management and lack of community consultation the cost of the project has blown out by another \$350 million. And not a metre of bitumen has been laid. That project is destined to become a \$1 billion commitment. I should put into

perspective the effect on road and rail infrastructure in light of two of the Government's proposed projects. The Government said it will spend \$1.4 billion on the Parramatta to Chatswood rail link and \$850 million on the M5 east extension. In the Minister's words, those projects are to be fully funded government projects.

The Minister is locking up capital expenditure on road and rail for a decade in two commitments. There is no room for an integrated transport strategy. The Minister cannot deliver on any of the other commitments because, in his wisdom, he has decided to lock up funding over the next decade for the State's road and rail—in particular in the Sydney Basin—on two projects. The previous coalition Government, as a result of working with the private sector on the M2, M4 and M5 and on the new southern rail, was able to accommodate a raft of transport initiatives—public and private, road and rail.

The Minister might as well take a holiday and return the white car to the people or take leave and contribute his salary to community transport, because there is no work left for him. He can continue to live in dreamland with his graphs, bar charts and photographs, freely offering projects to the public, never committing the money, and never building the projects. But the State will be left with nothing more than two projects because of this Government's narrow focus, shortsightedness, lack of imagination and creativity, and its failure to warmly embrace the private sector, as the coalition does, and to provide for real asset renewal, which this Minister has not accommodated.

When the former Minister for Roads, the Hon. M. S. Knight, first announced the M5 East extension in 1996 the bill was \$520 million. Under this Minister it is now \$850 million and growing. Construction should have started in 1997 but, like all these projects, they are no more than promises. There will not be a ferry before the election, not a road before the election, not a new rail line before the election, and no bus transit lanes before the election. Like the other Labor Party promises from the Sussex Street headquarters prior to the last election, they are no more than empty promises with hollow logic. No-one will believe the Minister unless he can find the money.

There is no point in grandstanding on the nightly news when the people of New South Wales remain in gridlock. There is no point grandstanding in quick grabs on radio when out there in public transport land people want results, not rhetoric. It is almost 1999 and work is yet to begin on the M5

East extension. Work is yet to begin on the Parramatta to Chatswood rail link. No contract has even been signed for that project, although the Premier promised "to commence construction in the first term of Government". The massive blow-out in expenditure of these projects might be the reason the Minister is now asking others to pay for his projects.

The Government promised to spend \$800 million on the western Sydney orbital. Members of the public could be forgiven for being duped by the Minister into believing that this Government's vision included the western Sydney orbital. In grand style the Minister stood before the media and the community and said, "We need a western Sydney orbital and that is what I am going to give you as part of my transport strategy". Under cross-examination from the media it was discovered that he did not have one dollar, not one cent of his own; at the same time as he announced the project he called on the Federal Government to pay for it.

We have now reached the remarkable stage where two projects will lock up all road and rail funding for a decade. The Minister is announcing new projects with price tags of \$800 million and is asking the Federal Government to pay for his promises. Then came the *pièce de résistance*. On the weekend he came up with a \$100 million ferry package, the bulk of which would not be delivered until the year 2010. His role as Minister for dreams is becoming a new art form. Few Ministers or shadow ministers in this country would make a promise that could not be delivered for more than a decade. Where is the credibility in that proposal?

The press conference for the western Sydney orbital was a lavish media event that Harry M. Miller would have been proud of. The Minister's launch featured fancy maps, brochures and a video. All that was missing was the Bollinger, the caviar and the money! However, the people of western Sydney did not complain. They thought they would finally get an honest commitment from the Carr Government. They thought they would get a road that would fill a key missing link in our transport network and make it easier for them to get to work—that is, until the Minister said the Commonwealth had to pay for the project. We have news for the Minister: It is his project, he promised it and he must pay for it.

Press releases and television appearances are no substitute for transport policies when Sydney is in traffic gridlock and our air quality is deteriorating. The coalition's analysis shows that the Government has announced 12 major transport projects, some on multiple occasions. The Parramatta to Chatswood

rail link has been announced three times; the Parramatta to Liverpool transitway has been announced twice; the millennium train project has not only been announced three times, it has also had three name changes. First it was the Olympian, then it was the Fourth Generation. It is now the millennium train. It is rightly called the new millennium, because nothing in the Minister's transport policy will be delivered in this millennium or the next.

The Minister for Transport, and Minister for Roads has promised more than \$4.3 billion in investment but has not put his signature on one cheque. Our survey shows that despite the Minister's talk about great transport projects, 97 per cent of his pledges remain unfunded. In other words, only \$157 million has been allocated, and \$4.2 billion is outstanding. That is a big credibility gap. The only money he successfully allocated was the \$200,000 for glossy brochures to promote himself with his own fancy announcements. The brochures even featured his photograph, just in case people had not seen him on television.

Every Sunday, in response to my "columns" in the *Sunday Telegraph* and the *Sun-Herald*, the Minister jumps out of bed, hits the airwaves and fronts the television cameras with another attempt at damage control for transport. Last Sunday the Premier jumped in first with his pork-barrel announcement on ferries—a promise that will not be delivered for more than a decade. The State is living on the back of the Minister's promises, and we want him to be accountable. We are sick of him announcing policies. We expect some real action. He should be censured for his hollow rhetoric.

Mr SCULLY (Smithfield—Minister for Transport, and Minister for Roads) [3.55 p.m.]: The honourable member for Ermington referred to pamphlets. Do honourable members recall that he wasted \$35,000 changing the size of his photo because it was too big next to Premier Fahey's? Do they recall the money that the Leader of the Opposition, when he was Treasurer, wasted on the ArtReach magazine? Perhaps we could go through that publication and find all the photos of the honourable Peter Collins. We do not want to hear from the honourable member for Ermington about pamphlets. When in government, the Opposition did nothing for western Sydney transport. In fact it did nothing for heavy rail in the north-west of Sydney.

The Government has suggested an integrated rail, road and bus program for this State. Over several months it has planned for each of those projects in great detail. We have already signed

contracts on the M5 East. The honourable member for Ermington said work has not started. I am pleased to inform the House that yesterday a press release was issued announcing the start of preliminary work, and the honourable member for Liverpool knows that the M5 duplication work, which will complement the M5 East, is already well under way. How are we financing the \$750 million project? We are paying for it out of the urban roads budget. How will the Opposition pay for it if it is elected? It will introduce a toll on the M5 East.

Mr Souris: Where did you get that from?

Mr SCULLY: You said it. The Government will pay for the M5 East over about four budgets, and it will be completed by June 2002. Work is expected to commence in the next few months. The western Sydney orbital is a great stunt. As members opposite know, I have had two or three meetings with the Hon. Mark Vaile, and one of the constant agenda items has been the western Sydney orbital. I told him we could start the western Sydney orbital if the Federal Government allocates \$200 million in the next two Federal budgets. His blunt message was that we could go to hell; that the Federal Government does not care about western Sydney; that it is going to look after Albury and Tim Fischer's Murray electorate with bridges, but it will not do anything for western Sydney. I told him that the Government would continue planning for the western Sydney orbital, announce it and set aside the corridor. It was always going to be, and always will be, a federally funded project.

The Opposition welcomed the rail project, it welcomed the western Sydney orbital project, and the shadow minister welcomed the announcement that the in-principle approval for the Parramatta to Chatswood rail link would proceed to the environmental impact statement process. It is a robotic reaction; he always welcomes the project, but then he says, "It is not soon enough. You are not spending the money fast enough and, by the way, you haven't got any money." Why do we need the Parramatta to Chatswood rail link? The Opposition should know the answer to that, because it considered it when it was in government: The western train lines will be significantly congested by the middle of the next decade. We have no choice; we have to build the Parramatta to Chatswood railway link.

It will be funded over about seven budgets, out of a transport budget of about \$4 billion a year. The big red herring from the Opposition is the line that the Government is not funding the projects. I am pleased to tell Government colleagues on the back

bench that the bad news for the Opposition is that no project is announced by the Government without the budget committee of Cabinet, Treasury, and the Treasurer and the Premier ticking it off. Funding is and will be available on an annual basis. All the projects will happen.

Let us look at some of the projects. The Millennium train contract involves the Government buying 80 carriages. To get more people on public transport we have to make trains and public transport more attractive. Clyde Engineering will build the trains and the Government is legally obliged to pay for them. The honourable member for Ermington, an accounting genius, says that it is a \$220 million contract but there is only \$2 million in this year's budget. So he is saying that the trains should be paid for now, before they are built, and we can hope to get them later. The Government believes in paying for them as we get them. The \$220 million for the Millennium train carriages will be paid over the life of the project. I can speak out of school: the funding has been ticked off in the budget committee and ticked off by Treasury. It will be allocated in the forward estimates.

The Government has entered into a \$16 million contract with Chubb Security for security guards on trains. I am not sure whether the cheques will be handed over monthly or fortnightly but the invoices will be paid when they are received. A caller to Alan Jones on the radio this morning—not a supporter of the Government—reluctantly gave a big tick to the Premier for this worthwhile initiative. There is a \$60-million initiative for the installation of cameras on railway stations. The Opposition is not saying that it does not want cameras on stations; it welcomes the project. But it said that it was not soon enough and the money had to be spent faster.

The Liverpool to Parramatta transitway, in south-west Sydney, will reverse the previous very poor public transport options. Honourable members from western Sydney used to cry out for some attention from Wal Murray and Bruce Baird. They would never return our phone calls or letters. There was not a pittance in the budget for transport in our areas. In 1989 they set aside the regional environmental plan corridor. They drew a line on a map! It is hypocritical for Government members to suggest that the project is only just being announced. With great fanfare Bruce Baird drew a line on a map with red texta. That was it. He told western Sydney to go to hell. The Government is going to build the transitway. I have bad news for the honourable member for Ermington: next month in

the Cabramatta electorate we will start construction of the Liverpool-Parramatta transitway. Why? The trouble with Sydney's transport—the honourable member for Ermington should listen to this: he needs a lecture on how transport works—is that it fans out from Sydney. There is an obsession with the central business district. Many people in western Sydney want to move north and south in western Sydney. We will give them that option.

Mr Photios: We welcome that concept.

Mr SCULLY: The honourable member welcomes it. Where is it being funded from? We will have spent \$170 million from the public transport infrastructure fund out of the roads budget. A big chunk of what we will spend next term from that source will go to the bus transitway. The rest will come mostly from the urban roads program, from the road network infrastructure funds out of the Roads and Traffic Authority's budget. This is what the community has been demanding: that a road building agency should emphatically take on a public transport focus. The culture of the organisation should be altered. The focus should be shifted from building major arterial roads to building a bus transit system.

We have a big tick from the honourable member for Ermington on that. He welcomes the project. I believe that he said that he will support it. But I think he also said the Government does not have any money. The Government has the money—\$6.5 million this year. We have acquired land and will complete the environmental processes and start the work. I suspect that the tender process will be completed in the first half of next year. Concrete for the rest of the project will be poured by the end of next year. The Government is going to complete this necessary project.

What is the Opposition's attitude? There was a tick for the Parramatta to Chatswood rail link, the Parramatta to Liverpool transitway, security cameras on stations, security cameras on wharves, security guards on trains, and new train carriages. The honourable member for Ermington and the Deputy Leader of the National Party did not criticise the M5 East or even the western Sydney orbital. Every project the Premier and I have announced they have said is a good initiative but it has not happened soon enough. They probably have not even thought about it. I never hear from them. After the ferry announcement on Saturday the honourable member for Ermington said that we needed new ferries. On Sunday night he said that it should have been done 10 years ago. That is the best the Opposition can do.

The Opposition has questioned where the money will come from. I have substantially dealt with that. As I said, there is an annual transport budget of about \$4,000 million. If the projects are spread over a reasonable period they can be more than afforded out of annual allocations. For example, we will expend about \$800 million on new and enhanced rail track over the first four years of the Carr Government. What is the alternative from the Opposition? The honourable member for Ermington said that the Opposition would flog off the rail track maintenance business. That is appalling. It would mean 4,000 workers in regional New South Wales would be on the scrap heap.

Mr Photios: You are into contestability, are you not?

Mr SCULLY: We are into contestability. We are not into flogging off Rail Services Australia. The honourable member for Ermington commented yesterday about options for obtaining money from asset sales within the transport portfolio. The Government says that the track maintenance business has to be built up and allowed to compete properly. We have to take into account the need to protect railway jobs in regional areas. That is what we are doing. That is a proper way to approach this. We say that there should be public ownership of Sydney Buses and Sydney Ferries.

Mr Photios: So do we.

Mr SCULLY: Then where will all the asset sales come from? The honourable member for Ermington would put on the scrap heap 4,000 workers in the track maintenance business, and he pretends that suddenly he can get money from asset sales in the transport area. He cannot have it both ways. He cannot pretend that he will not flog off Sydney Buses and Sydney Ferries. There is a big difference between the Government and the Opposition. If the coalition gets into government it will want to flog off bits and pieces across the transport network. Goodness knows, CityRail may be flogged off. In Victoria the coalition flogged off trams, buses and track to mates of the Liberal and National parties. I want to hear the honourable member for Ermington say in reply, "We hold the Victorian transport policies in utter contempt. We will not sell off our ferries, our buses or our city rail network."

Mr Photios: We will not. I have just announced a policy for you.

Mr SCULLY: Good. Let us look at the coalition's record in government. The M2 was to be

at no net cost to the Government. It was to be very profitable to the people operating it in the private sector. This wonderfully financed operation that Bruce Baird announced with great fanfare will cost taxpayers \$260 million. The coalition says that we must use the private sector. Baird and Collins said that the new southern railway would not cost the Government. The cost to Government is \$700 million.

Mr Souris: Do you not support the great southern railway?

Mr SCULLY: We support the project. We never said that it could not be done. It is a government-funded project with a modest private sector contribution. We have given in-principle approval to the Parramatta to Chatswood rail link as a government-funded project but we welcome private sector involvement. The honourable member for Ermington has used the figure of \$100 million or \$200 million of private sector contribution. I have to give credit where it is due. He is probably not too far off. It will probably be about \$200 million that the private sector will contribute—to a \$1.4 billion project. So this government-funded project may have a modest contribution from the private sector.

The Government is happy to explore the Parramatta to Chatswood rail link, but let me look at the detail. Sydney and New South Wales need major regional links such as the Pacific Highway, the Princes Highway, the Great Western Highway; a freight link through Sydney for road transport, from western Sydney to Albury; upgraded rail lines such as the Parramatta to Chatswood rail link; a decent bus transit system in western Sydney; a better light rail system; a better ferry service; and improved security. The community has received well the Government's improvements to safety, security, accessibility and reliability, and the Government and the Premier must be particularly congratulated.

[*Interruption*]

The honourable member for Ermington does not like it because he has no ideas. Do honourable members remember whingeing Wendy? The honourable member for Ermington is like whingeing Wendy: "Where's the money?" I have news for the honourable member. I have a large budget. The Government has planned these projects, and it will build them.

Mr SOURIS (Upper Hunter—Deputy Leader of the National Party) [4.10 p.m.]: It is no wonder that everyone in country New South Wales is extremely worried about the fabulous list of projects

that the Minister has announced in the past few months. The figures that the Minister released in a document that the Opposition obtained under freedom of information indicate that this financial year the Carr Government will cut \$92 million from the rural roads budget. In contrast, the Minister's electorate will enjoy an increase in funding of 200 per cent. Only 11 per cent of the money allocated in the Minister's fabulous list will be destined for rural New South Wales. Nineteen rural seats have been hit with funding cuts. The Minister for Roads has allocated \$78 million for the repair of flood-damaged roads in rural areas and has claimed that the funding will come from urban electorates, yet he will not guarantee that that \$78 million will be new money and not money reallocated from the existing budget.

I have compared funding in five electorates during the coalition's first four years in office from 1988 with funding during the first four years of the Carr Government, excluding any allowance for inflation. Broken Hill, for example, has suffered a reduction of \$53 million; Cessnock, a \$6.2 million reduction; Dubbo, an \$18.2 million reduction; Maitland, a \$2.6 million reduction; and Orange, a \$14.5 million reduction, notwithstanding eight years of inflation. The cuts have been devastating for country New South Wales. Other electorates have been affected by the cuts in the level of last year's funding. For example, Ballina suffered a cut of \$9 million; Barwon, a cut of \$5.7 million; and Bathurst, a cut of \$8.7 million. One would think that the Labor Party was trying to win the seat of Bathurst.

Mr SCULLY: We are handing it over to you.

Mr SOURIS: The Labor Party is certainly handing it over. In one year Broken Hill has had a cut of \$11.276 million; Bega, \$1.86 million; Cessnock, almost \$500,000; Dubbo, \$4.3 million; Lismore, \$3.3 million; Monaro, \$7.3 million; Murrumbidgee, \$1.99 million; Myall Lakes \$23.5 million—no need to worry about inflation with these sorts of figures, all of which have a negative sign in front of them; Northern Tablelands, \$4.33 million; Oxley, \$1.47 million; Port Macquarie, \$8.6 million; South Coast, \$2.869 million; Wagga Wagga, \$3.085 million; and the cruellest cut of the lot, Upper Hunter, a cut of \$4 million.

It is outrageous. That is the devastation that this Government has delivered to country New South Wales. I am pleased to support my colleague the shadow minister for transport, the honourable member for Ermington, in his motion censuring the Minister for the profligacy of his \$4.3 billion worth of promises—a figure that continues to climb. At the

current rate of announcements, of daydreaming, by Christmas this Minister will have announced \$10 billion worth of promises three months before the election.

Mr Scully: Have a Bex!

Mr SOURIS: I suggest a prescription of Mogadon. We have to calm the Minister down. He is rampaging through the budget. He talks about being given ticks by Treasury. Treasury will go crazy trying to tick off the daydreaming this bloke has in mind. The coalition will never be able to jump over his election promises.

Mr MOSS (Canterbury) [4:15 p.m.]: The honourable member for Ermington—the champion in misleading this House—referred to the Minister for Transport as misleading. Every time the honourable member for Ermington opens his mouth he misleads. It is second nature to him. The motion before the House is misleading. The honourable member for Ermington referred to the M5 East and implied that its \$850 million cost is unfunded, but that is utter rubbish. The Government is going ahead with the road; the M5 East has commenced. The Government has an absolute commitment to its funding, and contracts have been signed with the builder to proceed. It is a reality.

So when the mover of the motion states that the Government has made a lot of misleading statements and hollow election promises the misleader is the honourable member for Ermington. To imply that the M5 East—to name only one project that he mentioned—will not go ahead is wrong and misleading because it is going ahead. The motion is critical of government expenditure and government involvement on the all important aspects of transport and roads. Only yesterday the honourable member for Ermington said on ABC radio, and he repeated it in the House today:

[The coalition] will embrace the private sector and furthermore we'll generate from the potential sale of proceeds within transport, asset renewal.

Given its track record, I am surprised that the Opposition has the hide to mention the use of the private sector to fund transport projects. I am sure honourable members remember the infamous words of the former Minister for Transport, Bruce Baird, when he announced the New Southern Railway. He said there would be no net cost to government and that this was to be a new way of delivering projects with no burden to the taxpayer. The previous Government then realised that that was impossible—surprise, surprise—and said it would cost \$484 million. However, that figure has turned

into a mere \$885 million—almost double the previous Government's figure. I am sure it will be a fine railway, but I do not call \$885 million no net cost to government.

I would be interested to hear what part of the transport portfolio the honourable member for Ermington will sell to pay for his promises. The coalition will privatise everything, including Rail Services Australia, which employs 5,400 employees to carry out rail track maintenance across the State; State Transit, including Sydney Buses and Sydney Ferries, accommodates 4,300 employees. What other transport assets will the coalition sell? How about CityRail? Will the coalition throw 9,000 public transport employees on the scrap heap with its policy?

The honourable member for Ermington referred to the Parramatta to Chatswood link, a new 28-kilometre railway line running from Parramatta to Chatswood via Epping which will be in operation by 2006. Funding has been allocated to undertake the planning process for that project, on which a total of \$2.5 billion will be spent in eight years. The link will have massive benefits for those in western and north-western Sydney and will bring the convenience of rail travel to thousands of commuters. The motion also refers to the millennium train.

The honourable member for Ermington obviously has not read this year's budget papers because on page 119 of Budget Paper No. 4 there is reference to the acquisition of new suburban passenger rolling stock at an estimated cost of \$210 million. Only \$2 million has been spent this year and the bulk of that funding will be expended in future years. Obviously, the Government will not spend \$210 million now when the rolling stock has not yet been received. However, the Government has made that commitment to acquire new rolling stock. In addition, installation of surveillance cameras on those new trains will complete the Government's \$55 million upgrade of security on all city stations and car parks. [*Time expired.*]

Mr O'FARRELL (Northcott) [4.20 p.m.]: I can reveal to the House that 20 years ago, when both the Minister and I were younger, one of the Minister's favourite television programs was *The Six Million Dollar Man*. The Minister always aspired to being Steve Austin, the six-million dollar man. The Minister for Transport has now done better than Steve Austin; he has become the New South Wales four billion dollar man. As the shadow minister has pointed out, project after project is announced without any reference to the cost to New South

Wales taxpayers or to the proper budgetary process of New South Wales, and without any real intention of delivering those projects on behalf of the citizens of New South Wales. They are simply pork-barrelling election announcements. The good news is that the shadow minister for transport, the honourable member for Ermington, who will soon be the honourable member for Ryde, is bringing this sham to the attention of the people of New South Wales. You can take the boy out of Chatswood but you can't take Chatswood out of the boy. Overstated, overpriced and credit card funded—that is the legacy the Minister wants to leave.

Mr McBride: That is a poor reflection on the north shore.

Mr O'FARRELL: I acknowledge the interjection of the honourable member for The Entrance, because the Minister casts the worst reflection on the north shore. He is a north shore boy and he has done nothing in office to address transport problems on the north shore. Indeed, that is my next point. I would have some sympathy for the Minister for Transport if, after having followed the disastrous member for Kogarah in the portfolio, he had actually set his mind to resolving or trying to resolve some or all of Sydney's considerable transport problems. I will take the example given by the honourable member for The Entrance. A couple of years ago the Carr Government lifted the B2-B3 road reservation, which would link the F3 to the M2.

On behalf of the residents of south Turramurra I put on the record that I welcomed that decision but the Government has done nothing since to address the problem suffered daily by people who live adjacent to Pennant Hills Road and the Pacific Highway, that is, the increasing traffic from areas represented by the honourable member for The Entrance. The Minister has not announced a single initiative to address the long-term transport needs of people in northern Sydney, and no attempt has been made to encourage people from the central coast out of their cars and onto trains. The honourable member for The Entrance drives to Sydney almost every sitting day and rarely catches the train. He adds to the traffic problems on the upper north shore, and the Government has failed to do anything about those problems.

The peninsula is well represented in the Parliament by the honourable member for Manly, the honourable member for Pittwater, the honourable member for Wakehurst and the honourable member for Davidson. Not one skerrick of work has been done and not one dollar has been spent to try to

resolve the transport problems of those on the peninsula. The Government's response to the orbital link—the construction of a road on the never-never—has been to simply link it to the M2 and condemn Pennant Hills Road from the M2 intersection to Brooklyn Bridge to being the major purveyor of trucks through that part of Sydney. That is not the long-term solution sought by the taxpayers of this State.

If the Minister had the transport problems of Sydney genuinely at heart he would attempt to resolve them rather than playing politics with transport funding. He would stop stripping the north shore of transport funds and start addressing transport needs on the basis of priority rather than on the basis of the political complexion of the Labor Party's strategic approach. The re-election committee of John Della Bosca is driving these announcements—not the budget committee or the Treasury committee. The Opposition wants an integrated, co-ordinated, strategic approach to transport. If the Minister took that approach and genuinely addressed the issues that have been referred to in this debate, he would be applauded by the Opposition. The Minister and the Government are not interested in those issues because they are facing defeat in the election to be held on 27 March 1999 and they are trying to pork-barrel their way back into office.

Mr McBRIDE (The Entrance) [4.25 p.m.]: I should like to mention some of the Carr Government's road funding initiatives in country New South Wales. First, I refer to funding for the upgrading of the Great Western Highway in the Blue Mountains and the central west. The Government has kept its commitment to spend \$60 million over a three-year period from 1995-96 to 1997-98 on works in the Blue Mountains, with emphasis on the upgrading of the Great Western Highway. On 4 August the Premier announced funding averaging \$30 million annually over the next 12 years to upgrade the highway between Penrith and Orange. The New South Wales Government's \$360 million program will deliver a four-lane divided dual carriageway from Penrith to Katoomba; three lanes from Katoomba to Lithgow except at Blackheath, Mt Victoria and Medlow Bath; a major pavement upgrade between Bathurst and Orange; improved three lanes and passing opportunities between Lithgow and Orange; and upgrades of the local Blue Mountains road links to separate roads and through traffic.

That work is being carried out now in country New South Wales by the Carr Labor Government. The Government is delivering to the Blue Mountains

and the central west. I remind honourable members opposite that an Independent was elected in the last Federal election to represent that area. Another initiative of the Government is the Golden Highway at Dubbo, which was officially named by the Premier on 28 February 1997. The route passes through the Singleton, Muswellbrook, Merriwa, Coolah, Wellington and Dubbo local government areas. The road is sealed and provides logical access from the mid-western part of the State, that is the Orana region, to the port of Newcastle. It is an approved B-double route.

In the 1997-98 budget \$9.83 million was allocated for works west of the New England Highway and in 1998-99 \$6.3 million has been allocated for works on the Golden Highway. Overall since 1996-97 some \$25 million has been spent for works on the route west of the New England Highway, a very significant investment. Signposting of rest areas for motorists is also being addressed, with the allocation of \$719,000 in the 1998-99 budget. A rest area strategy has been developed for the Golden Highway to ensure that motorists take regular breaks, which will assist to reduce fatigue-related accidents. That is another real commitment by the Carr Labor Government to country New South Wales.

I turn now to the completion of Kidman Way between Hillston and Bourke. The State Government's central west roads policy provided for sealing of this road within five years from 1995. Kidman Way extends from Jerilderie in the south through Hillston and Cobar to Bourke. It forms part of the inland Melbourne to Darwin route through outback New South Wales and Queensland. State funding was \$2.7 million in 1995-96, and in 1996-97 \$7.3 million was spent on sealing and bridge work along that route. In 1997-98 \$3.9 million was spent, with a further \$2.3 million allocated in 1998-99.

Honourable members should contrast the work actually being carried out by the State Labor Government with the promises made by the Federal Government in relation to road funding. The Federal Government has short-changed New South Wales by reducing road funding by \$26 million in real terms. In its first three budgets, the national coalition Government has cut a total of \$415 million from funding for national highways. New South Wales has borne the brunt of that cut, losing a total of \$242 million from the national highways budget. In 1996 the Federal Government announced a reduction in national highways maintenance funding of more than 20 per cent over four years. That is a real problem for country New South Wales.

By cutting back on national highway funding, the Federal Government is stalling the provision of critical national infrastructure projects such as the completion of full dual carriageway for the Hume Highway; the improvement of the New England Highway, particularly the construction of the Devil's Pinch realignment, the Rose Valley deviation, and Muswellbrook bypass; and the construction of the F3 link to the New England Highway at Branxton to enable the bypass at Maitland, and Western Sydney orbital. The Federal Government is pushing to increase heavy vehicle mass limits and has allocated \$11 million nationally during 1997-98 and 1998-99 for a bridge survey. New South Wales has been allocated \$3 million. However, there is no mention of funds to upgrade bridges to enable them to carry heavier trucks.

New South Wales has approximately 2,200 bridges in need of upgrading as a result of that Federal initiative. The cost of that upgrading is approximately \$750 million, a figure that is clearly beyond the capacity of the New South Wales State Government and local government to meet. Recently I travelled down the New England Highway and met with representatives of Glen Innes, Severn, Parry, Scone, Murrurundi, Armidale, Tamworth and Muswellbrook councils. Every one of those councils expressed condemnation of the Federal Liberal Government's funding for the New England Highway. They expressed the unequivocal view that the lack of funding for maintenance on the New England Highway is a real problem for road safety.

That is an example of the Federal Government not delivering to its constituency. The Labor Government is continuing to deliver to country New South Wales. The commitment by the Carr Government is being honoured by the Minister for Transport, who has continued during his tenure to not only provide road and public transport services to country New South Wales but increase those services. As I said earlier, I met with representatives of a number of councils in relation to the New England Highway. I also met with a number of council representatives in relation to the Newell Highway and they expressed the same condemnation of the Federal Government. [*Time expired.*]

Mr SCULLY (Smithfield—Minister for Transport, and Minister for Roads) [4.30 p.m.], in response: Mr Speaker—[*Quorum formed.*]

I move:

That the motion be amended by leaving out all words after the word "House" with a view to inserting instead:

"congratulates the Government on promoting integrated transport policies for New South Wales".

I invite the honourable member for Ermington to—

Mr Humpherson: Point of order: I understand the Minister is speaking in reply. If he is permitted to move an amendment at this stage members will not be able to debate the content of that amendment. I ask that you rule the amendment out of order. The Minister should have moved the amendment in his initial contribution so that members had an opportunity to debate its merits.

Mr SPEAKER: Order! The member who moved the motion has 10 minutes in which to speak in reply.

Mr SCULLY: In relation to the millennium train contract, I refer the honourable member for Ermington to page 119 of Budget Paper No. 4, which refers to the acquisition of new suburban passenger rolling stock at an estimated cost of \$210 million. Only \$2 million has been spent this year and the bulk of the funds will be expended in future years. The \$55 million security upgrade of stations is also referred to in the budget papers, but it is hidden under safe station security initiatives, to which a total of \$64 million has been allocated. That figure includes the \$55 million project. I advise the honourable member to read the budget papers.

The honourable member for Ermington has taken the figure of \$300 million for the integrated ticketing project completely out of thin air. In fact, the specifications for the tender are in an advanced stage and the Government is committed to completing the project at minimal cost. To achieve the figure he mentioned for the M5 East the honourable member for Ermington has simply added the 10-year maintenance figure of \$90 million to the construction cost. Why not add the 1,000 year maintenance figure to the capital cost of the project? The Federally funded western Sydney orbital is estimated to cost \$1.2 billion, a figure he has added to the cost of State Government projects.

Opposition members have announced several projects, not the least of which is the \$2 billion superhighway. They will finance these projects by privatising transport, sacking rail workers and lining the pockets of their private sector mates. I would like to know which of the Opposition's mates in the private sector will line their pockets as a result of the policies of the Opposition. Importantly, the Opposition has not criticised one project referred to in the motion; each one is welcomed. Projects that are secure, accessible, reliable and

visionary—projects that are "must haves" for Sydney and New South Wales—get the big tick from members of the Opposition because they know the Government has the necessary vision.

The Deputy Leader of the National Party made all sorts of comments about the road funding budget. The Government issued a snapshot of the 1998-99 budget. Not surprisingly funding for some electorates goes up and funding for other electorates goes down. So what? As projects are funded and completed, funding is allocated for new projects so funding increases for one electorate and goes down in another. I have some good news for members of the Opposition, because they may be unaware that the Government is fully committed to maintaining a decent road infrastructure network in country New South Wales. Half of the roads budget is spent on country and regional roads. As the parliamentary secretary knows, only a few days ago the Government announced that \$78 million was being set aside for repairing roads damaged by recent floods. The Government's package of transport and road projects are fully funded.

Members may be interested to know the status of each of the projects referred to by the honourable member for Ermington. The environmental impact statement for the Parramatta to Chatswood rail link is well advanced. I expect it to be completed in the first half of next year and that construction will start by the end of next year. The environmental impact statement for the Federally funded western Sydney orbital is at an advanced stage. The contract for the millennium train has been signed. Clyde Engineering is getting on with the job. Construction of the Parramatta to Liverpool transitway will be commenced in the next two months. Tender specifications for the rail station security package are nearly completed. The Government expects the tender to be put to the market very soon and that the process will be completed by the time of the Olympics. Bus security cameras are to be financed by the private sector with a modest increase in fare and public buses will be paid for out of State Transit Authority resources. That project is well under way and will be completed by the time of the Olympics. The M5 East contract has already been signed, the preliminary work has been started and substantial work is expected to start in the first quarter of next year. We are currently going through the tender specifications for integrated ticketing at minimal cost—

Mr Photios: Where is the tender?

Mr SCULLY: We are finishing the tender specifications.

Mr Photios: What does the Business Council of Australia think about that?

Mr SCULLY: It is quite excited about it. The Great Western Highway upgrade is endorsed by \$360 million from the Federal Government, but the National Party at a local level wants an unfunded \$2 billion superhighway that will never be built. A ferry upgrade has been well received by everyone. This is the first time that a government has acted with any vision to meet the needs of ferry services on the harbour. Each year, for approximately 12 years, \$10 million will be allocated to the service. A new Manly ferry and two new SuperCats will be in operation by the Olympics. If the honourable member for Ermington wants to talk about financial responsibility, he ought to haul in Bruce Baird. The JetCats are very expensive. It is about time we got rid of them, and this Government will do just that.

I want the message to go from the House today as a result of this debate that the Opposition is distraught because it cannot think of any decent policies. It has no vision. The shadow minister for transport and the shadow minister for roads hover in their offices wondering what visionary project the Premier will come up with next; what pieces of the integrated jigsaw he will announce. I have bad news for honourable members: The Government has an integrated picture. He has been told about some of the pieces of the jigsaw. We need the big projects. The honourable member for Ermington has no ideas. He is bereft of ideas and policies. All he can come up with is a question about where the money is coming from.

Mr Photios: Where is the money coming from? Put some substance in it. You don't hear me coming out with colourful rhetoric.

Mr SCULLY: The money will come from the budget and some private sector contribution. The road and rail projects will all be paid for from a \$4 billion per annum allocation.

Mr Photios: Ticked off?

Mr SCULLY: Ticked off and well funded. The projects should be supported. Withdraw and apologise!

Mr PHOTIOS (Ermington) [4.40 p.m.], in reply: The cat is out of the bag. The Government is big on promises and short on funding commitments. The reality is that we have \$4.3 billion worth of projects but we have not yet seen the integrated transport strategy. It will be announced at five minutes to midnight just weeks before the election. Suddenly, the Government will have a strategy to be released shortly. It will be even longer on funding commitments than the \$4.3 billion ticked off today. This Minister has a hidden agenda. Let the warning go out: This Government wants to privatise rail, bus and ferry services to pay for funding commitments in the absence of electricity privatisation.

The coalition makes a firm and unequivocal commitment not to privatise bus, ferry or rail passenger services. This Government cannot pay for its commitments without selling off the family china: the rail, ferry and bus services. That is the hidden agenda of this Government and that is the message we will take to the electorate as part of a spirited campaign to prove that this Minister is long on rhetoric and short on commitment.

The Government has a long list of unfunded promises: the Parramatta to Chatswood rail link, \$1.4 billion; the Western Sydney Orbital, \$800 million, a great project and a plea to the Federal Government to pay for the lot; the new millennium trains, \$20 million of a \$1 billion commitment, and we have not included the other \$780 million in this assessment; the Parramatta to Liverpool transitway, a bus transitway that has doubled in just a matter of months; the rail station security package, \$55 million; the bus security cameras, a great idea proposed by the coalition picked up by the Government—give us some credit for the intellectual property—\$4 million; the M5 East extension, \$850 million; integrated ticketing, \$300 million; the Great Western Highway upgrade, \$360 million; and the great ferry hoax, \$100 million.

We have a disturbing picture: a litany of Government promises and projects, but no funding, which draws into question the Government's capacity to deliver anything. The Government promised to make our trains run on time, but each day more than 200,000 people were stranded by a disastrous new time table. The Government promised to begin construction on a Parramatta to Chatswood rail link in its first term. It has not even signed the contract or released an environmental impact statement.

The first sod is yet to be turned, and it will not be turned until some time after the election of a coalition government. The Government promised to cut crime on public transport, but assaults, sexual assaults and robberies have increased. Every 19 minutes someone is bashed, robbed or abused on the rail network. Even the Minister's bureaucrats are kicking down the Opposition's door. They say that their boss does not have the money to fix up the State's ailing rail track.

Mr Scully: Name them.

Mr PHOTIOS: One unnamed source from Rail Services Australia told my good friends at the *Sunday Telegraph*, in which I have a weekly "column", that sections of the track in the Blue Mountains were beyond condemning.

Mr Scully: That was a stunt.

Mr PHOTIOS: It was a nice two-page feature that graphically told the disturbing picture of crumbling railway track that the Minister dismissed as a beat-up despite warnings of rail experts of a possible derailment. The Carr Government has slashed funding to public transport by more than \$200 million in two years. It is stripping staff from suburban railway stations, leaving commuters exposed to crime. We will maintain staff on railway stations. We will review Labor's cuts. We do not want ghost trains travelling through ghost stations: we want real stations with real quality service delivery.

It is all right for the Minister, who is driven to work in his limousine every day, but there is more to being a Minister than big white cars, plush offices, and daily fanciful announcements. It is now time for him to be called to account. The public is fed up with his seven-second media clips that produce nothing but hollow rhetoric. The public is sick of his schemes that remain dreams. For all the broken promises, for all the dream schemes and for doing nothing for public transport in this State the Minister deserves nothing but the censure of the State.

Question—That the amendment be agreed to—put.

The House divided.

Ayes, 48

Ms Allan	Mr Martin
Mr Amery	Ms Meagher
Mr Anderson	Mr Mills
Ms Andrews	Mr Moss
Mr Aquilina	Mr Nagle
Mrs Beamer	Mr Neilly
Mr Carr	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
Mr Harrison	Mr Shedden
Ms Harrison	Mr Stewart
Mr Hunter	Mr Sullivan
Mr Iemma	Mr Tripodi
Mr Knight	Mr Watkins
Mr Knowles	Mr Whelan
Mr Langton	Mr Woods
Mrs Lo Po'	Mr Yeadon
Mr Lynch	
Mr McBride	<i>Tellers,</i>
Mr McManus	Mr Beckkroge
Mr Markham	Mr Thompson

Noes, 44

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

Pair

Mr Clough	Mr Peacocke
-----------	-------------

Question so resolved in the affirmative.**Amendment agreed to.****Question—That the motion as amended be agreed to—put.****The House divided.****Ayes, 48**

Ms Allan	Mr Martin
Mr Amery	Ms Meagher
Mr Anderson	Mr Mills
Ms Andrews	Mr Moss
Mr Aquilina	Mr Nagle
Mrs Beamer	Mr Neilly
Mr Carr	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
Mr Harrison	Mr Shedden
Ms Harrison	Mr Stewart
Mr Hunter	Mr Sullivan
Mr Iemma	Mr Tripodi
Mr Knight	Mr Watkins
Mr Knowles	Mr Whelan
Mr Langton	Mr Woods
Mrs Lo Po'	Mr Yeadon
Mr Lynch	
Mr McBride	<i>Tellers,</i>
Mr McManus	Mr Beckroge
Mr Markham	Mr Thompson

Noes, 43

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

Pair

Mr Clough	Mr Peacocke
-----------	-------------

Question so resolved in the affirmative.**Motion as amended agreed to.****BENEVOLENT SOCIETY
(RECONSTITUTION) BILL****Second Reading****Debate resumed from 10 November.**

Mr HARTCHER (Gosford) [4.57 p.m.]: The New South Wales coalition does not oppose the Benevolent Society (Reconstitution) Bill. We support the work of the Benevolent Society of New South Wales and wish it well in its future endeavours in this State. The Benevolent Society is one of the great institutions of New South Wales, having been founded as long ago as 1818. A group of people got together to found the society for the relief of the poor, the distressed, the aged and the infirm. The society has proudly carried out that responsibility for the last 180 years. Its first patron was Governor Macquarie, that great governor of New South Wales, who encouraged the formation of another great institution—the then Bank of New South Wales, now Westpac Bank. The pioneering work of the society is well known in its establishment of hospitals; its campaign for laws against child labour in this State; its campaign for the first baby health centres; and its pioneering of district nursing.

The society's work led to the establishment of the Lying-In Hospital for Women in the 1860s. Subsequently that famous hospital became the Royal Hospital for Women which was located at Paddington for 130 years until its facilities were moved to the Prince of Wales Hospital at Randwick. The bill will transfer the corporate role of the society and its assets to a company which will be governed by Australian Corporation Law. This bill, which has the support of the society and which was introduced at the society's request, is not opposed by any organisation. All those organisations with whom the Opposition has consulted wish the society well. Accordingly, the Opposition supports the legislation and sends its good wishes to the Benevolent Society. We hope that, in the years ahead, it continues its great work for the benefit of the people of New South Wales.

Mr KINROSS (Gordon) [4.59 p.m.]: I also support the bill. The concern about the property in Ocean Street, Bondi relates to the Eastern Suburbs Community Options program. I have had some dealings with the program, having previously lived in the area. All charitable purposes should follow the lines of incorporation, which provides better accountability than the systems that have operated to date. That is part of the reason for enacting the Associations Incorporation Act. Other charitable bodies will benefit by introducing similar amendments or by reforming such as this society has done. A reference in clause 5 makes it clear that all assets, rights and liabilities of the former body now become part of the incorporated entity, with the exception of the leases that are still subject to the approval of the Governor. I commend the society for its good work and support the bill.

Mr WHELAN (Ashfield—Minister for Police) [5.01 p.m.], in reply: I thank honourable members for their contributions.

Motion agreed to.

Bill read a second time and passed through remaining stages.

INDUSTRIAL RELATIONS AMENDMENT (FEDERAL AWARD EMPLOYEES) BILL

Second Reading

Debate resumed from 10 November.

Mr HARTCHER (Gosford) [5.01 p.m.]: I speak on behalf of the coalition in support of this bill. The coalition does not oppose the second reading of the bill, but I foreshadow that we will be

moving amendments in another place. I am appreciative of the advice that has been given to me by Mr Dick Grozier, Deputy Director, Industrial Relations, Australian Business, and Mr Peter Reith, Federal Minister for Employment, Workplace Relations and Small Business. The effect of *Moore v Newcastle City Council* regarding the Civic Theatre, Newcastle, is to exclude from the unfair dismissal provisions of the New South Wales Industrial Relations Act 1996 employees subject to a Federal award. In the case of a termination alleged to be harsh, unjust, or unreasonable the Commonwealth Workplace Relations Act 1996 applies to Federal award employees employed by a constitutional corporation.

Thus, Federal award employees not employed by a constitutional corporation do not have a remedy if their termination is unfair. Exclusion from a general remedy on this basis does not appear justifiable. Conceptually, the exclusion of these employees could be overcome by providing them with either Federal or State access. It is strongly preferable that the access of Federal award employees is to the Federal commission and under the Federal Act. The approach in this bill is provided for and consistent with sections 5(8) and 5(9) of the Federal Act, that is, if State law provides that a Federal termination provision is a State law for the purposes of the Federal commission and court to exercise their powers, the Federal Act does not disturb that State law and the commission and the court can perform their functions.

The support for the bill arises from these facts and does not constitute acceptance that either Federal or State remedies are appropriate in their current form. The Opposition has long indicated its dissatisfaction with the operation of the unfair dismissal laws and has pledged to amend them upon attaining office in March 1999 to ensure that they provide greater equity for both employers and employees. This bill is structured narrowly to grant Federal power only with respect to Federal award employees not employed by a constitutional corporation. The grant is conditional in two senses. Under clause 90B(1) the Governor may proclaim a day on which the grant no longer operates. Under clause 90A(5)(b) State regulations may exclude Federal provisions or regulations from the grant of power.

This regulation power does not seem able to vary the Federal provisions or regulations in any other way. The grant is confined to identified sections of the Federal Act, and thus their rescission would end the grant. The Federal Minister, Mr Reith, has tabled the Commonwealth Workplace

Relations Amendment (Unfair Dismissals) Bill 1998 in the Federal Parliament. The effect of that bill is to exclude from Federal unfair dismissal provisions employees of small employers and to generally extend probationary employment to six months. It does so by repealing section 170CE(5) of the Federal Act and inserting new sections 170CE(5), 170CE(5A) and 170CE(5B). The State bill operates on the coverage provided by section 170CB(1), so its intent does not seem affected by the Federal bill. As I said, I am indebted to Mr Dick Grozier for his advice on this matter. I also advise the House about concerns with this bill expressed by Mr Peter Reith, Federal Minister for Employment, Workplace Relations and Small Business. In a letter to me Mr Reith said:

On 16 September 1998, the NSW Minister for Industrial Relations, the Hon Jeff Shaw QC MLC, wrote to me enclosing a copy of the proposed Bill, and seeking my comments. The Bill proposes to amend the *Industrial Relations Act 1996* (NSW) (the State Act) to confer power on the Australian Industrial Relations Commission and the Federal Court of Australia to deal with termination of employment matters for federal award employees in NSW who are not employed by constitutional corporations.

In general terms, I consider that the Bill goes most of the way to overcoming the effect of the decision of the New South Wales Industrial Relations Commission in *Moore v Newcastle City Council; re the Civic Theatre Newcastle*. However, I have some concerns about the operation of the proposed amendments, should the Bill be passed in its present form. I raised these concerns in my response to the Minister's letter on 28 October 1998.

My first concern is in relation to the fact that the proposed Bill, in applying the relevant provisions of the *Workplace Relations Act 1996* (the WR Act), do not expressly apply them as in force from time to time. This raises the possibility that any amendment to the WR Act or regulations, unless accompanied by a corresponding amendment to the State Act, would result in the inconsistent operation of the Federal provisions in respect of federal award employees in New South Wales. I have asked the Minister to consider amending the proposed Bill so that it expressly applies the provisions of the WR Act as in force from time to time.

My second concern is in relation to the fact that clause 3 of the proposed Bill (proposed subsection 90A(5)) includes provision for regulations to limit the extent to which the provisions of the WR Act are applied by the State Act. Depending on the scope of any regulations that are made under such a provision, I am concerned that this may result in the Australian Industrial Relations Commission and the Federal Court of Australia being required to administer two different legislative regimes in relation to federal award employees in New South Wales.

You will see in my letter to the Minister that I have sought an assurance that any proposal to make regulations to limit the application of the WR Act would be preceded by appropriate consultation.

The Opposition has indicated that it will move the two amendments requested by the Federal Minister.

I have received advice that the Government is not prepared to support those amendments. Accordingly, the Opposition will move those amendments in the Legislative Council. The amendments are not ready to be moved in the Legislative Assembly because the bill was brought on hurriedly by the Government at the close of session. I make no objection about that; I simply outline why the amendments are not being moved in this House. Mr Reith continued:

Should the Bill, as introduced, contain these provisions, I look to your assistance in bringing about amendments to the Bill to ensure that all federal award employees in New South Wales, irrespective of the corporate status of their employer, have access to the same federal unfair dismissal regime.

The amendments sought by the Federal Minister, which we support, are to ensure equity. If the amendments are agreed to, every Federal award employee will have access to the scheme as it is constituted and, in effect, there will not be two separate schemes in operation. The Minister for Industrial Relations is urged to reconsider the matter. Hopefully, he will see the sense of the coalition's offer: to allow passage of the proposed legislation if the Government agrees to the sensible amendments put by the Federal Minister. If he does not, in the interest of Federal award employees who are not employed by a corporation—and not simply to be seen to be doing the bidding of the Federal Government, which we are not—we will move the amendments in another place.

Mr WHELAN (Ashfield—Minister for Police) [5.09 p.m.], in reply: I thank the honourable member for his contribution, and note what he said about the amendments being moved in the other place. I ask that the Attorney General, and Minister for Industrial Relations be advised when those amendments are formulated, so the Government can consider them.

Motion agreed to.

Bill read a second time and passed through remaining stages.

BUSINESS OF THE HOUSE

Routine of Business

Motion by Mr Whelan agreed to:

That standing and sessional orders be suspended to allow:

- (1) the resumption of the adjourned second reading debates on the Administrative Decisions Tribunal Legislation Further Amendment Bill, the Law Enforcement and National Security (Assumed Identities) Bill and the Police Powers (Vehicles) Bill;
- (2) the postponement of private members' statements until the conclusion of debate on the Police Powers (Vehicles) Bill; and
- (3) the House to sit beyond 10.30 p.m.

**ADMINISTRATIVE DECISIONS TRIBUNAL
LEGISLATION FURTHER AMENDMENT
BILL****Second Reading****Debate resumed from 10 November.**

Mr TINK (Eastwood) [5.10 p.m.]: The Opposition does not oppose this bill, which amends the Administrative Decisions Tribunal legislation to effect operational changes identified during the establishment of the Administrative Decisions Tribunal. The substantive alteration is to add to the jurisdiction of the tribunal appeals to board decisions pursuant to the Surveyors Act, to bring appeals from decisions under the Dangerous Goods Act to the tribunal, and to make some administrative changes to give effect to the Disability Services Act and the Animal Research Act. The Opposition sought comment from the Law Society, the Bar Association and the New South Wales Council for Civil Liberties. Mark Richardson, Chief Executive Officer of the Law Society of New South Wales, stated in his letter of 16 November 1998:

In response to your fax of 13 November regarding the above Bill, its provisions have been considered by Legal Officers of the Society's Practice Department who have advised me that the bill is substantially administrative and procedural in effect, together with further extension of jurisdiction under the Surveyors Act 1929 and the Dangerous Goods Act 1975. In the circumstances, the contents of the Bill as read on 10 November 1998 do not appear to be objectionable in any way.

In light of those matters, the Opposition does not oppose the bill.

Mr WHELAN (Ashfield—Minister for Police) [5.11 p.m.], in reply: I thank the honourable member for Eastwood for his very short but cogent remarks.

Motion agreed to.

Bill read a second time and passed through remaining stages.

**LAW ENFORCEMENT AND NATIONAL
SECURITY (ASSUMED IDENTITIES) BILL****Second Reading****Debate resumed from 10 November.**

Mr TINK (Eastwood) [5.12 p.m.]: The object of this bill is to provide for the acquisition and use of assumed identities in the course of the performance of official duties by officers of certain

State and Federal agencies that have law enforcement and national security functions. This bill allows for the creation of legal documents for assumed identities for the purposes of undercover work by a variety of law enforcement agencies in New South Wales. This ties in with previous legislation in that it facilitates the conduct of sting operations by obscuring the real identity of undercover police and other law enforcement officials and allows for the creation of false legal documents to support that new identity. As the bill will enable these operations to be carried out more effectively, it has the support of the Opposition.

I understand that in these types of operations the creation of such documents has been going on for some time. This legislation regularises that practice and puts it beyond doubt that people involved in that conduct for lawful purposes subject to this bill are beyond any risk of a charge of public mischief or anything similar. I note, however, in clause 16, Delegations, that only four police officers at any time will have a delegation to use the powers under this bill. We believe that is unnecessarily restrictive and prone to create red-tape bottlenecks. However, we are not in the business of opposing the bill or amending parts of it. With those comments, we support the bill.

Mr WHELAN (Ashfield—Minister for Police) [5.15 p.m.], in reply: I thank the honourable member for his contribution. I am assured that law agencies are very happy with the content of the bill. There has been wide consultation, as the honourable member would imagine.

Motion agreed to.

Bill read a second time and passed through remaining stages.

POLICE POWERS (VEHICLES) BILL**Second Reading****Debate resumed from 12 November.**

Mr TINK (Eastwood) [5.16 p.m.]: As indicated following the recent appalling and disgraceful offences that took place at Lakemba police station and Bankstown, the Opposition strongly supports the call by the Commissioner of Police for extra powers both to determine the identity of drivers and passengers in vehicles in certain circumstances and also to implement roadblocks in certain circumstances. From the outset both the Leader of the Opposition and I have publicly strongly backed calls by the Commissioner

of Police for these extra powers, and accordingly we support the legislation before the House today.

At present there are provisions to obtain identities of people in motor vehicles solely for traffic offences, and the concept of the roadblock is well known in motor traffic law in relation to random drink-driving operations which are conducted all over Sydney every night. This bill seeks to extend the operation of those principles to more general and serious crimes as indicated in the bill, limited to situations in which a senior police officer, basically defined as a person of the rank of inspector or above, has reasonable grounds to believe certain matters in connection with an indictable offence. The powers both to search and to set up roadblocks relate only to indictable offences.

I have discussed this matter with the honourable member for Wakehurst, a previous chairman of the Staysafe committee, who raised some questions about vehicle search powers in regard to the setting up of roadblocks. He referred to the need for extreme caution and safety in the setting up of roadblocks. I am sure that is something police will bear in mind, because setting up roadblocks is dangerous for them as well as for pedestrians and other drivers on the road. Obviously that significant power has to be exercised with extreme caution at all times, and I am confident that that will be the case.

Concern has been expressed about the ambit of the new powers. Under section 38 of the South Australian Road Traffic Act a member of the police force has power to put questions to a member of the public for the purposes of obtaining information leading to the identification of a person who is the driver or owner of a motor vehicle on any occasion. I have corresponded with the South Australian police Minister and Deputy Premier, the Hon. Graham Ingerson, about that matter. He assures me that that power contained in the South Australian Road Traffic Act applies to any crime of any type across the criminal spectrum. I raise that matter to make the point that there is a reasonable and broad precedent for providing a power to demand names and addresses.

The roadblock power is a little more radical. I do not know that there is a precedent for it but one thing is very clear: there is unfortunately an unprecedented crime threat in certain parts of western Sydney. In the circumstances, these powers are reasonable and I trust that police will exercise them reasonably. A few minutes ago I discussed with the police Minister acknowledging a suggestion by Sergeant Lagats, who was attached to the Ermington patrol. Some time ago he wrote:

What do police investigators do where a vehicle has been used in a commission of an offence, and the description of offenders is not forthcoming or at the best scant? It is on these instances and for assisting police investigations in general, that I propose the implementation of an offence worded similarly to that of the Motor Traffic Act 5 of 1909, "Fail to supply name and place of abode of driver", whereby the owner of a motor vehicle will be compelled, under the direction of a Police Officer to supply that information where the vehicle has been or is suspected of being used in a commission of a criminal offence.

I suggest to give this proposal some added "muscle" a reasonably heavy penalty for failing to comply with the direction, accompany the legislation.

The penalties now proposed are along the lines of this suggestion although different in a couple of respects. Police who come forward with new and different ideas should be acknowledged. I also note that the suggestion was made to both parties in government over a number of years, and it is good to see that it has been introduced on a bipartisan basis.

Mr KINROSS (Gordon) [5.23 p.m.]: The bill will enable a police officer who reasonably suspects that a vehicle was or may have been used in the commission of an indictable offence to request the driver to disclose his or her identity or the identity of the owner of the vehicle. It is a farce that such a power is lacking. I thought that police had that power but in so far as there is any doubt the clarification is welcomed. The public would be surprised to know that the police have such power in relation to traffic offences but not in relation to more serious crimes such as the Lakemba police station shooting. This is a ludicrous position and the public would be outraged if the police did not have that power in relation to more serious crimes.

The bill will also enable senior police officers to authorise other police officers to stop and search vehicles at roadblocks and other places in circumstances in which they reasonably suspect that the vehicle was used in the commission of an indictable offence. The bill will also create offences for failing to disclose identities and giving false information and other particulars. These provisions are welcomed. Commissioner Ryan has done a very good job. It is a tragedy that officers who are there to uphold and enforce the law and keep the peace for all good citizens of New South Wales have their lives threatened. It is ludicrous that they do not have the right to obtain basic information which they would be entitled to obtain in relation to a traffic offence—basic particulars about the identity of the driver and the owner of a vehicle. For that reason the bill is long overdue.

Mr WHELAN (Ashfield—Minister for Police) [5.25 p.m.], in reply: I thank honourable members for their contributions. I agree that the letter should be tabled. I note that the fourth paragraph states that there is no prospect of the Minister—me—considering the proposal during the current Government's term of office. The letter goes on to state:

This situation is largely due to restricted Parliamentary sitting times and the heavy legislative program that the Government already has underway.

The letter was written on 29 February 1996 and the quoted statement bears no relation to the truth. However, the point raised by the honourable member for Eastwood is valid. Then Senior Constable Lagats of Ermington patrol went to great pains to try to convince governments, both past and present, of the necessity for the proposal. He should be given the credit he deserves and the letter should be incorporated in *Hansard* for that purpose. I thank the honourable member for Gordon for his comments. I seek leave of the House to table and to have incorporated in *Hansard* the letter dated 29 February 1996 from John Turner, Acting Co-ordinator, Suggestion Award Scheme to then Senior Constable Lagats of Ermington patrol.

Leave granted.

Sen Const D R Lagats
ERMINGTON PATROL

Dear David

I refer to your suggestion under the Suggestion Award Scheme proposing legislative changes involving the onus on vehicle owners to supply the names of drivers of these vehicles.

Following your recent telephone enquiry I was able to discuss your proposal with Ms. S Thompson, the Policy Officer responsible for Legislation at the Ministry of Police.

Ms Thompson is familiar with your proposal, and she did confirm to me that it has been included on a schedule of legislative proposals sent to the Minister during 1994. Unfortunately, at that time there were a number of other proposals under more urgent review.

Since that time, the change of State Government has meant that your proposal is not currently under consideration. Ms. Thompson further told me that there would be no prospect of the Minister considering your proposal during the current Government's term of office. This situation is largely due to restricted Parliamentary sitting times and the heavy legislative program that the Government already has underway.

I am sorry that I can not give you more positive news. Another course of action may be for you to approach your District Commander through your Patrol Commander, with a view to having your proposal discussed by SCAT (State

Command Action Team), which may add more weight to your argument. Please let me know if you require copies of any papers relating to your suggestion.

The Scheme is appreciative of your initiative and interest in improving Police Service practices and procedures. We would be pleased to receive any other suggestions you may wish to submit.

John Turner
Acting Co-ordinator
Suggestion Award Scheme

Motion agreed to.

Bill read a second time and passed through remaining stages.

PRIVATE MEMBERS' STATEMENTS

SOUTHERN DISTRICT MINERS WOMEN'S AUXILIARY

Mr MARKHAM (Keira) [5.28 p.m.]: I applaud the Miners Women's Auxiliary Southern District, which celebrated its sixtieth anniversary on Friday, 13 November. It was formed way back in 1938. I recognise the efforts of the current president, Ida Piper; secretary, Julie Hodgson; and Treasurer, Lorraine Warbuton. Julie worked to make sure that the anniversary celebrations held at Wollongong council chambers were well attended—100 people turned up. There were letters of congratulations and support from various mining unions and ladies auxiliaries throughout New South Wales.

The work done by the women's auxiliary of the southern district over 60 years has covered some of the major disputes which have occurred in the southern coalfields. Women were at the forefront in supporting their husbands and sons, fathers and brothers in the disputes at Corrimal and Tongarra lodges in 1957. Probably the most damaging sit-in strike ever to occur on the southern coalfields was the 17-day Kemira sit-in of 1982. Women were at the pit tops making sure that the men protesting in the sit-in were fed and that they had clean and dry clothes.

At the function on Friday Mr Graham White, Secretary of the Southern District Miners Federation, made a presentation of life membership to three auxiliary members—Carmen Beattie, Ada Wilkes and Joyce Critcher. Ida Piper presented them with flowers. A guest speaker at the function was Tony Maher, General Vice-President of the Construction,

Forestry, Mining and Energy Union, who gave a fine overview of how women's auxiliaries throughout the coalfields of New South Wales and Queensland, and for that matter of Tasmania and Western Australia, have provided support to men within the mining industry.

A special guest was Chris Peters, Principal of Para Meadows Special School. He thanked current and previous members of the auxiliary for the work they had done in raising funds and providing services to this school for children with physical and special disabilities. Every year the women's auxiliary provides some fun for the kids in the form of a Christmas party, at which gifts were handed out and food and drinks were provided. I would like to recognise particularly Kath Parkinson, who, as a foundation member of the Miners Women's Auxiliary, has had a 60-year involvement with the Southern District Women's Auxiliary. It was a great tribute to pay to Kath Parkinson.

Kath Parkinson is the widow of a famous miner, Billy Parkinson, who was President of Keira Lodge from 1944 to 1946, district president from 1946 to 1954 and general president after officially taking up office in February 1955 at the central council meeting of the Miners Federation. Bill retired in November 1967 after a distinguished career within the mining union. He was a great advocate for mineworkers and the working class generally and was recognised worldwide for his commitment to working-class people all over the world, not just those in Australia. Bill tragically passed away on 29 December 1986, putting an end to his advocacy for the working class. I congratulate the Miners Women's Auxiliary Southern District on its sixtieth anniversary. There are many battles to be won in the future and I know that its members will keep up the good work and support their menfolk. I thank the auxiliary again for the invitation to act as master of ceremonies. *[Time expired.]*

SUTHERLAND HOSPITAL EMERGENCY DEPARTMENT REDEVELOPMENT

Mrs STONE (Sutherland) [5:33 p.m.]: I take the opportunity today to acknowledge the tremendous contribution the community has made towards the redevelopment of the Sutherland Hospital emergency department. Congratulations go to all those who have worked for the past five years to raise funds to redevelop the emergency department. This is their moment of recognition. No amount of politicking by this Government or even the Minister for Health can detract from the Sutherland community's moment of glory. The redevelopment of the emergency department had its genesis in an initiative of the former Southern

Sydney Area Health Service, of which I was chairman throughout the major fundraising activity. But no one person was responsible, for this is a community success story.

The community support surpassed expectations and continues to be the strength behind the completion of the emergency department. To successfully meet the challenges of redeveloping the emergency department the community was asked to give its support to assist in achieving the vision of excellence for Sutherland Hospital. It was, after all, the shire residents who initiated the creation of a hospital 50 years ago—an interesting statistic given that the hospital only this year is celebrating its first 40 years. The Sutherland community was actively fundraising and supporting its hospital positively for almost a decade before the first sod was turned.

The supporters committee of the Sutherland Hospital redevelopment appeal committee included people like Dr Frank Broderick, nuclear medicine; John Montgomery, Parke Davis; Colin Degney, *St George and Sutherland Shire Leader*; Ferdie Dominelli, Dominelli Ford; Bruce Gibson, Hospitals Contribution Fund; Mark Haywood, Abbotts laboratory; David Latchford, Ampol Refineries; Barry Pierce representing Sharks International; Garth Simmons, Rydges, Cronulla; Debra Burden of the Sutherland Credit Union; and Stephen Higginbotham, who was at the time the General Manager of the Cronulla Leagues Club.

Also supporting the appeal were groups such as the Royal Australian Air Force Association; the Rotary Club of Miranda, through its fete—the Rotary Club of Sylvania gave more than \$130,000 over the past few years with an annual golf day—the Lionesses; the Lions; Michael Tynan of Tynan Motors; Miranda RSL; the Cronulla Golf Club; the Woolloomooloo Golf Club; Port Hacking Rotary Club; the Sutherland District Chamber of Commerce, and many more. Of course when one mentions names it is always possible to leave someone out. I apologise if I have done that.

Committees within the hospital supporting the redevelopment fundraising included the Highfield Committee, which contributed over \$50,000; the Sutherland Social Club; the staff, who contributed more than \$20,000; the Kiosk Committee; the Twilight Committee; the Lilac Ladies; and the Caring Centres. There were individual supporters, such as Frank Dowling of the *Sutherland Shire Monthly*, Jan and Warren Malcolm, Steve and Klara Zsolt, and Dr David and Esmae Sugerman. Many people came along as guest speakers to support the fundraising efforts. Many will recall the wonderful

night that Dr Rosie King, the sex therapist, came along to support a fund-raiser at the Cronulla Leagues Club. Gai Waterhouse donated a hat to raffle to raise money, and Alan Jones gave an inspirational address at a community luncheon that helped move the community members in taking back their hospital.

Many individuals have been helpful: Mrs Aileen Griffiths, Ms Judianne Gibson and Lee Thompson, who for years was the community relations manager and became a Paul Harris Fellow. I congratulate the community of Sutherland. Through its efforts it has seen its vision become a reality. The reality is the emergency department at Sutherland Hospital. It is the community's achievement, and I congratulate each and every member of that community.

HEATHCOTE ROAD NOISE BARRIERS

Mr McMANUS (Bulli) [5:37 p.m.]: For some years now this Government has been undertaking major renovations of Heathcote Road from Liverpool to the corner of Princes Highway and Heathcote Road in my electorate. I congratulate the Minister on the millions of dollars that the Government has spent on the upgrading of this roadway. The slip lanes that have been constructed in the last couple of years will alleviate the pressure and remedy the unsafe conditions that existed under the previous Government. However, a significant problem has arisen that the community has taken to heart to a degree. I mention it in the House in the hope that the Minister will give it consideration.

The Government allocated substantial funds in the last budget for the placing of noise barriers on the corner of Heathcote Road leading into Princes Highway. Those barriers, of course, will go a long way towards relieving noise for the residents of Renmark Street and surrounding areas who have been affected by it for many years. Honourable members will be aware that the opening of the road to the northern sector of the State has led to a great increase in the traffic traversing the south coast. Heathcote Road in the vicinity of Renmark Street has an uphill gradient. Residents are suffering from the noise of trucks accelerating up the hill and, alternatively, the backoffs from truck exhausts as the vehicles return downhill to Sydney. While the residents of Odeon Place and Roseneath Place, Engadine, are suffering from strain, the noise is putting pressure also on communities both at the top and the bottom of Heathcote Road.

However, noise abatement tests have already been conducted in those areas and work will

commence before Christmas on the corner of Heathcote Road and the Princes Highway. I ask the Minister to give priority to tests being undertaken in Odeon Place, Roseneath Place and Dover Place at Engadine, Wright Close and Gordon Place at Heathcote, and Bundarra Street and Princes Highway at Waterfall because of concerns expressed by residents about the noise from trucks. In the next few weeks a community consultation process will be carried out in the area of Aldgate Street, Sutherland, and works have recently commenced in Acacia Street, Sutherland, to provide relief to residents. I ask that the noise abatement program and the construction of noise barriers continue in my electorate.

The Government acknowledges that heavy transport must use arterial roads and that noise is associated with those vehicles. However, the noise created by trucks in the areas to which I have referred has reached a level where it is disturbing the lifestyle of my constituents. Although I thank the Government for the work it has undertaken, I ask that funding for the noise abatement program continue in future budgets. A total of \$47 million has been allocated for the Woronora Bridge, and construction will commence in the new year. The completion of that project will alleviate some of the problems of my constituents. I believe the initiatives I have suggested will contribute significantly to allaying the concerns of my constituents.

PORT MACQUARIE OBSERVATORY

Mr OAKESHOTT (Port Macquarie) [5.42 p.m.]: A recent break and enter offence at the Port Macquarie observatory has left the Port Macquarie astronomical association without important equipment. The Port Macquarie observatory is based in Rotary Park near Towns Beach. It was opened in 1961 and is voluntarily manned by 10 hardworking members. I have spoken to the President, Mr Jim Daniel, regarding this unfortunate incident. In the past month the observatory video projector, which is used to project images seen through the telescope, and a video recorder have been stolen. Estimates on the damage reveal that approximately \$6,500 will be required to replace the equipment, money that the Port Macquarie astronomical association does not have.

Because of that I have sent an application form from the Community Casino Benefit Fund to the association and encouraged it to apply. I ask the Minister and the Premier, particularly in the light of the election campaign on the horizon, to consider a small, one-off grant to assist the observatory to be properly equipped. Normally the entire solar system

can be viewed from the observatory and at present both Saturn and Jupiter are visible. Significantly, tomorrow between 2.00 a.m. and 5.00 a.m., if the skies are clear, the Leonid, a shower of meteors, will be visible in the north-east sky. Because the comet Tempel-Tuttle will pass relatively close to earth on its once every 33-year visit, about 10,000 meteors are expected to hit the atmosphere at a height of approximately 90 kilometres. So long as the weather and timing are right this will be a significant astronomical event.

However, unfortunately, the Port Macquarie community will not be able to experience enjoyment from it because of the damage to the observatory. The observatory is an important part of the Port Macquarie lifestyle. Many schoolchildren visit the observatory and, indeed, an annual award is presented to local year 7 students to encourage an interest in astronomy. It is disappointing that the observatory was broken into and that the video projector and video recorder were stolen. In the grand scheme of the New South Wales budget the \$6,500 replacement cost is not a great deal, but it represents the difference between the observatory functioning properly or as a second-rate facility. I sincerely hope that the Minister and the Government consider this request in a favourable light.

INDUSTRIAL MOONLIGHTING

Mr RUMBLE (Illawarra) [5.45 p.m.]: I raise a matter on behalf of a constituent, Mr Evan Swan, of 7 Rutledge Avenue, Dapto, who works in the mechanical and structural detailing industry and complains about moonlighters in that industry. He claims that moonlighters believe they have the right to trade themselves out of debt. The contractor has to trade full time to allow for the cost of quoting for the project, which must cover the cost of all material, labour and expenses. The contractor must provide all equipment, including drawing boards or ACAD, which are purchased from the supplier.

The moonlighter is able to use the equipment, paper and printing facilities of the employer. The cost of the paper is charged to the employer's company, which does not encourage the industry to compete for work. Mr Swan has also asked that members of the Association of Architects, Engineers, Surveyors and Draftsmen of Australia, as it was formerly known, be licensed so as to place those in full-time businesses in a more favourable position. Mr Swan gave the following examples of moonlighters being in a more favourable position:

1. Full weekly pay packet.
2. Quote and able to win the project for about 1/3 of the subcontractor quote.

3. Any material needed comes from the [employer] saving the moonlighter money . . . and laughing all the way to the bank.
4. What insurance has the moonlighter to cover in case there is a problem with the drawing. If there was a problem with the drawings, this will cost the client hours and cannot contact him until he comes home from work about 5.30 p.m. or later.
5. If a drawing [requires] adjustment and the computer is at work or the computer is at home but the plotter is at work and the drawing is required by the client the next day the job [cannot be completed on time].
6. These moonlighters will not have equipment at home, due to the room that this equipment takes up in the house. This equipment . . . must be in a dust free room.
7. Reference books for our Industry are being photocopied instead of buying the reference books from the Department concerned which are very expensive.
8. The Australian Accreditation is a very important part of running the business as this makes companies keep a file of the project. In this file, procedures are in place to keep all important papers, so they can be traced and located within the office.

This Accreditation is very expensive and the money has to come from somewhere and mainly the cost is spread over the shop rate.

9. The insurance required as follows: workers compensation, profession indemnity, equipment insurance and combined liability.

Do moonlighters have these Insurance Policies, as [I am not allowed to enter a construction site] unless I do and prove that my company have these insurances? Copies are taken by the construction company to protect them from costly Legal Battles in Court.

10. A moonlighter sometimes takes a job that is too large for him . . . so all he has to do is ask his mates to assist in detailing the job. Each moonlighter will take a section each and split the payment between them, again where possible using their boss's equipment.
11. The money that is earned from this work is taxable and moonlighters must declare this money in their income tax or do they?

He said that when one considers fair trading between the moonlighter and the contractor, the moonlighter has it all over the contractor because moonlighters receive a full weekly wage before they start. In addition, the contractor must provide a drawing system of some form, including a manual drawing board with drawing pins, replacement cones, pencils, lead refills, special rubbers, tracing paper, masking tape, scale rulers, ink for refilling pens, curve templates, circle templates, electrical rubbers, printing equipment, a plan printer, print paper, a photocopier, photocopy paper, and filing cabinets. He lists a great deal of equipment that has

had to be purchased. Obviously my constituent, being a person in full-time business, has problems with those I have described as moonlighters. I ask the Minister for Local Government to take up the matter with the Minister for Public Works and Services and the Minister for Fair Trading.

MAITLAND BLUE LIGHT INC.

Mr BLACKMORE (Maitland) (5.50 p.m.): I advise the House of a proposal by Maitland Blue Light Inc. to provide a mobile entertainment and recreation unit to be used in the whole of the lower Hunter police local area command. The purpose of the unit is to give young people in the area access to youth activities that their families, regardless of their financial standing, would otherwise not be able to access easily at an affordable price. Maitland Blue Light Inc. is a voluntary non-profit organisation that was formed in September 1983 to cater for the needs of the youth of Maitland and surrounding areas.

The objectives of the organisation are to provide entertainment for young people, particularly in the age group of 10 to 18 years, although not necessarily restricted to that group, in an atmosphere free from drugs, alcohol, smoking and objectionable behaviour and to make activities available to all sectors of the community at a cost that is affordable to everyone, including the disadvantaged. The blue light disco is also designed to enhance the relationship between police officers and young persons in the community and to encourage them to establish a rapport with their local police officers. The mobile entertainment and recreation unit will be a professionally set up unit comprising good quality sound, lighting, projection and power-generating equipment encased in road boxes in a suitably enclosed and covered road registered trailer.

The unit will be capable of providing quality entertainment in any area or environment within the lower Hunter police area local command. The venue could be a public hall, a school auditorium or playground, a shopping centre or mall, a playing field or park, or in the middle of a 100 hectare paddock if the need arises. The unit would be totally self-sufficient and could work from either mains power or self-generated power from an onboard generator. The cost factor at this stage is in the vicinity of \$22,000. Maitland Blue Light Inc. is, of course, asking now for sponsorship proposals. It has some funds to put towards this project and my reason for raising this matter is to ask the Government to consider allocating some funding to this worthy cause.

The area of coverage in the Hunter region encompasses six local government areas, including those administered by Maitland, Cessnock, Port Stephens, Great Lakes, Dungog and Newcastle councils. The total land area is 7,500 square kilometres. The static population is 175,000 residents, and that figure increases to 235,000 during peak holiday periods such as Christmas, Easter and long weekends. There has been a ground swell of public concern regarding rising street crime in New South Wales generally. On a local level there has been a fair amount of criticism levelled at the suburb of Metford and other suburbs and cities within Maitland local area command.

The board of directors of Maitland Blue Light Inc. is aware of a group of disconnected youth within the community who, as a general rule, do not participate in any organised sport. They are not old enough to go to licensed premises for recreation, are generally from lower socioeconomic groups and do not have the resources to purchase electronic or other equipment which is usually available to more affluent groups. The recent legislation regarding knives and the Young Offenders Act are now in force. These are some of the problems that have been experienced by the young people of the area. The directors believe that the blue light disco represents an opportunity to change direction and perhaps turn some of these misguided young people around by providing entertainment and recreation for them. That, in turn, may reduce the incidence of juvenile crime in the community.

Last week in this House I referred to the Metford youth activities van. A few days later I was surprised when another member of this House announced that he was hopeful of receiving funding for a similar project. If that member takes up an offer of government funding, that will make my job in Maitland a great deal easier. It is in a good cause. If these matters are not aired in this House, the community and the Parliament will be unaware of the proposed activities. If a Minister with a discretionary allowance has any spare funding available, a sponsorship donation to this worthy cause would be greatly appreciated. In turn, the youth of my electorate will certainly benefit.

HIPPOCRATES AGED PERSONS TRUST

Mr PRICE (Waratah) [5.55 p.m.]: I congratulate the Hippocrates Aged Persons Trust and its parent group, the incorporating body. The trust has been formed by the Newcastle Greek community. I particularly extend my best wishes and special congratulations to its president, Mr Peter

Sklavos, and to his committee for the initiatives and action they have undertaken as a result of their recent fundraising activities. The trust's first centre was opened at the weekend. The Hippocrates group was able to purchase the former BHP bowling club in Crebert Street, Mayfield, as the site for its proposed nursing home.

The organisation acknowledges the problems of ageing people within the Greek community and, of course, other ethnic communities. Its aim is to provide a centre of health and cultural support for older people from those communities. Honourable members should bear in mind that the Greek community is an old and established community in the Hunter region generally. Last Sunday I attended the opening, and the support of Greek communities from other areas was obvious. A number of busloads of people from various Greek communities in Sydney, including dancers and musicians, were present. The event was nothing short of spectacular. The guests included the honorary consul for Newcastle; the Lord Mayor of Newcastle, Councillor Greg Heys; and former Lord Mayor and Lady Mayoress of Newcastle, John and Margaret McNaughton. The chair of the Ethnic Communities Council was present, as was my colleague the honourable member for Newcastle.

Ethnic nursing homes are a valuable asset to the community. There are a number of them in Sydney. Newcastle has the Tinonee Multicultural Village but, unfortunately, at this stage it does not have a nursing home. Although the Hippocrates group and the Tinonee Multicultural Village take people from any cultural background, they give special care and consideration to grouping people of different languages and social customs together so they can give each other mutual support in their declining years. That also provides a centre for their families and the various social accoutrements that go with it.

Members of the provincial associations associated with the Greek community were also evident at the opening on Sunday. They not only pledged support, they gave financial support immediately. It was great to see the actions of the members of those organisations and the spirit of the more than 300 people who attended. The centre is a great advance for them. The task is hard. It is not simple to get nursing bed licences and it is not simple to obtain the necessary finance. However, the trust now has its function centre in the former bowling club. I am sure the debt it has incurred for that part of its project will soon be paid off as a result of the enthusiasm of the ethnic communities and their ability to raise funds.

When that is done the collateral provided by the property will put the trust well on its way to achieving its goal of starting the first stage of its nursing home project. I give the trust full credit. The founding president, Steve, was also present on the day. He took particular pleasure in the way things have proceeded since his retirement. I wish the Hippocrates trust every success. The community of Newcastle is behind it. All ethnic groups as well as Anglo-Saxons support its objects and activities. I look forward to the opening of the nursing home not too many years from now.

Mr E. T. PAGE (Coogee—Minister for Local Government) [6.00 p.m.]: I congratulate the honourable member for Waratah on raising this matter. I join him in congratulating the trust on providing a much-needed community centre in a part of Newcastle that is well known to me. My parents lived in Mayfield. My father was a long-term member of the bowling club. I am pleased to know that the site, which is no longer required for a bowling club, will be used for a greater social benefit.

CAPE HAWKE HOSPITAL

Mr J. H. TURNER (Myall Lakes) [6.01 p.m.]: Recently the Government made a unilateral decision not to provide public beds at the Cape Hawke hospital, a community hospital that was started 30 years ago on a verandah by one of the bush sisters. It has developed into a significant hospital that is still run by the community but which, at present, is sublet to the private health sector. The community board is ageing. One of its goals was to provide public beds in the Forster-Tuncurry region. When in government the former Minister, the present Leader of the Opposition, Peter Collins, and the Deputy Leader of the Opposition set up a committee comprising council, community and hospital representatives to try to provide public beds at the hospital.

Although the hospital board did not want the entire hospital to consist of public beds, it wanted the Government to take over the hospital as a public entity. That is another issue to be dealt with at another time. The community board is prepared to build an eight-bed to 10-bed public ward; no capital expenditure would be required. The community hospital board would plough back into the public ward the profit it receives from leasing the hospital to private enterprise. There is no doubt that with an ageing population in my electorate such a facility is needed.

Forster-Tuncurry is one of the fastest growing areas in New South Wales. Anyone wishing to access public hospital services must travel 33 kilometres to Manning Base Hospital. For that reason community support has been ongoing. Recently the community hospital board, the general community and the sub-branch of the RSL have agitated for public beds at Cape Hawke hospital. On many occasions I have written to the Minister for Health seeking his agreement to at least continue consultation, if not to proceed further. I received a reply dated 27 October that ruled out any public beds for the Cape Hawke hospital. That is to be regretted, because they are vitally needed. The Minister's letter stated:

The analysis undertaken revealed that Forster/Tuncurry residents accessed Inpatient Services at Manning Base Hospital at an equivalent rate to Taree residents. It demonstrated that providing public beds at Forster/Tuncurry was not economically viable and did not optimally meet any of the identified acute and chronic health needs of that community.

Obviously, the people of Forster-Tuncurry access the in-patient services at Manning Base Hospital because they have nowhere else to go. The letter shows an abysmal ignorance by the Minister and his advisers of the health needs of the area. The only sop they got was that the Government identified the need to develop a high level of ambulance transport between the two centres and to improve general transport to allow both patients and carers good access to services.

Forster-Tuncurry is the third fastest growing area in New South Wales. There are no public beds at the local hospital and it is 33 kilometres from the nearest public hospital. However, the Government's only suggestion is a new ambulance and car pooling to enable residents, some of whom cannot drive or access public transport, to get to Manning Base Hospital. A public meeting convened by the RSL subbranch will be held on Thursday. I am sure we will hear more about this matter. It is abhorrent that the Minister should dismiss the community in such a perfunctory manner. His letter, which consisted of six paragraphs, put an end to the work and dedication of many in the community who sought public beds at the hospital.

It is not good enough. The Forster-Tuncurry area needs not only public beds but emergency services. It is wrong that people who suffer from heart attacks cannot at least be prepped at Cape Hawke hospital prior to going to Manning Base Hospital. Recent scientific research shows that if

patients are prepped properly and early, their rate of survival is much higher. The community demands and deserves the provision of public beds in Forster-Tuncurry. They are willing to provide them, and that is significantly different from anywhere else in the community.

AUSTRALIAN PARLIAMENTARY GROUP FOR DRUG LAW REFORM

Mr MILLS (Wallsend) [6.06 p.m.]: I raise a matter of conscience that is of concern to many of my constituents, as well as to Labor Party branches in the Wallsend electorate. Last Friday I attended a meeting of the Australian Parliamentary Group for Drug Law Reform, of which I am a member. Members sign the charter for drug law reform, which states:

This Charter seeks to encourage a more rational, tolerant, non-judgmental, humanitarian and understanding approach to people who currently use illicit drugs in our community. The aims of the **Australian Parliamentary Group for Drug Law Reform** are to minimise the adverse health, social and economic consequences of Australia's policies and laws controlling drug use and supply.

It is important to point out some of the short-term goals of the group, which include:

- an increasing focus on the reduction of harm associated with drug use,

- abolition of criminal sanctions for the personal use of drugs,

- the adoption on a national basis of the South Australian and Australian Capital Territory expiation notice model for the reform of laws regarding the personal use of marijuana,

- the adoption of a process including consultation and prescription by medical practitioners for selected illicit drugs.

The long-term goals of the group include:

- the reform of drug laws in planned stages with detailed evaluation of such laws at all stages,

- the minimisation of the harmful use of drugs.

Addiction to both legal and illicit drugs is one of the greatest problems facing Australian society. It is certainly one of the great sources of misery to individuals and their families. The solutions to the problem occupy much of the time of parliaments, the judiciary, the legal system and the prison system. Few issues so divide us and lead to angry argument. Illicit drug use and addiction need to be treated primarily as health issues rather than law enforcement issues. Unfortunately, many parliamentarians disagree strongly with that statement. New South Wales is facing an election in which drug addiction will be referred to widely.

It will be used by some as a vehicle to attack members of Parliament and candidates. Others will attempt to promote even more draconian law enforcement as the only rightful path to follow. I will continue to advance the argument in a reasonable way that draconian law enforcement is an unsympathetic and inhumane way to deal with the addicted person who needs our help, rather than being sent to gaol, to break his or her dependency and achieve a satisfying life. I share the opinion of a Tasmanian colleague who, last Friday, stated that a majority of our State and Federal parliamentarians are well behind public opinion.

Perhaps our combative system of government and opposition politics leads to that fault. I commend the co-convenors of the group, Michael Moore, the Minister for Health in the Australian Capital Territory, and Ann Symonds, who recently retired from the upper House in New South Wales, for their continued leadership. The group's short-term goal is the abolition of criminal sanctions for the personal use of drugs. Honourable members will recall the proposed amendments 12 months ago to the Drug Misuse and Trafficking Act to remove custodial penalties for offences of possession and use of not more than small quantities of cannabis.

Amid a lot of high-blown rhetoric and accusatory statements, that bill was defeated by one vote in the Legislative Council. Federal Cabinet suspended the Australian Capital Territory heroin trial that was proposed last year because it said it would send out the wrong message, despite 6:3 support for the trial by police and health Ministers at the ministerial council on drug strategy on 31 July, and despite a Swiss referendum in September 1997, which obtained only 29 per cent support for a ban on medically prescribed heroin in that country.

Another issue of great concern is the high number of deaths due to drug overdoses. In 1995 there were 634 deaths in Australia, which has a population of 18 million. There were only 60 deaths in the Netherlands, which has a population of 15.5 million. Last Friday the parliamentary group met with the council of capital city lord mayors. Those mayors have become most concerned at the social disruption in their cities as a result of drug problems and the harm that they have caused. The attitude in Melbourne is that a safe city is a prosperous one. Melbourne City Council has a program called Sharpsafe—City Safe. Containers for needles are placed in toilets and notices are displayed relating to the reduction of drug harm at four different levels of seriousness, depending on the level of use.

Council aims to reduce harm and to protect the community. It also promotes a needle exchange and foot patrols. Six capital city lord mayors and the general manager of Sydney City Council attended the meeting to which I referred earlier. Their drive for drug law reform in cities is based on the European model—a bottom-up community-based process. I congratulate the capital city lord mayors on their progressive efforts to influence drug policy. It is the unanimous view of councils that there is positive public support for their efforts to promote drug law reform and harm reduction projects. [*Time expired.*]

ST GEORGE AREA INTELLECTUAL DISABILITY SERVICES

Ms FICARRA (Georges River) [6.11 p.m.]: St George Area Intellectual Disability Services Ltd incorporates South Haven Support Services and Sunnyside Special Services. I compliment Bill Mason, Executive Officer—Public Officer, and Jackie Romein, Services Manager, on their dedication and professionalism. The St George Area Intellectual Disability Service currently operates five permanent homes in the St George area. All residents have intellectual disabilities, some have associated physical disabilities and some have major health problems, including progressive liver deterioration, heart problems, premature ageing, including early onset dementia, and Alzheimer's disease. St George Area Intellectual Disability Service provides a live-in respite service for up to 50 short-stay residents on a roster basis.

There is a huge disparity in funding between services, despite the need for a uniform minimum level of services for residents and uniform conditions of employment for staff. There is a difference of approximately \$20,000 per annum per client between the highest-funded and lowest-funded services. Residents in the lowest-funded services have greater support needs than residents in some of the highest-funded services, which makes equity in service provision almost impossible and service management difficult in the extreme. Clients in services with needs that are higher than clients receiving funding under new service arrangements makes equitable service provision almost impossible.

Administration and accountability are growing areas of concern for a lot of disability service operators because of the accounting requirements of the Ageing and Disability Department. It is unrealistic and unaffordable for services to complete accounts under Australian accounting standards and

then to complete them in a different format for the funding body and have them audited. Administrative requirements have increased tenfold in the last five years, yet in most cases there has been no official recognition of the cost or any financial assistance to comply with them. This simply becomes another drain on organisational resources which ultimately must affect an organisation's ability to provide quality services.

This is particularly relevant in services that generate no commercial revenue and have to rely on fees for services, bank interest, fundraising and donations. For this organisation it presents an immediate major concern both for the wellbeing of residents and for its financial long-term viability. This organisation provides high-quality services, especially considering the level of resources available to it. I believe that it will continue to do so in partnership with the Government as long as the Government is able to uphold its end of the partnership.

I will send to the Minister for Community Services a report from Jackie Romein, Services Manager. Jackie, who has been with St George Area Intellectual Disability Services for many years, is well aware of the concerns of her clients. Jackie, as a caring and dedicated professional, emphasises that human rights issues come into play with younger people with disabilities. Some people with dementia have to live in a locked house arrangement to prevent them from running away. She cites many examples of people with specific forms of intellectual disability whose lifestyles and the lifestyles of those around them are hampered because of their situation. Jackie's letter to me states:

I can not stress strongly enough the need to look at the funding of the Organisations who provide care for aged clients and give them quality of life as well as a safe environment.

As the occurrence of dementia and Alzheimer's disease increases because our society is ageing these concerns will become more relevant for State and Federal governments. I implore the Minister to look at and to take into account this submission in her policy formation in the lead-up to the next State election. I am sure that that is what the Hon. Patricia Forsythe, shadow minister in the other House, will do.

PARLIAMENT HOUSE STAFF

Mr NAGLE (Auburn) [6.16 p.m.]: I was elected as a member of Parliament in March 1988. In March 1999 I will have been a member of Parliament for 11 years. In my period as a member of Parliament a number of remarkable things have

happened. People have come and gone and parliamentary staff have done great things for members of Parliament, for the community and for New South Wales. To them I say, "Thank you." I wish to name a few staff members with whom I have had dealings over the years. I thank Allen, Ian, Gengis and other parliamentary attendants for looking after members of Parliament.

Much work has been done by parliamentary staff in the four years that I have been Chairman of the Joint Committee on the Independent Commission Against Corruption and the Standing Ethics Committee. I thank Helen Minnican, Tanya Bosch, Stephanie Hesford, Natasha O'Connor and Louise Pallier. Louise has done a lot to help me over the years. I am indebted to her and to Ronda Miller for their work and support. Ronda put in much time and effort in assisting me as chairman of that parliamentary committee. Marie Swain from the Parliamentary Library helped the committee to produce an important report for this Parliament and the people of New South Wales. Those people have done an enormous amount of work in formulating the ethics code of conduct. I also thank Greg Hogg and David Emery for their work.

I thank Greg McGill and other staff from the Parliamentary Accounts Section for their fine work in helping members of Parliament. It is nice, at the end of every month, to receive my payment on time. I thank Greg, Iris and everyone else in the accounts section for their support. I thank Stafford Bennett, Bob Willis and all the staff in Parliamentary Building Services for the fine work they have done and for the help they have given me, in particular, in my recent move from the eleventh floor to the twelfth floor of Parliament House. A lot of work has been done by people in Parliamentary Building Services to assist members of Parliament make that move—a difficult exercise when one realises how much members of Parliament accumulate.

I also thank David Draper, Joseph and Angela from the Parliamentary Food and Beverage Services. Maureen Morgan does a great job in the restaurant. It is sad that Maureen lost her husband, Don, a while back. I thank Carlos, Don, John and Santiago Rodrigues for their fine work over the last 11 years. I know and love all these staff members and appreciate the work that they do. Of course, the work of the Hansard staff is always appreciated. There is competition among the staff to report me because I talk so fast. When I appear in court, the court reporters tell me to slow down. I thank all of the people in Hansard for their great work in reporting members of Parliament, particularly the fast speakers.

Information Technology Services has been established in recent years. I congratulate Kerrie O'Brien and her staff on their excellent work and assistance, particularly when members were provided with new computers. I also thank the staff of the Parliamentary Library for their assistance and research work. I thank Rob Brian, Richard Baker, Greig Tillotson, Margaret Horton, Lynette Tavukcu and Marie Swain, who helped me in the preparation of a report. I particularly thank the staff of Printing Services, including stationery and stores, such as Patricia Makin, David, and Craig. Without their assistance Parliament would not get through half the work it does.

I cannot forget Security Services, although I cannot mention everyone by name. The security staff know the security problems of members of Parliament and are always there to protect us from unwanted visitors. I thank all the staff, past and present, of Parliament House, who have given an excellent service to the members of Parliament. I wish them a happy Christmas and all the best for 1999. Finally, I thank Linda Foley and Nola, members of my electoral office staff. Being the good boss that I am, they look after me. I also thank Josie Sigrataro and Beryl and Norm Madden for their support. [*Time expired.*]

TIMBARRA GOLDMINE

Mr CHAPPELL (Northern Tablelands) [6.21 p.m.]: Yesterday I attended a meeting at Tenterfield Shire Council with officers from the area and local police commands, representatives of council, Ross Mining, the developer, Timbarra Goldmine, Tenterfield Chamber of Commerce, neighbouring land-holders of the development and my Federal Government colleague Stuart St Clair. The member for the electorate where the mine is sited, the Minister for Regional Development, did not attend, nor was he represented. The purpose of the meeting was to discuss the management of the ongoing environmental dispute on and adjacent to the mine, where environmental terrorists have been threatening life and limb in their attempt to block this worthwhile and fully sanctioned development.

This project is not only of major importance to the company and the mining industry, it is also of major importance and benefit to the Tenterfield community. It enjoys overwhelming public support, even from neighbouring land-holders who have been greatly inconvenienced by road works, restricted access and other disturbances, and mostly by the intimidatory actions and threats made to them and their families by protesters. Yesterday I saw video evidence of several incidents of disturbance caused

by the protesters, including road blockades and harassment of police, mine construction staff and neighbours.

Previously I have called for additional police resources to be made available to the local area command to enable ongoing and timely response to acts of vandalism and terrorism. This project and the threats posed to it have a much wider significance than merely to this company and the community. It has statewide significance and goes to the credibility of this Government being able to guarantee that worthwhile economic projects proceed. The State must continue to generate investment, jobs growth and community viability. To do so, it has to be able to guarantee that projects such as the Timbarra goldmine can proceed in safety and without harassment of any kind. So far I have not been given the courtesy of a response from the Minister to my request for additional resources. However, I hasten to add that local police are doing the best they can with the resources available to them.

I acknowledge the great efforts made by Ross Mining to honour its responsibilities to environmental protection in this development. Indeed, such are the company's achievements in this project, the company is under consideration for a Premier's Award for Environmental Excellence. As I have said previously, the protection that has been built into the project is world class. I continue to be impressed with the thoroughly professional and environmentally aware attitude of this company.

The justice system has let down in a serious way the company and the people of the Tenterfield district. Last week in the Tenterfield Local Court charges against some 30 protesters at the mine development were withdrawn because of a legal technicality. This has sparked great outrage in the local community. I do not query the finding of the magistrate on the fine point of the law—I presume that she was right—but on behalf of the ordinary, commonsense people of the area I express the outrage that they genuinely feel that, once again, people who set out to obstruct, harass, threaten and trespass to block a legal and worthwhile enterprise can get off scot-free.

They cannot accept that someone who trespassed on a closed road, dived under a vehicle and locked himself to the underside of the vehicle in order to obstruct the free passage of authorised people to their workplace could not have known that he was wilfully contravening a closed road order. Such a denial of the only reasonable, commonsense interpretation of the facts would not be an accepted argument from a five-year-old child. Legal

technicalities are involved, but it is simply not reasonable for the community, which pays the bill for the law-makers of this State, to have to tolerate that sort of interpretation. If that is the best that the law of this State can provide, then the law is an ass.

This project must be closely monitored by the several Ministers of the Government who carry portfolio responsibilities appropriate to the development so that we as a Parliament can facilitate the sound future of this project and similar mining and forestry projects around the State. What we see happening at Timbarra will happen at forestry projects that have been announced during the past week. Environmental terrorism must not be allowed to prevail. The community deserves better than it has received so far in relation to the Timbarra Goldmine. I demand that this Government provides safe passage for people who are going about their bona fide duties in a worthwhile economic investment for this State.

Mr E. T. PAGE (Coogee—Minister for Local Government) [6.26 p.m.]: I understand the concern of the honourable member for Northern Tablelands but I find it difficult to understand how he can demand this Government take action as though we have not already taken action. The law in this State on social order has been tightened significantly during the term of this Government. All the issues raised by the honourable member were ignored by him when he was a Minister and his Government was in control of the State for seven years. He is another one of the caravan of Opposition members who say, "We want immediate action. We did nothing for seven years, but you have a responsibility to do something." He is a latter-day saint: he has found a solution to society's ills and knows the ones who are responsible—the Government.

The honourable member for Northern Tablelands never accepted any responsibility whatsoever when he was a Minister. When the coalition was in Government it made no attempt to change the laws of this State. As has been pointed out by the Premier, the only law and order issue that came before the Parliament when the coalition was in Government related to that scourge in our community: bungee jumping. The honourable member for Northern Tablelands was not concerned about urban or rural terrorists then; all he was concerned about was bungee jumping.

HOME BREAK-IN NRMA ANALYSIS

Mr STEWART (Lakemba) [6.28 p.m.]: I want to talk about some of the good things the

Government has done in law and order and local policing initiatives. I do so against the backdrop of an article in today's *Daily Telegraph* about Sydney's home break-in hot spots as statistically analysed by the NRMA. In that article 10 suburbs from Sydney's metropolitan area are listed as hot spot priority areas for burglary during 1997-98. Those suburbs are Marrickville, Canterbury, South Sydney, Auburn, Fairfield, Ashfield, Strathfield, Leichhardt, Liverpool and Bankstown. Clearly, no-one could dispute that a 32 per cent increase, which is listed against Canterbury in that article, warrants special attention. However, I point out that this figure is part of the NRMA's analysis and is not a properly scrutinised statistic provided by the police or by the Australian Bureau of Statistics.

However, I am not shying away from the fact that the figure provided by the NRMA—which is based on statistics provided by its customers or clientele—demonstrates a trend of sorts. For example, it indicates that burglary has increased in the Canterbury area during the past 12 months. However, as a result of the efforts of the local police and the Government the incidence of crime in my electorate has been recognised and is being addressed. I acknowledge that there have been crime hot spots in my electorate in the past few weeks. However, the Government has recognised the need to deal with those concerns in a constructive and tangible manner.

In this regard I highlight Operation Innsbruck, a specialised police operation, which has been operating in my local area since 1 July. Today I spoke to Inspector Jeff Allen of the Bankstown police patrol. He advised me that since the commencement of Operation Innsbruck 463 intelligence reports have been submitted to the police and 313 people have been arrested, resulting in 776 charges. The offences targeted include assaults, street offences, process of warrants, car theft, traffic violations, goods in custody and receiving, robbery, aggravated sexual assault, stalk and intimidate, assault occasioning actual bodily harm, larceny, drug offences, perverting the course of justice, possessing explosives, and other miscellaneous offences.

This across-the-board police operation has been very effective and most recently has targeted some of the youth concerns in my area. For example, 200 youths were stopped on one given evening. These youths were searched not because they were grocery shopping at Woolworths for their mothers but because they were causing problems and concerns to the amenities of the local area and the surrounding environment. As a result, 17 arrests

were made. Some people have linked this exercise to other events that have occurred in my area, but I dispute those claims. Criminal concerns and gangs exist in my area but they are not race or colour gangs, as some people have suggested. They are simply congregations of criminals—gangs involved in local network criminal activity, such as break, enter and steal, burglary, local drug trafficking and car stealing.

These areas are being effectively targeted by the police. I am pleased to point out that the Government has provided the teeth, the resources and the laws to deal with them. Knife laws are now in place. The Government recently introduced legislation relating to gangs, car search powers and car hoons. The laws have had a massive impact on my local area. The Minister for Police has announced that since the introduction of those laws 563 cars have been confiscated and 1,500 charges have been laid. These hoons are now getting the message that their activities are not welcome, that they will be made accountable for their activities and that they will accept the ultimate consequences according to the law. That law is effective and is getting results in my area. I applaud the Minister for Police and the Carr Labor Government for approaching this matter in a most concerted way.

CAPTAIN COOK DISCOVERY CENTRE

Mr KERR (Cronulla) [6.33 p.m.]: I wish to bring to the attention of the House the state of the birthplace of modern Australia, Kurnell. I have received representations from a resident, a Mr Stanley Hiskins, in relation to the neglect at that area. Mr Hiskins has written to me quite rightly saying that it is an area that should be looked after by all Australians. He said:

We object to this site being overgrown, this is the area declared sacred in 1899, not that that means anything to the Carr Government.

I should point out that this is in contrast to the immaculate condition of the camellia gardens maintained by Sutherland Shire Council. The New South Wales Government is failing to maintain the birthplace of modern Australia. Mr Hiskins continued:

This area was dedicated to the greatest navigator in history. A man who was instrumental in General Wolfe taking Quebec, a man who sailed around the world three times. Captain Cook when Lieutenant discovered the east coast of Australia in 1770. On his second voyage he discovered the Norfolk Island with such men under his command as George Vancouver of Canada, Gilbert of the Gilbert Islands. He was such a good navigator that any sailor was proud to sail with him. On his third and last voyage the Master of the Resolution and with

him when he was killed was a gentleman by the name of William Bligh. That is the man Lieutenant James Cook, the greatest navigator in history, the first man to use longitude to sail around the world, a man who was declared lost only to sail up the Thames with all pennants flying although at one time only having 12 fit men on the ship. He never lost one man with scurvy on all his voyages.

The people of Kurnell are an independent and resolute group. They have organised a clean-up that is to take place this Saturday along the historic Captain Cook Drive. A local resident, Mr Nick Boes, is the organiser. If honourable members would like to come along, they are invited to bring gloves, sturdy footwear and sunscreen. The Captain Cook Discovery Centre is at Kurnell. Before the Minister gets the seven-year itch and talks about the former coalition Government he should recall that the museum was neglected and opened for only a short time while his party was in Government. The former coalition Government brought that museum into shape and it is now open. However, under the Carr Labor Government the museum is not sacred.

In his letter Mr Hiskins details a number of errors in the discovery centre. For instance, the discovery centre's painting of Cook's landing at Botany Bay by E. Phillip Fox shows the crew as buccaneers and flying the red ensign instead of the white ensign; the model of the *H.M.S Endeavour* is flying the red ensign instead of the white ensign; outside the discovery centre the Union Jack of Anne 1707 is flown instead of the white ensign of Captain Cook; and the sketch of Botany Bay is not Cook's sketch. Mr Hiskins notes that a barbecue shed has been flattened by a tree, the waterfront is being eroded and the rock onto which Isaac Smith stepped is about to break up. He notes that that rock is accessible for only approximately 2.5 hours each day and that it is now dangerous. It has a sharp, short metal spike circa one metre west of it.

This area is crying out for attention. In any other nation it would be the subject of pilgrimage and millions of dollars would be spent on its upkeep. How can we invite visitors to this area when it is in such condition? On behalf of the people of Kurnell, I ask the Government to exercise some of its fundamental responsibilities as an Australian government. [*Time expired.*]

WOY WOY BUS-RAIL INTERCHANGE

Ms ANDREWS (Peats) [6.38 p.m.]: Last week when I spoke in the House about the official opening of the upgraded railway station and bus-rail interchange time did not permit me to sing the praises of the Cityrail employees working at Woy Woy. Without exception these employees are totally

dedicated to their job. They take great pride in their station environs and look after the thousands of train patrons as though they were all members of one big family. Senior citizens, people with disabilities and persons with young children in their care are all singled out for special attention by the diligent Woy Woy staff. Woy Woy is one of the busiest stations within the vast Cityrail network and the pressure under which the staff work must be seen to be believed. However, they manage to be polite and courteous at all times and they put quite a lot of humour into their dealings with the travelling public.

On the day of the official opening, 5 November, the staff served a light breakfast to hundreds of commuters. They started serving as early as 4.30 a.m. and were still handing out muffins and tea or coffee at 9.00 a.m. Throughout it all, the staff maintained a cheerful banter with the train travellers. A number of the staff then turned up again to help out at the official opening at noon. Stationmaster Gordon Welch and I joined the station staff serving breakfast at approximately 7 a.m. I can assure the House that the pace was pretty hectic.

Some of the staff have long service at Woy Woy. Stationmaster Gordon Welch has been there for the past seven years. Assistant stationmaster Brian Denness has clocked up 16 years at Woy Woy. Assistant stationmaster David Vangestel has served for 10 years there, while Les Greentree, customer service attendant, has been at Woy Woy for the past 12 years. Graham O'Connor, customer service attendant, has been at Woy Woy for five years. The two longest serving employees are Clayton Lombe, customer service attendant, with 20 years service, and Peter Scott, salesperson, with 18 to 20 years of service. All the staff without exception are great ambassadors for CityRail and I take much pleasure in paying tribute to them.

The recently completed project at Woy Woy incorporated a series of major constructions, commencing with the extensions to the undercover commuter car park. The \$3.3 million project was jointly opened by the honourable member for The Entrance, the Parliamentary Secretary for Roads, and I on 28 October 1996. The three additional levels provide more than 200 extra car spaces. The funding was provided by the Roads and Traffic Authority from 3 x 3 funds under the RTA's public transport infrastructure improvement program. The upgraded car park can now accommodate approximately 800 vehicles. Two lifts were installed to provide easy access for people with disabilities.

The former coalition Minister for Transport had adamantly refused to install the lifts in the car

park but, through funding from the Federal Labor Government, the lifts have been installed. Thirty-two closed circuit television cameras connected to Woy Woy police station have been installed throughout the car park. The second phase of the overall \$8.3 million project at Woy Woy involved a massive roadworks program in Railway Street. This again was the overall responsibility of the RTA, with the involvement of Civil and Civic and Gosford City Council employees. The roadworks cost in the vicinity of \$3 million and have given Woy Woy an entirely new look. The surrounding landscaping has certainly added to the attractiveness of the area.

Woy Woy had its first set of traffic lights installed last year to provide safe access for pedestrians to the railway station. The bus-rail interchange provides covered bus bays on the station side of Railway Street, taxi ranks with covered shelters for waiting passengers, and the long-awaited kiss-and-ride facility enabling people to let down or pick up train travellers in a designated area. Also provided for the convenience of train commuters are bicycle lockers and a large number of bicycle racks. All in all, the much-needed project has been warmly received by the community and all those who use Woy Woy railway station.

BORENORE NATIONAL FIELD DAY

Mr R. W. TURNER (Orange) [6.43 p.m.]: Tonight it gives me much pleasure to bring to the notice of the House the recent Australian National Field Day held at Borenore, just outside Orange. It was very well organised and well attended. It is acknowledged as the No. 1 Australian national field day. It has been going for 45 years, from strength to strength. For the first time the event was held on Thursday, Friday and Saturday—5 to 7 November—rather than Tuesday, Wednesday, and Thursday. There was apprehension by organisers and exhibitors about the change causing increased wage costs with the payment of overtime but the change was validated by the increased number of visitors. The largest ever number of people attended and the fence of a nearby property had to be cut to provide parking for the extra cars. It was pleasant to have that problem rather than having car parks half full.

I acknowledge the hard work done by the committee of Australian National Field Days, especially chairman Pat Murphy. All members of the committee are volunteers. They give of their time because they want to see Orange and agriculture promoted. This year they did an excellent job, as they always have. I publicly acknowledge the work they have done on behalf of the whole district. This year the guest exhibit was viticulture, which is of

increasing importance to the Orange district. There are attempts to link Mudgee, Orange and Cowra through the common interest of grape growing for premium wines. Most of the area around Orange is above 600 metres and the district is becoming well known for its high quality wines. They are sought after for blending with wines from other areas, especially from the Hunter Valley.

Some years ago I was not taken seriously when I predicted that before long the Orange district would have more area under grapes than the Hunter Valley. Whilst the Hunter Valley is continuing to increase its grape production, the Orange area is increasing its production much faster. Within a few years the Orange district, including Canowindra, will have more area under grape than the Hunter Valley. This will be important to the district in transferring reliance from traditional agricultural pursuits such as horticulture, sheep, and cattle. It will increase tourism, providing extra dollars to the area.

In addition to the small boutique wineries there are larger wineries such as Rosemount. Anyone who has tasted the Rosemount Orange chardonnay will acknowledge that Orange is a premium wine-growing area. I also acknowledge the committees that have run the food and drink stalls. I refer particularly to Apex, the View Club, 20-30, Rotary and some of the church groups. The field days represent the main fundraising activities of those clubs for the 12 months. Dozens of volunteer workers, over the three days, helped to make the field days the best in the country.

Private members' statements noted.

[Mr Acting-Speaker (Mr Mills) left the chair at 6.48 p.m. The House resumed at 7.30 p.m.]

**FORESTRY AND NATIONAL PARK ESTATE
BILL**

Second Reading

Debate resumed from 12 November.

Mr D. L. PAGE (Ballina) [7.30 p.m.] I lead for the Opposition in this debate. The purpose of the Forestry and National Park Estate Bill is to make provision with respect to forestry operations in native forests and to make substantial additions to the national parks and nature reserve system. The bill seeks to transfer certain State forests and other Crown lands to the national park estate and to Aboriginal ownership. It also provides for ministerial forest agreements and an associated system of integrated approvals for future forestry operations in

native forests. Such integrated approvals relate to the regulatory regimes for environmental planning and assessment, for the protection of the environment and for threatened species conservation.

The bill also seeks to amend the Forestry Act 1916 to provide for a new category of informal reserves, to extend the operation of the Timber Industry (Interim Protection) Act 1992 for a further year and to additional land pending ministerial forest agreements and integrated approvals. It seeks also to amend the Native Title (New South Wales) Act 1994 to preserve native title rights and interests in relation to additions to the national park estate and wilderness declarations. It is appropriate for me at this time to examine some of the background surrounding the bill.

In 1992 the Commonwealth and State governments, including the New South Wales Government, signed the National Forest Policy Statement, which undertook to create a comprehensive and adequate representative reserve system and regional forest agreements across all States in Australia. The coalition's position in New South Wales has always been to support the National Forest Policy Statement. In 1996 the Government announced a series of new national parks, which took away about half the timber resource previously available to the timber industry. This latest decision adds a further 420,000 hectares to the national parks system—the north-east of the State providing 380,000 hectares—with the creation of 85 new national parks, bringing the total of national parks created since the Carr Government came to office in March 1995 to 150.

Mr Yeadon: One hundred and fifty-one, actually.

Mr D. L. PAGE: One hundred and fifty-one. As an offset to the timber industry, Crown quota mills are supposedly to receive 20-year wood supply agreements, although that is not specified in the legislation. Indeed, the Minister said in his second reading speech that this "will be done by providing two 20-year wood supply agreements based on demonstration of value adding and subject to future resource inventory". I emphasise the words "subject to future resource inventory". Let me make it clear from the outset that the coalition's support for a vibrant and sustainable timber industry in New South Wales has always been, and remains, rock solid.

A future coalition government will provide the policy framework and resource security for a sustainable and economically viable timber industry.

The coalition will do this by completing the regional forest agreement process in consultation with, and with the support of, the Commonwealth Government. This process will provide the basis of 20-year iron-clad timber supply agreements, which will be contractually enforceable, as well as a scientifically robust reserve system. Unlike a Carr Government's wood supply agreement, which by the Minister's own admission will be delivered only after future resource inventories have been undertaken, the coalition is prepared tonight to guarantee such wood supply agreements without the preconditions imposed by the Labor Government.

From an industry perspective, the Forestry and National Park Estate Bill adds to the national parks reserve system without providing the resource security and certainty that the forest industry must have for investment, timber processing expansion and employment maintenance. The bill will transfer 420,000 hectares of land to the reserve system before regional forest agreements have been completed. Not only has the Carr Government deliberately chosen to create a much larger reserve system in New South Wales than was required or intended under the National Forest Policy Statement but it has done so without paying sufficient regard to the scientific work that has been undertaken and without having proper regard to the welfare of communities that will be affected by the decision.

Little attention has been given to the effects that the decision will have on the wood supply for the timber industry over the next 20 years nor to the impact it will have upon the Government's contractual obligations. Most importantly, over the last few months the Carr Government's forestry and conservation agenda has been prosecuted without the participation of the Commonwealth. The Carr Government has charged ahead on its own without the important input from the Commonwealth, particularly in areas such as community profiling and social and economic impact. While the Minister has said that the Commonwealth chose to pull out of the process, it was forced to do so because decisions were being made without a proper information base.

Mr Yeadon: Nonsense.

Mr D. L. PAGE: The Minister will get his chance in a minute. With the issuing of the writs for the Federal election the Commonwealth Government went into caretaker mode and was not in a position to act. That situation no longer exists, and the Commonwealth ought to have been involved before the Government took this decision. It should not be forgotten that under the forest industry restructuring package the Commonwealth is putting up half of the

money, that is \$60 million, and that unless the Commonwealth signs off on the deal there will not be any regional forest agreement for the north-east or for the south-east. The Commonwealth Government has also drawn the Premier's attention to the linkage between the continuation of the regional forest agreement process and the ongoing commitment of funding support for New South Wales forestry reforms.

By passing this bill through the Parliament the Carr Government runs the very real risk of losing access to the Commonwealth's \$60-million commitment. The Commonwealth Government is not alone in being excluded from the process. Farmers, the mining industry and the Aboriginal community in the north-east were excluded towards the end. Even those who were part of the process expressed their frustration and dismay at the indecent haste with which the Carr Government has moved towards finalising a position on this issue. The Lower North-east Forest Forum, which represents a wide cross-section of the community—a section of the community from environmentalists to industry—wrote to the Premier in September expressing these very sentiments. The chairman of the forum said in his letter:

The members of the forum were unanimous in passing the following resolution with the direction I bring it to your attention and express our concern and dismay at the indecent haste with which this matter is now being brought to finality.

Until recently at least this Premier seemed to revel in his "Greener than Kermit the Frog" tag. He appeared to measure his environmental credentials by the number of State forests that he could relabel as national parks. What the Premier clearly does not understand is that there is much more to good environmental policy than rushing out and declaring new national parks. He clearly does not understand or, worse still, even care about, the effect that closing large areas of State forests has on families, workers and the social and economic fabric of communities in regional areas who rely on a sustainable timber industry for their very livelihood.

Mill closures at Tenterfield, Glen Innes, Coolah, Drake, Grafton, Bombala and other rural centres have already cost hundreds of jobs and consigned decent, hard-working men and women to the scrap heap. Despite what the Government says, there are few alternative employment opportunities available for these people and, of course, the flow-on effect of job losses to other people and businesses in these communities is devastating. Another effect of closing so many State forests has been the impact on timber suppliers for those mills left operating. Evidence already exists that the five

by five year wood supply contracts that the State Government has with industry will not be able to be satisfied.

Logs are being transported hundreds of kilometres from Nambucca to Urbenville, subsidised by the State Government. All the coastal compartments north of Grafton currently being harvested were in interim forest declaration areas [IFDAs]. If State Forests did not have a wood supply problem, why would it be accessing areas that were part of the assessment process and where logging was supposed to have been deferred pending assessment? I am concerned that future New South Wales governments will be placed in the untenable situation of being unable to meet their log supply commitments to industry, forcing the taxpayers of New South Wales to pay out millions of dollars in compensation, all because of the amount of State forests locked up as a result of decisions taken by this Government.

Not only is there the initial impact on rural communities of the creation of 151 new national parks, there is the secondary impact of not being able to guarantee supply under the current five by five contracts and the proposed 20-year contracts some time in the future, as well as the inevitable compensation payouts that will follow. I know that the New South Wales Forest Products Association and the Government place considerable emphasis on the fact that the Chief Executive of State Forests, Bob Smith, has given a written undertaking to the Minister for Forestry that State Forests will be able to deliver its 20-year wood supply agreements. I have obtained a letter from the Chief Executive of State Forests to the Minister—

Mr Nagle: How did you get a private letter?

Mr D. L. PAGE: It was given to me by stakeholders. The letter states:

In meeting the timber supply commitments within the opportunities provided by the modified state position State Forests will make every practical effort to supply traditional species mix to sawmills and minimise the length of haulage of timber to supply specific mills in the upper north east and lower north east areas.

That is far from a binding commitment on State Forests. If I were a Minister I would not be satisfied with that commitment. The Chief Executive of State Forests also said that he will make every practical effort to supply, but it is not a binding commitment that he will be able to deliver. Taken in conjunction with what is happening in the field, if the Minister were re-elected he should be concerned because he will be responsible for writing cheques for

compensation to the timber industry on behalf of New South Wales taxpayers.

Another consequence of converting so many State forests into national parks is that the harvesting cycle is forever being shortened, in the end resulting in the production of smaller logs and less sustainable forests. State Forests is forced to revisit compartments more often. It is important to note that the quality and quantity of logs available to industry has fallen away sharply since the Carr Government took office and took away half the available resource. It will drop even further following the latest round of national park declarations.

Trees are having to be cut younger and younger, yet the Government tries to convince the people that it has a policy based on sustainability. The more often one returns to a compartment the shorter and less sustainable is the harvesting cycle. The Forestry Field Officers Association suggested that the Carr Government intends to trash native forests on the north coast over the next 20 years. If the Government proceeds with the decision to overcut the remaining native forests in order to satisfy its commitments to the timber industry, it will threaten the very viability of the forests. I should like to quote from a press release by that association about the Government's decision announced last week. The press release stated:

Such a decision shortens the viability of the forests, their rare plants and animals, and the special features the people of New South Wales have come to value from them.

The professional forest managers, scientists and researchers employed by State Forests of NSW are no longer prepared to sit idly by as the government of the day considers directing us to implement unsustainable practices.

The technical managers in the field are saying that the Government is embarking on a policy that means forests will be harvested on an unsustainable basis. The reaction of the Commonwealth Government to this proposed legislation gives a clear indication as to where the balance of opinion appears to rest. The Federal Minister for Forestry and Conservation, Wilson Tuckey, has expressed his disappointment at the Carr Government's announcement on the north-east forest agreement. As a recently appointed Federal Minister he has gone out of his way to encourage Ministers in this State to continue to complete the regional forest agreement [RFA] process. I am advised that when he became Minister he contacted the New South Wales Ministers involved in this process, in particular the Minister for Urban Affairs, and commented that he was very keen for the Commonwealth to re-enter the process.

The Carr Government has taken the unilateral decision to ignore the overtures of the Federal Government in this regard. Last Friday the Commonwealth and State Ministers were due to meet, but the Carr Government chose to announce its decision the previous Thursday. That is the way to upset and antagonise people. The Federal Minister felt that this package failed to look after the interests of those associated with the timber industry and was not able to secure sustainable forests for future generations. The Federal Government is committed to delivering balanced outcomes in the forms of jobs, security for the future of the industry and environmental values. The State coalition agrees with those outcomes. Minister Tuckey put the New South Wales Government on notice in a press release in which he stated:

The Commonwealth is not prepared to passively stand by and watch jobs and the future of our forests jeopardised. NSW Ministers will be left in no doubt as to where the Commonwealth stands.

I shall refer now to the reaction to the bill from other stakeholder groups. The Construction, Forestry, Mining and Energy Union [CFMEU], a strong supporter of the Labor Government in the past, has described the Government's decision as an example of bad public policy resulting from the cobbling together of politically motivated initiatives and the expenditure of more than \$50 million of taxpayers' money to appease the insatiable appetite of the New South Wales green groups. These are the union's words, not mine. The decision was a demonstration of the Government's failure to stand up for a balanced outcome against the pressure of conservation groups.

In relation to the jobs package the CFMEU suggested that it had a shonky appearance, with only 30 of the 105 jobs to be created in the national parks to be made available to displaced timber workers. The National Association of Forest Industries [NAFI] has indicated that the provisions of the bill will not provide long-term security for industry or regional communities. The Minister clearly indicated in his second reading speech that the 20-year wood supply agreements would be subject to future resource inventory. This is the perfect escape clause for the State Government.

The ministerial forest agreement can be changed by ministerial agreement at any point, and the volume of timber available under the 20-year agreements can be reduced without any compensation for either loss of revenue to industry or jobs in the community. With the increase in national parks under the bill and the consequent reduction in production forests, wood supply to

industry can be maintained only by overcutting the remaining State forests at more than their long-term sustainable level. Cutting the forests at the rates proposed by the Carr Government would attract enormous criticism, certainly from the green movement.

New South Wales timber would be unsaleable in an increasing number of markets which demand clear proof that the timber comes from a sustainably managed resource. Inevitably a future New South Wales government would have to reduce log supply to a sustainable level for the reduced area of State forests. This is not idle chatter. Already the Commonwealth Department of Environment has refused to accept New South Wales timber because it did not come from an RFA area. The contractor who had the timber work in Canberra for the Federal Department of Environment had to sell the New South Wales timber to someone else and buy timber from a State that had an RFA.

I am talking about quality control, quality assessment and the need to ensure that timber producers in this State will be able to sell timber both domestically and internationally. The way in which they will be able to do that will be by saying that they are parties to the National Forest Policy Statement and that they have regional forest agreements which is signed off by both the State and Federal governments. At present they cannot do that. Under the Government's proposals they will still be unable to do it because the Commonwealth has not been part of the process. According to the National Association of Forest Industries, the reduction in resources will lead to closures and loss of jobs in Eden, the upper north-east region and the lower north-east region.

In its current form the legislation will not lead to regional forest agreements being signed by the Commonwealth Government. That will create a range of disadvantages for the industry in timber marketing, inability to export wood chips beyond the end of 1999 and a loss of Commonwealth assistance for a range of projects. Boral Ltd is one of the biggest players in the timber industry in the north-east and lower north-east. It has expressed its clear disappointment with the Government's package, stating that it fell short of expectation in a number of important areas and would be difficult to support. In a statement released on 16 November, Boral, in a notable departure from its past cautious position on Government forest policy matters, raised serious concerns about the unsustainable nature of future timber supplies which will be a consequence of the bill, and alluded to the prospect of further mill closures because of the uncertainty of the Carr Government's ministerial forest agreements.

Honourable members will be aware that since the Carr Government's forestry reform agenda has been implemented, Boral has closed down eight mills and thrown 150 workers in small rural communities across New South Wales on to the unemployment scrap heap. Boral said that the Government failed to deliver the type of decision which would encourage investment. Boral's main concern is the Government's inability to provide long-term consistency in size and quality of logs. It also issued a timely reminder to the Carr Government that it is still waiting for it to deliver on its promises made in 1995 when supply was reduced by 40 per cent, resulting in the closure of mills and the displacement of timber workers.

It is perhaps worth reflecting for a moment upon the Labor Government's forestry policy from the last election campaign. Many of the promises contained in that document have never been delivered. In March 1995 the Premier went out on a limb to court the green vote because he needed the preferences. He did so knowing full well that he would have to deliver on some promises. The sense of betrayal experienced by green voters following last Thursday's announcement was palpably obvious to all who saw the evening news that night. In his media release, Ian Cohen stated that the Greens would not tolerate the Carr Government's act of betrayal over its forest policy. As I recall, he said, "To hell with the Carr Government". He went on to say that the hypocrisy of the Carr Government was overwhelming and, despite the written promises before the 1995 State election, the decision has delivered the worst forest protection in the country. The Hon. Ian Cohen will no doubt expand on the views and sentiments he expressed last week when the opportunity presents itself during debate on this bill in another place. I look forward to reading his comments.

In March 1995 the Premier promised that his Government would shift the basis of the State's timber industry from logging old-growth and wilderness forests to reliance on plantation and regrowth logging. He also promised to establish a proper management, regulatory and operational structure for State Forests to ensure transparent, consistent and unambiguous policy direction. The reality is that under the proposed legislation, ministerial forest agreements and approvals will not be transparent. Labor's policy talks of the need to identify—in conjunction with the establishment of a comprehensive, adequate and representative conservation reserve system—those locations from which timber may be harvested.

The Government has rejected a CAR reserve system and has repudiated the national reserve

criteria developed in accordance with the National Forest Policy Statement. In fact, the Government has measured its environmental credentials not by what is in the CAR system but by the number of national parks it has created. The Government has claimed that by creating all these new national parks it has done the right thing by the environment when in fact that is not the case. The Carr Government's policy goes on to state that a Carr Labor Government would review the existing framework of environmental regulations to establish clear, consistent and strong environmental regulations for the production and harvesting of timber. However, the mechanisms proposed in the bill will establish regulatory mechanisms that are neither clear, consistent nor strong, but are instead secretive, flexible and non-expert.

In relation to conservation, the Carr Labor Government promised to systematically manage the transfer of logging from high-conservation old-growth and wilderness to plantation and regrowth forests with reasonable assessments being used to establish a comprehensive, adequate and representative reserve system. Instead of a CAR reserve system under the National Forest Policy Statement, the Government has adopted the number of national parks as its new benchmark. It seeks to put in place a system of ministerial forest agreements which is inconsistent with the regional forest agreement process prescribed by the 1992 National Forest Policy Statement and adopted by all other States in Australia. The Commonwealth regards that as unilateral action by the New South Wales Government. The bill has not been supported by the major New South Wales forest industry companies, the National Association of Forest Industries, the Construction, Forestry, Mining and Energy Union, the North Coast Aboriginal community or the conservation movement.

Mr Armstrong: Who does support it?

Mr D. L. PAGE: The only people who support the bill are the representatives of the New South Wales Forest Products Association. That organisation has consistently supported the Government's forestry policies, almost irrespective of the restrictions the Government has decided to impose upon the timber industry. It seems to have had a glue-like commitment to the Labor Government and, indeed, some comments made by Gavin Hillier from the union indicate in not very flattering terms that the association between the New South Wales Forest Products Association and the Government has bordered on sycophancy. They are his words, not mine.

The New South Wales Forest Products Association, which has been consistent in its support of the Government, has indicated it wants to move eight amendments to this proposed legislation. Some of them go to the heart of the bill. What sort of amendments does the association want to move? It wants to move amendments that basically indicate that the process that has been followed to date will be part of the process of developing forest approvals and forest agreements. The association wants some sort of commitment.

The association points out that at least eight important areas have been identified. Honourable members should bear in mind that although the association's members are the major supporters of this legislation, they are not happy with the bill and want it amended. They want a forest agreement to be put in place within some sort of a time frame such as 60 days. The bill is woefully inadequate in that regard. We could be waiting for 10 years before the first forest agreement is in place. I will have more to say about forest agreements later. The Opposition reaffirms its support for the RFA process as set out in the National Forestry Policy Statement. That direction was agreed to by all States of Australia and the Commonwealth Government when the National Forest Policy Statement was signed and subsequently endorsed by the current New South Wales Government in its 1995 forest policy.

In reaffirming its support for the RFA process, the Opposition acknowledges that, unlike Victoria, Tasmania and Western Australia, New South Wales has not been able to finalise an RFA. A substantial amount of work costing millions of dollars has been undertaken. It is clear that the direction and the value of that scientific investigatory work will be seriously threatened by the abandonment of the RFA process and the decision to commence the new ministerially approved forest agreements proposed in the bill. Not only is the expense incurred to date on RFAs potentially wasted but the Government's decision to abandon the procedures agreed under the national forest policy statement and to take unilateral action is likely to have wider consequences.

For example, the Government's action may threaten the commitment of the Commonwealth Government to provide its \$60 million half share of the forestry industry structural adjustment package and to reimpose controls on the export of some forest products that have been recently removed. It is apparent that the bill and the accompanying announcements by the Premier and the Minister for Forestry will result in job losses rather than the generation of additional employment. As companies like Boral have indicated, a lack of current or likely

future investment in the forest industry in New South Wales will be perpetuated by the proposed legislation.

Apart from a new timber industry employment task force, the only employment on offer by the Government in association with the bill is taxpayer-funded jobs for displaced timber workers in national parks and future jobs in a biomass energy plant which is only at the conceptual stage. The Forestry and National Park Estate Bill is unbalanced. It provides for the immediate transfer of substantial areas of State forest and Crown land to the reserve system, and does nothing to increase the economic prospects of the forest industry.

It introduces an unacceptable system of ministerial forest agreements, provides no legal protection for commercial forest land arising from ministerial forest agreements, and introduces a bureaucratic and cumbersome system of integrated forestry operation approvals. The bill will not enhance investment and employment prospects in the forest industry, but it will continue to result in investment in plantation expansion, wood processing and value-adding manufacturing going to other States, such as Victoria, Tasmania and Western Australia.

[Interruption]

The Minister is not competing with Victoria. If he does not know that, he is not alive to the truth. It is acknowledged that the integrated forestry operation approvals approach is a step in the right direction. However, the proposed approvals mechanism will continue to perpetuate the current cumbersome and inefficient statutory approval regime because of the requirement for three Ministers, backed up by their departments, which will all have different views, as they have had in the past, to approve integrated operations. Difficulties will also arise because of the relationship between the issue of approvals and the need to first have in place ministerial forest agreements.

Clause 2 provides for the transfer of land to commence on 1 January 1999. There is no comparable measure in the bill with respect to forest industry measures. Part 2 deals with land transfer to national park estate and Aboriginal ownership. Clause 12 provides for the transfer of revoked State forest and Crown land to the ownership of local Aboriginal land councils. Schedule 6 sets out State forests and Crown lands that are to be transferred into the ownership of local Aboriginal land councils. The north coast Aboriginal community has not participated in the preparation of the proposed

legislation. The lands of particular spiritual and cultural significance to north coast Aboriginal tribes are not included in the schedule.

Part 3 covers forest agreements. In many respects they are central to the bill. Clause 14 provides for the making of forest agreements by the Minister for the Environment, the Minister for Forestry, the Minister for Urban Affairs and Planning, and possibly the Minister for Fisheries. Clauses 15 and 16 require forest agreements to be predicated on the undertaking of a broad regional forest assessment [RFA], and to prescribe the scope and contents of agreements. Clause 17 requires the ministerial forest agreement process to be subject to a public participation process.

The clauses I have referred to and other clauses under part 3 set up a new forest amendment process that will subject the industry to yet another expensive and lengthy process. The proposed ministerial forest agreement process has some serious shortcomings, including being at odds with the Australiawide RFA process arising from the 1992 national forest policy statement, which has already been concluded for some regions in Victoria, Tasmania and Western Australia, and which is well advanced in New South Wales.

The process does not have the concurrence of the Commonwealth Government, but has a range of statutory powers that can be exercised over forest areas and the industry. The intensity, scope and time frame of the ministerial forest agreement process is open ended. The ministerial forest agreement process will serve to heighten concerns about continued access by the forest industry to even reduced quantities of lower-quality logs. The forest agreement process will discourage potential investment, economic growth and employment opportunities.

The serious concerns raised by the coalition, major stakeholders in the forest industry and the conservation movement are shared by an independent analyst, Mr Steve Collett, who, as an independent consultant, has undertaken a separate analysis of the Carr Government's forestry decisions, proposed legislation and supporting maps. Mr Collett raised a number of concerns relating to the detail of the mapping of the national park and the nature reserve additions of the bill. He concluded that the proposed bill is:

a very messy and hasty outcome, from a process that should have been carefully chartered through very difficult waters. Indecent political haste by the Carr Government now has the potential to turn the forests issue into a festering sore until the March 1999 election—the exact opposite of the peace deal that he wanted.

He is undoubtedly talking about the Premier. He continued:

The lack of transparent involvement and scientific scrutiny during the very rushed negotiation phase will, in my opinion, bring the State Government process undone.

The Opposition supports schedule 9 to the bill, which amends the Timber Industry (Interim Protection) Act to extend for a year from 30 December 1998 timber harvesting in compartments for which full environmental impact statements have not been completed. The passage of that aspect of the bill is critical for the timber industry, and the coalition fully supports it. The Opposition wants the Government to understand that it will support that aspect of the bill throughout the process.

The Opposition disagrees with the Government about whether, in the long run, the proposed legislation is a good package. The Opposition believes it can be done better and that it should be done with the Commonwealth. Although the bill has some good aspects, it is not what the people of New South Wales deserve as an overall package. It is not consistent with the national forest policy statement, and it will not provide the people of New South Wales with the security of regional forest agreements and the ability to sell their timber with the knowledge that it has been harvested on a sustainable basis.

I hope that the Government understands that the coalition will support any part of the proposed legislation that provides for the timber industry to continue to operate after 30 December. Despite our differences, it is important that the Timber Industry (Interim Protection) Act be extended for at least 12 months to enable those operations to continue. I came to this bill with an open mind. I was even positive about it. I take this opportunity to thank people from the Department of Urban Affairs and Planning who are in the gallery for providing me with a briefing on the bill.

I was hopeful that I would be in a position to support much of what was in the bill. Unfortunately, when I looked into it more deeply, discussed it with the various stakeholders and realised some of its shortcomings I realised I was unable to support it. Forest agreements are central to the bill. Although one would normally want to support agreements that give some sort of certainty to the industry and to the conservation movement about what areas will be in the reserve system and what areas will be available to the timber industry, the forest agreements proposed in the bill have serious weaknesses.

The first major problem is that agreements can be made by three Ministers and, therefore, they can also be revoked by three Ministers. It is not unrealistic to expect that in Cabinet three Ministers in a government on the eve of an election, under political pressure from one side or the other, could easily decide that the appropriate political response to the pressure from one side or the other is to revoke a forest agreement. There could be no transparency associated with such a decision because it would have been made in Cabinet and, therefore, would be subject to Cabinet secrecy provisions.

I said earlier that the bill does not clarify the scope of forest agreements. Are regions, forests, or compartments to be subject to regional forest agreements? The bill is not clear in relation to that matter. The Opposition has obtained legal advice which states that forest agreements, once established, are not legally binding. Earlier today the Leader of the National Party tried to table that legal advice in this House. The Government refused to allow that advice to be tabled because, no doubt, it believed it was contrary to legal advice that it had obtained. The Government is not prepared to listen to genuine, good-quality legal advice from people like Pat Brazil, a former head of the Federal Attorney-General's Department in Canberra, who states:

The agreements would have no binding force (under Cabinet solidarity the State Government could amend them or terminate them at any time, as only State ministers are parties).

If there were any room for doubt on the matter, clause 18 provides that an agreement can be amended or terminated at any time jointly by the Ministers to the agreement.

The bill provides for the termination of agreements in any event. A 20-year agreement provides no security at all. If the regional forest agreement [RFA] route, the proper route involving the Commonwealth Government under the national forest policy statement, were taken we would have something to which everyone was committed, something that was genuinely sustainable and something that would result in a sustainable forest outcome. Pat Brazil also states:

There is even no requirement of public participation before amendment or termination (that requirement is limited to the 5 yearly reviews—clause 19).

Legally therefore the proposed agreements are not binding on the parties to it. They fit the well known words of Hollywood's Sam Goldwyn:

"I'll give you a definite maybe."

"A verbal contract aint worth the paper it's written on."

That is legal advice about the nature of these so-called forest agreements under part 3 of the Act. The legal advice, when referring to integrated forestry operations approvals under part 4 of the Act, states:

Approvals can have effect for up to 20 years, unless sooner revoked. This is in clause 29, and clause 30 goes on to spell out that an approval may be amended, suspended or revoked at any time jointly by the Ministers who granted the approval. Another "definite maybe."

That is another of Sam Goldwyn's famous quotes, which is as applicable now as it was when he first uttered it. Pat Brazil also states:

There is nothing in the Bill like the provisions in the RFA's with the Commonwealth (and hopefully in the Commonwealth legislation supporting RFA's) saying that the environmental etc requirements are deemed to be satisfied etc, but on the other hand:

- Clause 35 suspends the provisions of the *Environmental Planning and Assessment Act 1979* in respect of operations during any period that an integrated forestry operation approval is in force.
- Clause 37 prevents official proposals for wilderness areas over land covered by an approval.
- Clause 38 excludes certain civil and criminal enforcement proceedings by 3rd parties under environmental protection and other legislation.

The legal advice clearly states that forest agreements and approvals can be made effectively in secrecy and can be undone effectively in secrecy. Therefore, there is no binding agreement. If the Government is serious about having a binding 20-year agreement to create certainty in the timber industry, which is about jobs and a proper comprehensive and adequate reserve system, forest agreements and integrated approvals do not meet the test. Those forest agreements are reviewable every five years. What sort of certainty is there in a 20-year agreement that is reviewable every five years?

Mr Armstrong: We borrow money.

Mr D. L. PAGE: Exactly. Generally, when we borrow money we do not borrow it for only five years. Often we borrow it for much longer. I am talking about long lead times. If value-adding takes place it will take some time to get the money back. There can be no guarantee that 20-year wood supply agreements will be available. Some people might be able to secure 20-year wood supply agreements under this Government. Even though the timber might not be there some people might be able to secure those agreements and they will be compensated when the timber runs out. What will people do if a 20-year wood supply agreement has

to operate under the umbrella of an overarching forest agreement which was reviewable every five years?

What if the Minister obtained advice from State Forests that a certain company could not operate because, under the five-year review, the resource had to be taken away from industry? I have seen some of these tightly written forest agreements. The force majeure clause is the only out for the State Government. Under that clause the State Government can opt out of an agreement only if the Commonwealth Government does something. The State Government does not have the capacity to extricate itself from these contracts. It can do so only if the Commonwealth does something that is beyond the control of the State Government.

The agreements are fairly tightly written from industry's perspective. Some people have watertight agreements from industry—compensatable, divisible agreements which are able to be sold. Overriding those agreements are forest agreements which are able to be, and which will be, reviewed every five years. What sort of certainty does that give the timber industry? The forest agreements do not fit the model necessary for recognition under the national forest policy statement. It is not possible for us to extract this agreement and say, "We want to put on a new hat and form an RFA." It would be better if we could, but the process that is now being followed is quite different. It does not meet the criteria of an RFA.

The Government believes that it can rush this bill through in some sort of political deal before the next election and then grab the Commonwealth by its ears, bash its head on the table and say, "We have an RFA in place." That will not work because the Commonwealth will not wear it. The Commonwealth will not sign off on agreements that have not been subjected to the process and in which it has not been involved. The bill contains a number of flaws. It would be nice to believe that if this bill was supported the protracted forestry debate would be at an end. However, this legislation is flawed. It does not provide the certainty that the timber industry needs. It does not provide the jobs and the investment that are needed in country towns that are so often dependent upon one industry. When that industry dies, so too do public services in the area. Real estate values go down and people move away from their families.

Mr Armstrong: And schools diminish.

Mr D. L. PAGE: Schools close and hospital services are reduced. It has a flow-on effect. There is no certainty—

Mr ACTING-SPEAKER (Mr Clough): Order! I ask the member to direct his remarks to the Chair.

Mr D. L. PAGE: I will do so. There is no certainty for industry. The Government will claim that it has received advice from State Forests that there is enough wood to satisfy 20-year wood supply agreements. I said earlier in debate that the advice received from Bob Smith is not iron-clad advice that I, if I were the Minister, would be prepared to accept. If someone said to me that every practical effort would be made to supply traditional species, I would be worried about that, particularly if I knew that my boss had a political imperative to set up an agenda before the election and to do something to bring in a great many of votes and secure preferences from the green movement. I would not accept that kind of commitment, particularly if I knew I was dealing with taxpayers' funds. Recently a report appeared in the *Sydney Morning Herald*—and I am sure that the Minister will refer to it in his reply—that stated that I supported the Carr Government's forestry policy. I make it perfectly plain that those comments were limited to two specific areas.

The first area is plantation expansion, a matter about which the coalition is serious and an important part of the long-term sustainability of the timber industry and the generation of jobs in the bush. It is also an integral part of a successful carbon trading market in New South Wales which will deliver economic and, importantly, environmental benefits to the people of this State and will reduce the volume of greenhouse gas emissions. We support plantation expansion; there is no good reason not to. If the Opposition is accused of supporting a government that supports plantation expansion, I am happy to be so accused.

The Opposition is absolutely committed to plantation expansion, which not only is good for rural areas, it is inevitable. If the wood supply in the reserve system continues to be reduced, obviously an alternative source of supply has to be found. Over time plantations will provide that source. The second area is the nature of the Government's policies. Recently on a radio program the Minister acknowledged that he has taken 50 per cent of the resource away from the industry—

Mr Yeadon: It is 60 per cent.

Mr D. L. PAGE: More in some cases; on average 50 per cent. Because of that action, a sustainable timber industry will require the voluntary acquisition of private property, that is, from people who are prepared to voluntarily sell their timber. I

am comfortable with those two areas: plantation expansion and the voluntary offer to sell timber to the State. However, if the Government had not taken away so much of the Crown reserve it would not have to put its hand in its pocket—

Mr Yeadon: We haven't.

Mr D. L. PAGE: The Minister should have managed the situation in a more intelligent fashion. The conservation movement is aware that the Government has locked up some areas that should not have been locked up and has not locked up other areas that should have been locked up. Some Crown leases have been identified on government maps as vacant Crown land and some freehold land has been identified as Crown leases. There are so many flaws in the maps and details that it is no wonder the green movement is concerned about the way this process has unfolded.

The Opposition tried to be constructive about this proposed legislation by finding areas it could support, but it was largely a fruitless exercise. Unfortunately from the Government's perspective, the Opposition will oppose the bill. It is inconsistent with the provisions of the National Forestry Policy Statement because a number of its provisions are unacceptable to stakeholders on both sides of the argument and the bill has been rushed into the Chamber without proper consideration. My advice to the Government is to put before the House a sensible bill that can be supported by the stakeholders and the Opposition.

This half-baked, flawed bill will not assist in the creation of jobs in the bush—it will only create uncertainty for rural communities—and it does not follow the conservation requirements as set out in the National Forestry Policy Statement. For those reasons we do not support it. The Opposition will support schedule 9 because we understand the importance of it to the timber industry. I make that clear to the Minister. Hopefully when the matters are debated in another place he will not try to play politics with that aspect of the proposed legislation.

Mr FRASER (Coffs Harbour) [8.24 p.m.]: It is with some sadness that I oppose this bill. The opportunity to assist the timber industry in this State has been poorly handled by the Minister. The Minister grins. I compliment the shadow minister, the honourable member for Ballina, on his well-researched speech. He travelled around the State and listened to people's concerns. He issued a report, which the Minister did not take any notice of. I congratulate the honourable member for Ballina on a job well done. I say to the Minister that, sadly, the

bill is a failure. When one looks at the people who do not support the legislation one comes to the realisation that the legislation will not work.

The Construction, Forestry, Mining and Energy Union does not support it. Remember Mr Hillier? During a Department of Primary Industries and Energy investigation the Minister basically called him a liar and he called the Minister a liar. We will never get to the bottom of that one. He supported the Minister on this bill but at the eleventh hour, or perhaps the thirteenth hour, pulled out. In a media release this week the Forestry Field Officers Association referred to a "trash and crash" option and the Institute of Foresters talked about "log and flog". Boral and the small millers say they cannot support the bill. Last night I was on a 2BL radio program with the Hon. I. Cohen, a member of the Greens. He said that the national parks that are being claimed by Forestry have been good for forests, but that these are confetti national parks.

Icons of State Forests, such as the well-managed Bruxner Park in Coffs Harbour and Norman Jolly Reserve—which I do not think the Minister has been to—are examples of great management. However, they have been stolen and given to the National Parks and Wildlife Service. The National Parks and Wildlife Service has been saying consistently that it does not have enough money to manage its existing reserves. These well-managed reserves, which allow access to members of the public to enjoy the forests on the north coast, have been handed over to the National Parks and Wildlife Service because they are icons. The Commonwealth Government does not agree with the bill because it has been frozen out, and State Forests does not agree with the bill. A memorandum was read into *Hansard* by the honourable member for Ballina. I will refer to an internal memorandum of State Forests dated 29 October headed "Possible RFA Outcomes, The Northern Rivers Experience".

Mr Yeadon: Point of order: The honourable member for Coffs Harbour is referring to a document that cannot be identified other than as an internal memorandum. I ask that he table the document.

Mr ACTING-SPEAKER (Mr Clough): Order! The honourable member for Coffs Harbour will identify the document.

Mr FRASER: The document is addressed to the attention of Tim Parkes, is dated 29 October, and is from Ross Sigley, sales manager, Northern Rivers region. It states:

Since the IAP decision we have been operating in the Northern Rivers Region in Non IDFA Cpt's. It has taken us just 2 years to completely exhaust the quota volume in Casino, Urbenville, and Murwillumbah MA's and Tenterfield is all but finished.

Hundreds of compartments assessed and either logged or found to be unviable in just two years. Don't think we didn't try we spent tens of thousands of dollars logging compartments that the contractors went broke in (logging in bush with less than 5m³/Ha). We spent thousands on planning areas we couldn't get anyone into.

Despite physically proving we had no wood we then went back and reassessed everything using API and further field investigation. Urbenville District and Northern Rivers Region have put together comprehensive compartment reports detailing this work.

This year we have reinvestigated the better of these compartments in Urbenville and conducted a couple of highly marginal operations as a result.

There is simply no quota-sized wood in any of these compartments worth logging. If you took 50000 m³ that Frames says is present outside of IDFA compartments you would be looking at an average of less than 2m³/Ha. These are stands which are generally capable of averaging at their peak in excess of 50 m³/Ha.

It must dawn on our top resources people eventually that stands carrying a level of volume which is only a fraction of their capacity are already seriously in trouble. The only way to realise any of the volume that is there, (assuming that would in any way be an intelligent approach), would be to have an unlimited pulp market and clear fall the forest. Incidentally much of the species aren't even much good for pulp anyway. If we are relying on non-IDFA compartments to supply volume next year we will simply not be operating at all next year in the Northern Rivers region. To supply 50 per cent of the 1995 levels we would require every IDFA compartment. Incidentally we are not the only region who is looking at being in trouble. Under the program I'm hearing about where we cart wood around the State to make up commitments everywhere will be operating as Casino has, totally unsustainably, and everywhere will end up where we are.

As a comparison the detailed CFI inventory conducted in Kendall for the last 35 years was showing in 1992 that we could only sustain m³/yr there and that was before the introduction of the latest EPA rules and the conservation protocols. It would take just a couple of short years for Kendall to end up with Casino and then what? There wouldn't be one single example of good sustainable forest management anywhere in the State. What a record after 80 years. Don't we have a much greater responsibility than the one to this government—

Mr Yeadon: Point of order: The honourable member for Coffs Harbour has identified the two people alleged to have been the subject of this memo—in other words, the sender and the recipient—but it is clear from the content and the way it has been written that it is not a memo. I therefore ask that the honourable member table the document.

Mr FRASER: I seek leave to table the document.

Leave granted.

Mr FRASER: Will the document also be incorporated in *Hansard*?

Mr ACTING-SPEAKER (Mr Gaudry): No.

Mr FRASER: I will therefore continue to read the document. It states:

Don't we have a much greater responsibility than the one to this government don't we have a responsibility to the people of this State and those that work within this organisation. I suspect the "green's" must be absolutely bewildered at this point as to what the industry and State Forests think they are doing. We have them convinced locally that there is no wood in Non-IDFA yet here we are negotiating in the RFA on the basis that there is no wood there. If they believe there is no wood there they must be thinking that, well native forest logging in the North of the State is finished because they will be left with a State that is unloggable.

I suspect they do know that we are playing the game of Brer rabbit. I hope a re-run of the frames data without using the plots that end up in the reserve system will give a more realistic picture state of the forests. I keep saying it but you can't forget it. Just because the volume is said to be standing somewhere don't assume that a percentage of it is loggable. It is not even right to assume that any of it is loggable. A percentage of hardly anything spread thinly over a large area doesn't make for a viable operation and simply won't happen. I wait with hope that the Frames data can deliver some figures, which support what we know to be the case on the ground. We have just one last chance to come clean and be honest about the way things are before this UNE RFA is signed. State Forests will be held accountable for whatever happens as a result of the RFA decision and if the industry has been led to believe that the volume is there in this part of the State then we should be held responsible. How simple it would be to swap the non-IDFA and IDFA and achieve a result for both sides which would look like a real win win situation.

This is a memo from within State Forests, the Minister's department. We have a situation across this whole process, but no-one believes it. Only the Forest Products Association [FPA] is currently supporting the Minister. Under the FISAP agreement Col Dorber and the unions are, to a large extent, being funded by him. Members of FPA are receiving Government assistance, which I fully support. Groups such as Hurfords, Pidcocks, Douglas Head—the list could go on—are involved.

Mr Yeadon: Machins.

Mr FRASER: Yes, Machins. Those people have logged responsibly in the past and have value-added. As a result of this process, the industry is divided. The Minister has set logger against logger, miller against miller, worker against worker. The process is not scientifically based. In fact, information that has come to my notice during this process tells me that the following question must be

asked: How did the RFA achieve a better conservation outcome when there is no record of species actually existing within the model habitat now reserved under the process? Someone has said, "This area here looks like it is likely habitat for the regent honeyeater." None of the areas reserved under the RFA have any records of the bird actually existing in them, yet they have been reserved for that process.

None of the areas reserved for the red goshawk under the RFA have any records of the bird actually existing in them. Albert's lyrebird is already protected by State Forests because harvesting in its preferred habitat, rainforest, is not allowed. The deals between the Greens, the unions and the timber industries are not sustainable. This has been a real grab. I know for a fact, as the Minister knows, that large tracts of land were offered to the National Parks and Wildlife Service—which has largely driven this whole process—in exchange for State Forests keeping Bruxner Park, an icon enjoyed by the people. [*Extension of time agreed to.*]

However, the National Parks and Wildlife Service saw it as an icon three minutes drive from Coffs Harbour that it could claim as its own. It will not fool me and it will not fool the locals because it has been there for many years. My children grew up there—they fed the goannas, watched the koalas in the trees and saw the satin bower birds. It is magnificent habitat. However, the Minister has let National Parks grab it for the sake of publicity. He is not even supporting his own department keeping icons such as the Norman Jolly Reserve, which has the most magnificent stand of tallowwood—I hope the Minister has been there and looked at it—and some of the most magnificent brush box I have ever seen. It is well preserved and maintained—in fact, people cannot walk around and trample the roots of those tallowwood trees. It is well managed by foresters who understand and know the area.

It has been traded off. However, a better conservation outcome would have been reached if the Minister had allowed State Forests to keep it and to take the other land that was offered. However, the Minister did not want it. Chaelundi is part of that deal, and he knows it. He talks about 2,900 hectares at Wild Cattle Creek. There are photos to prove the box trees standing at Wild Cattle Creek are 80 years old. They are old growth by whatever standard is put on them. It proves the regeneration capacity of forests. It proves that these forests can be regenerated in the long term, something that the Minister has flatly rejected in his term in office.

I have stated it in this House before, I have banged the table and I have shouted it, but that has not got me anywhere with the Minister because he does not want to listen to his own department. He does not want to come up to look. He came to Coffs Harbour once and hid because he thought there might be a forest demonstration against him. There was not. The Minister had a guilty conscience: he knew what he was doing to the industry. As I said, it is a sad outcome when the Minister's only support is from an organisation which, in effect, has been bought by the Minister; it has been guaranteed.

Tonight the shadow minister asked the FPA: What happens when it runs out of timber? What happens when the Ministers cannot supply wood? The State then has to buy those areas or those contracts back. It is not a conservation outcome. It will not work in favour of the industry, the FPA or conservation. It will close working forests that were sustainable and managed properly. The Minister would not allow that to happen. He listened to the wrong advice. At the end of the day we end up with a flawed system that will not work. It will not provide a conservation outcome. That means that private property will have to be attacked. In fact, I put to the Minister that within five years private land that has timber on it will be compulsorily acquired. That is not a conservation outcome and that is not a forestry outcome.

Timber is a renewable resource. Areas of the north coast such as Wild Cattle Creek that have been logged for more than 100 years are proof of that. There are magnificent trees that can be harvested. Timber is a living resource. It grows to a marketable size that can be utilised. North coast timbers are all around Parliament House, inside and outside the Chamber. It was built from beautiful timber from the north coast more than 100 years ago. The timber has now been replenished. There are more trees in my electorate now than there were 20 years ago. Honourable members should look at the back of Mount Coramba and the Australian Paper Manufacturers plantation. That is a monoculture that I do not like.

Forestry should be managed sustainably and properly but the Minister has not provided that opportunity. He did a deal with the unions and the Greens. He has not kept his word to either group. He has come up with a mishmash that the Commonwealth cannot agree with. There is legal opinion saying that the agreement cannot be sustained, the process is not legally correct. The Government has given funding to people from the Forest Products Association. I fully support them

and they have worked hard in the industry for generations. They will find that their timber will not be accepted into the Olympic site or anywhere else because it is not subject to a legally constituted RFA agreement. This agreement has not been done in that way.

The Timber Industry (Interim Protection) Act has to be extended. The Minister should go back to the drawing board and work hand in hand with the Commonwealth and the people who know what the industry is all about. He should change what he has done. The issue should not be used as an imperative coming up to a State election. The Minister should tell the truth for a change. He should talk to the people who will be affected and get them on side. At this stage he has put everybody off side except those that he has bought, and that is very sad. To give an idea of how the National Parks and Wildlife Service operates I quote a letter from On the Wallaby scenic tours to the Minister:

Dear Ms Allan,

I would like to bring to your notice something that I find hard to understand. I operate a 4WD Tour Company from Bellingen on the mid north coast of N.S.W. and was told when I was setting up, that four wheel drive tours were not permitted in National Parks.

Today I opened up the Coffs Harbour Advocate to find an advertisement for a Tagalong through the new "Chaelundi National Park" conducted by the N.P.W.S. at the cost of \$35 per vehicle. Is it in the National Parks charter to conduct such activities? There are already four private operators in this area who conduct Tagalongs and these businesses rely on the trade that is now under threat by a large Government Organisation. This is totally unacceptable and quite obvious that we cannot compete with such a big player. If this activity is allowed to go ahead, there are another four businesses in threat of closing down, in this area alone.

I might add, that even though I carry Advanced Ecotourism Accreditation for my Tagalong tours, I was not permitted to enter National Parks as a commercial operator, and was appalled to learn of the N.P.W.S. intention to conduct the very same activity. I look forward to hearing a reply from you on this very important matter.

That company will not hear from the Minister. The Minister is handing over the areas and people will be locked out. The jobs that the Minister for Forestry and the Minister for the Environment promised in ecotourism are not there. There will be only short-term jobs in plantations; there will be no long-term jobs in timber. They cannot be sustained. The coalition will oppose the Government. It will support schedule 9. The Minister should go back to the drawing board and talk to the real players.

He should talk to the unions, the Forest Protection Society, Aborigines, and New South

Wales Farmers, which was locked out of the process over the last few weeks. After talking with them he should come back with something that will receive bipartisan support in this House and the other House. Then he will have the support of the community. By doing what he has done he will get no support from any of the players apart from the ones he has bought off. I support what the shadow minister said. We cannot support the bill. I again ask the Minister to do something that is credible, not what he has done.

Mr OAKESHOTT (Port Macquarie) [8.44 p.m.]: I am pleased to speak on the Forestry and National Park Estate Bill. The explanatory memorandum states:

The object of this Bill is to make provision with respect of forestry operations and additions to the national park estate following regional resource and conservation assessments.

The particular objects of this Bill are as follows:

- (a) to transfer certain State forest and other Crown lands in the Eden Lower North East and Upper North East regions to the national park estate and to Aboriginal ownership.
- (b) to provide for Ministerial forest agreements and for community consultation and reporting on forests on a regional basis, including a system of integrated approvals for future forestry operations in relation to the regulatory regimes for environmental planning and assessment, for the protection of the environment and for threatened species conservation,
- (c) to amend the *Forestry Act 1916* to provide for a new category of informal reserves
- (d) to amend the *Timber Industry (Interim Protection) Act 1992* to extend its operation for a further year and to additional land pending Ministerial forest agreements and integrated approvals.
- (e) to amend the *Native Title (New South Wales) Act 1994* to preserve native title rights and interests in relation to additions to the national park estate and declarations of wilderness, and
- (f) to amend certain other Acts and make related and other provisions.

At the outset I make my position clear: There are elements in the agreement that are worthwhile and there are broad principles in the agreement that are heading in the right direction. However, I believe that the Government has failed significantly in the process and in the management of the introduction of the bill. As a piece of public policy it has let down the public in relation to proper consultation, satisfactory negotiation and getting anywhere near to a desirable win-win, brown-green outcome. Public policy is surely all about improving our State in the public interest.

The Minister should answer some simple questions. First: Why is it in the interest of New South Wales to be the only State in Australia to depart from the agreed regional forest agreement process? Why have Tasmania and Victoria been able to successfully negotiate a true regional forest agreement [RFA] but we cannot? Second: Why is a unilateral and solo State system of agreements in any way in our public interest? Third: Why is it in our public interest not to include the Commonwealth? Fourth: Why is it in the public interest for the Government not to negotiate with north coast Aboriginal communities? Where have all the platitudes about reconciliation gone when a genuine piece of hard-nosed negotiated legislation is on the table for debate? What was all the Aboriginal dancing in this Chamber really all about?

Fifth: Why has our State not taken a genuine lead on our massive industry trade imbalance that is an embarrassment to anyone involved in this debate? Sixth: Today in Parliament the Government blocked debate on this matter. Why is that in the public interest? Seventh: The Government also refused a member of this place the opportunity to table a legal opinion that said that the forestry bill was flawed. Why is that in the public interest? Eighth: Why was it that the only legal advice allowed to be tabled was the Premier's? Is that in the interest of debate and democracy? These are simple questions that people want answers to. We are sick of political games and rhetoric. Why are so many people upset about the introduction of the bill—the National Association of Forest Industries [NAFI], the Forest Protection Society, Boral, and the Construction, Forestry, Mining and Energy Union? NAFI stated:

Premier Bob Carr's forest Legislation provides no guarantees for job security and sustainable food supply to the New South Wales forest industry.

It falls well short of the reasonable and constructive submission put by NAFI to the NSW Government on behalf of its members.

Mr Carr has walked away from the Regional Forest Agreement process between the Commonwealth and State Governments. His legislation ignores the scientific, social and economic assessments that underpin Regional Forest Agreements already signed in Tasmania and Victoria . . . Promises that some future Government will provide plantations and buy up private forests, have no legal standing and are no basis for any investment or job security for regional communities . . . Rather than settle the forest debate in NSW, the Legislation will guarantee that forests will remain at the forefront of the political agenda compounding the uncertainty and concern that already exists in regional NSW.

The Forest Protection Society stated:

The timber community support group, the Forest Protection Society, is alarmed by Bob Carr's so-called "Forest General

Agreement for Northern NSW forests", fearing it will cause massive social dislocation and further economic hardship in regional communities.

Today's announcement by Bob Carr on his plan for NE New South Wales forests offers Security for timber communities despite claims to the contrary by supporters of this organisation . . . Just like Carr's plan for south east NSW the plan is based on politics not science—claims of jobs and investment are being made without any detailed socioeconomic analysis or community input.

For example, the ink is not even dry on the Southeast NSW forests plan and already promises of job creation are coming unstuck.

The Forest Protection Society continued by saying:

For years the politics of forestry have led to community and industry insecurity, job losses, loss of environmental values and a blow out in Australia's trade deficit in forest products. Some Australian politicians and the extreme greens are happy to lock up forests while the Australian people continue to consume vast amounts of forest products—this is NOT sustainable Mr Carr!

The society finished by saying:

The RFA process is designed to arrive at science based outcomes negotiated between State and Commonwealth Governments—what we are seeing today is NOT an RFA—it cannot offer long term security.

An opinion of great significance to the Port Macquarie electorate is that of Boral, which runs Herons Creek mill, one of the major timber mills in the southern hemisphere. I noted earlier this year that both the Minister for Forestry and the Attorney General were at the launch of the new occupational health and safety timber industry policy on site at Herons Creek. The Government clearly regards Boral as important to the future of the timber industry and has shown through visits and negotiations that it has been spending some time courting Boral and its views on this de facto agreement. Therefore, Boral's statement of opposition must have cut the Government to the quick. Despite the Government's visits and its attempts to get into bed with industry while flirting with the green movement, industry continues to view the Labor Party with great suspicion. In a media release on the legislation Boral said:

Boral timber today expressed disappointment about the Government's North East forest announcement . . . Today's announcement falls short of our expectations in a number of important areas. It will be difficult for Boral to support such an outcome.

Unfortunately the Government hasn't delivered the type of decision which will encourage investment . . . The Government's announcement includes a number of initiatives which are clearly designed to mitigate the negative impacts on the timber industry. However, it is the detail of these

initiatives that will be critical to their success. We will have to analyse their proposal carefully to fully assess its impact on our business and individual mills.

It is the implementation of these initiatives rather than just the promise of them which is critical to our business. We are still waiting for the Government to fully deliver on the promises it made when we reduced our supply by 40% in 1995 and subsequently and closed eight mills, displacing approximately 200 workers.

I never thought I would see the day that I would quote the Construction, Forestry, Mining and Energy Union, the Government's great mate union. But, lo and behold, the CFMEU is not happy about this bill. The opening line of a CFMEU media release reads:

The Construction, Forestry, Mining & Energy Union refused to endorse the forest decision announced today by the NSW Labor government. Instead the union described the government's decision as an example of bad public policy, resulting from the cobbling together of politically motivated initiatives and the expenditure of more than \$50 million of taxpayers money to appease the insatiable appetite of NSW green groups.

This legislation clearly needs more work. It needs to have genuine consultation and genuine accountability built into it. Until that happens the coalition, in the public interest, will not support it.

Mr NEILLY (Cessnock) [8.52 p.m.]: In speaking to the Forestry and National Park Estate Bill I would point out to the honourable member for Port Macquarie that the Construction, Forestry, Mining and Energy Union is not the only union involved in the forestry industry. Forestry workers who work for the Government and those who are employed as pole cutters for the mining industry and so on are represented by other unions. The CFMEU is representative of the group that examined the different propositions that were put as part of the audit process, but it was not the only union involved with the forestry industry.

I am concerned about this proposed legislation. Last Thursday I was told that I was to be briefed, but that briefing did not take place. I received a message last Friday to attend at 9.30 a.m. today for a briefing. I could not attend at 9.30 today because last night I was still looking after my constituency. I have still not been briefed. Determinations have been made in which I was not fully involved. However, I shall accept that the Government's position has been well thought through. One never gets agreement on forestry issues because the stark reality is that the union, timber harvesters and green interests have different agendas. It is a difficult situation to grapple with.

The Government's proposal will not necessarily be the ant's pants in resolving the forestry issue, but

it will be a better package than those of other States and other countries. There has been a genuine endeavour to package the interests of the Greens and the interests of the forests. However, I have personal concerns which arise from dealings I have had in the past decade. More than 40 years ago I started buying timber for a local council through a local miller, R. A. Sweetman and Son Pty. Ltd. The same miller was supplying the Moree Plains Council with sleeper timbers and ironbark girders so that the council could do a little bridge building. That sort of first-grade timber is no longer readily available. The first-grade timbers of today were the second-grade and third-grade timbers of 30 years ago. The council obtained the requisite timber, not prescribed by the council but by the New South Wales Government through the Roads and Traffic Authority. In those days one was obliged to obtain the appropriate timber for constructing bridges and guard rails for the Roads and Traffic Authority. Who prescribes the timber for wharves?

Mr Fraser: The Government.

Mr NEILLY: The Maritime Services Board, the Government, prescribes the timber. Who is the biggest housing provider in New South Wales?

Mr Fraser: The Department of Housing.

Mr NEILLY: The Department of Housing. How does the Department of Housing build its houses? So who is the greatest determinant of the timbers that the Government buys in New South Wales? The Government itself. Does the Government replace old bridges with concrete? It has put in place a regime that replaced timber telegraph poles with underground wiring. In fact, it has totally addressed the requirements of the timber industry. State and Commonwealth governments make determinations which reflect the needs of an industry. That has not been done as yet. The Government has considered forests and the needs of the industry but not who determines those needs and why they are determined.

In late 1987 I was sitting in my office when I was informed of a declaration for Yengo National Park, which is an extension of Wollemi National Park. R. A. Sweetman and Son Pty Ltd of Millfield was cutting timber out of Yengo. Sleepers were being cut out of Wollemi National Park, but Sweetman was the first cab off the rank. I did not know anything about it. I wondered what would happen next. I was rolled in 1988. Sweetman told me about timber in a new area at Mount Royal. I had told Sweetman about that area in 1984, when the Maitland timber industry relinquished it after

harvesting. I wrote a submission on behalf of Sweetman and another person at Muswellbrook requesting access to Mount Royal.

Despite the fact that Sweetman had constructed an access road, Mount Royal was found to be the habitat of the endangered Hasting River mouse, and he was denied access to the area. He could do nothing about it because the area had been declared a national park. Recently he spoke to me about the assessment process and told me he needed blackbutt and that there was a good area in the Watagan forest. The area has been harvested for 120 years and each year enough timber is harvested to build a town the size of Singleton.

It takes 12 years to grow a timber crop, 50 years to grow a decent pole and 150 years to gain good quality timber such as ironbark. Despite protestations, 6,800 hectares in my territory have been declared a national park. The forest area that abuts Yengo should have been declared a national park, as well as certain areas within the Gosford Shire Council area, which were never taken into account. I am not satisfied that the proposal has been properly put together. I am particularly upset that people who live in Sydney and who represent metropolitan areas are making decisions but those in the affected communities have not had the opportunity for adequate consultation.

Last Thursday I received a map which meant nothing to me. I was advised to attend a meeting at 9.30 a.m. today but I could not attend and I was unable to have input. I reiterate that I would like to have been a participant in this difficult but historic decision for New South Wales. It will provide future certainty for the industry in New South Wales. Over the past years R. A. Sweetman and Son Pty Ltd has not been prepared to invest money because of the uncertainty. Even if it had done so, it is uncertain whether areas that are accessible now will later become inaccessible.

For example, Pokolbin State Forest could be declared a national park. The declarations must be stopped in order to provide the industry with some certainty. We must encourage the forest industry in New South Wales to survive. Irrespective of what I have said, the Government's initiative is the most likely to sustain the forestry industry and encourage ecological sustainability in New South Wales. I do not believe the Opposition could put forward an alternative that would sufficiently meet those needs.

Mrs CHIKAROVSKI (Lane Cove) [9.08 p.m.]: Listening to the contribution of the honourable member for Cessnock, one would have

thought he was speaking from this side of the House rather than the Government side. I will be interested to see how he votes on this bill because he has just acknowledged that it has not been properly packaged and, in his own words, has been put together without consultation with local communities and local members, and without affording people such as him the opportunity to properly contribute to the debate. He has just informed the House that the first time he looked at the bill was when he was asked to attend a briefing this morning in Sydney, which he was unable to attend. Apparently the only time he has had an opportunity to consider the proposed legislation was this morning, without the advantage of the briefing, although I suspect that the briefing would not have given him any joy in any case.

The honourable member made the point that this proposed legislation will affect vast numbers of people across New South Wales. There is a strong feeling that the bill has been drafted in the bowels of Sydney without due consideration to the rural communities that it will mostly affect. That is a strong feeling held by a number of Opposition members who are delighted to know that the honourable member for Cessnock shares their concerns. The honourable member said that he thought the bill might provide some certainty and a future for the industry. That is where we differ, because it is certainly the view of the Opposition that the bill will provide neither certainty for the timber industry nor a confirmed future for the environment of New South Wales.

The bill is absolutely and completely based on the politics of opportunism. It comes from a Premier who, when Opposition leader, was prepared to say and do anything in order to secure whatever deal he possibly could to win the last election. In his desperate attempts to become Premier he promised he would deliver to the conservation movement. He promised he would be the green Premier, the greenest Premier ever seen in this State. How shallow is that promise now! How lacking in credibility is this Premier. This is the Premier who claimed in his forestry policy to have determined that policy "within the context of detailed discussions with timber industry companies, unions, conservationists and other key stakeholders to determine practical and appropriate strategies to achieve both conservation and the viable long-term future of the New South Wales timber industry."

Where are those groups now? They are united in their condemnation of this Premier for delivering a politically motivated, opportunistic and ill-considered outcome. I was going to say agreement, but it can hardly be said that this proposed

legislation is in any sense an agreement. The bill has been roundly condemned almost without exception by all those involved in the forest agreement process. The fury launched at the Premier by the green movement is completely understandable, given that he had promised them the world and now he has left them out in the cold. The announcement on the regional forest agreement in the north of the State was, as we have come to expect, another broken promise by the Premier.

The green movement, which had provided vital preference deals in a number of marginal seats to the Carr Government at the last election, has been betrayed by the so-called green Premier. He knew when he promised the Greens the world before the last election that he would not be able to keep his word, and their outrage is totally understandable. We would hope, though, that the anger of the green movement is directed at the man who turned his back on them and not with anyone involved in the timber industry.

We now know, of course, that the Premier has a long and almost never-ending list of broken promises. So much so, I think it should probably be included in the *Guinness Book of Records*. He has lied to the people of western Sydney about road tolls, he has lied to the community about reducing hospital waiting lists, and he has lied about not introducing any new taxes. After his betrayal of the green movement, I suspect it would be hard for anyone to take anything he said seriously. The reaction of the conservationists to this legislation was demonstrated in an article in the *Sydney Morning Herald* of 13 November which stated:

... the green movement is mobilising for a sustained direct action campaign and will campaign against the Government in marginal seats during the State election.

Mr Ian Cohen said, "To hell with you Bob Carr. You won't get away with this. You will be extinct long before the forests".

The Greens are absolutely outraged at the Premier's broken promise. What was the Premier's response? He said, dismissively, "I cannot do better than this: 150 new national parks since I became Premier". It is not a numbers game. It is not about how many national parks the Premier creates; it is about the quality of those parks and whether they are in the right areas. The Premier is obsessed with numbers, but that is not determining a quality outcome. Numbers is one thing, but the Government should be delivering a quality outcome to the people of New South Wales. It is not only the coalition that notes

the Premier's obsession with numbers. A National Parks Association media release of 12 November stated:

The Premier can talk about the number of parks he has created until he is blue in the face. The truth is that he has broken the most fundamental conservation promise he made to the public to get elected in 1995.

The Premier can create 500 parks but what is their worth if they cannot protect nature and do not honour his most fundamental promises.

Those are the words of the National Parks Association, not of the coalition, which has been stressing the point for some time. The timber workers are equally unhappy with the Government. They slammed this decision. We have now been told that the Construction, Forestry, Mining and Energy Union has threatened to disaffiliate from the Labor Council because its members are so outraged.

[*Interruption*]

The member for Cessnock interjects that they will not. They are so outraged by the Premier that they are going to take the most dramatic step that a union can take and disaffiliate from the Labor Council because they will not be tricked in the way that they feel they have been tricked by this Government. It is almost ironical that the timber workers were supposedly protected by the Minister for the Environment when she was Opposition shadow minister. She claimed great credit for protecting the timber industry. I refer to a press release that she issued on 21 May 1993 in which she said:

The Opposition has acted to protect jobs in the timber industry. The legislation was amended because we were not prepared to create national parks which would risk timber workers' jobs.

That was on 21 May 1993, but in November 1998 the Labor Party has changed its mind and does not now believe that timber workers' jobs are an important part of the equation. The Minister was quite happy to attack the previous Fahey Government over its handling of the timber industry. I quote from another press release of 29 November, 1993 in which the Minister said:

The Government's mismanagement is decimating both the environment and the timber industry.

It is this Government's handling of the timber issue that is decimating both the environment and the timber industry, and the people of New South Wales will come to understand that. The green movement,

the conservation movement, timber workers and players in the industry understand that. So what is this Government on about? It is on about the greatest hypocrisy possible by bringing into this House legislation that will neither protect our precious natural heritage nor support the timber industry. This legislation is about politics. The *Daily Telegraph* of 13 November reported:

The Carr Government has abandoned an election promise to protect New South Wales forests after it was warned by unions and a timber company that jobs would be lost in a marginal seat.

It does not take Einstein to work out which marginal seat the Government is wanting to protect. This bill is not about protecting the timber industry or the environment; it is about protecting the Minister for Regional Development, and Minister for Rural Affairs.

The Minister for the Environment knows it, members opposite know it and members on this side know it. The bill should not be driven by politics but by proper determination. It should not be determined by a round-table conference in the Premier's office on the morning after the agreement was supposedly struck with the conservation movement, where it was torn apart and started over. I understand that the Minister for the Environment was not invited to attend the meeting, which shows how little the bill has to do with the environment and how much it has to do with politics.

The bill supposedly creates a reserve system and new national parks, and protects the timber industry. No-one on this side of the House believes that any of that is true. No-one who is involved in the timber industry or with the conservation movement believes it is true. The conservation movement has been betrayed by the Labor Government because the Government is seeking to win a few votes in a marginal electorate. I suspect it is not only the electorate of Clarence but also the electorate of Bathurst and perhaps the electorate of Maitland. Playing cheap politics with our national heritage and our future will not win the Government any credibility or any votes, but it will ensure that the Labor Party is not on the Government benches in March next year. The final irony is the advertisement in the *Sunday Telegraph* of 1 November, and other newspapers, which states "NSW Forest Agreements. Something we can all build on." Who is the Government kidding? The advertisement continues:

The forests belong to everyone. We depend on them for the air we breathe, for biodiversity. And for jobs.

The coalition agrees. Why does the Government not introduce legislation to ensure the preservation of biodiversity and jobs? The advertisement talks about how the Government is ensuring the long-term acceptance of forest agreements by working with many different parts of the community—the timber industry, unions, conservationists, scientists and Aboriginal communities—all of whom have been betrayed by the Government. The advertisement is about as useful as the proposed legislation. The Opposition will not support the bill.

The honourable member for Cessnock has challenged us, and the Opposition believes that there is an opportunity to create a sustainable, viable, continuous future for the timber industry while, at the same time, preserving our natural heritage. But the decisions will only work when they are made on the basis of science, economics and environmental assessment, not when they are made for base political reasons. The proposed legislation is about protecting the Minister for Regional Development and a few marginal electorates. It is not about protecting the future. For those reasons we will not and cannot support the bill.

Ms ALLAN (Blacktown—Minister for the Environment) [9.23 p.m.]: I am delighted to participate in the debate. I listened with particular interest to the comments of members opposite. I was mightily amused to hear members opposite take the high moral ground in a debate about the environment. The last speaker, who, unfortunately, has already left the Chamber, has established a huge reputation for herself as a person who is not interested in the environment but, rather, as a person who is interested in dismantling the environmental gains made in this State since 1995. I was interested to see that her letterhead does not acknowledge her shadow portfolio. It refers simply to her as the member for Lane Cove, which enables her to freely comment on the shadow portfolio responsibilities of her colleagues.

Mr Hazzard: Point of order: Without wanting to limit the Minister too much, she is speaking outside the ambit of the bill. I ask you to bring her back to the subject matter of the bill.

Mr ACTING-SPEAKER (Mr Gaudry): Order! There is no point of order. The honourable member for Wakehurst will resume his seat.

Ms ALLAN: Have you had your blood detection reading tonight, Brad?

Mr Hazzard: Point of order.

Mr ACTING-SPEAKER: Order! The honourable member for Wakehurst will resume his seat.

Mr Hazzard: Point of order.

Mr ACTING-SPEAKER: Order! The honourable member for Wakehurst will resume his seat. The Minister has the call.

Ms ALLAN: It was interesting to hear members opposite—the honourable member for Lane Cove and the honourable member for Ballina, who led on behalf of the Opposition—assume the high moral ground on environmental politics in this State. The honourable member for Ballina had the temerity to argue that the National Party is greener than the Carr Government.

Mr Smith: At least we have the high moral ground.

Ms ALLAN: Members opposite cannot sit still and be quiet. Does the member for Bega recall the wonderful debates we had about the environmental protection legislation and the threatened species legislation?

Mr Smith: Yes.

Ms ALLAN: You behaved like an animal then, and I am pleased to say that you are still behaving like one.

Mr Hazzard: Point of order.

Mr ACTING-SPEAKER: Order! I am able to foreshadow the point of order the member wants to take.

Mr Hazzard: I am entitled to put the point of order on the record. It is not appropriate for the Minister to call any member of Parliament an animal. If she wants to participate in the debate in a reasonable way, she may do so. She must withdraw that comment.

Mr ACTING-SPEAKER: Order! The honourable member for Wakehurst will resume his seat.

Mr Hazzard: I am asking for the Minister to withdraw the comment. If she is allowed to get away with this, she will continue.

Mr ACTING-SPEAKER: Order! The honourable member for Wakehurst will resume his seat. The Minister for the Environment has the call.

Ms ALLAN: The honourable member for Newcastle participated in many of those debates. It is hypocritical in the extreme for members opposite to try to argue that they have a good record on conservation. They do not. One of the main reasons I support the proposed legislation is that it delivers to the people of New South Wales nearly 400,000 hectares of State forest as reserves in New South Wales. The honourable member for Bega should be excited; he has already achieved 139,000 hectares in the south-east forests of the State. The proposed legislation delivers a further 400,000 hectares of park protection. That hectareage would have been logged by previous governments, whether they be Labor or Liberal. Instead of knocking the Government for this achievement, the Opposition should be jubilant.

Mr ACTING-SPEAKER: Order! I call the honourable member for Bega to order.

Ms ALLAN: I will be particularly interested in observing in the next few days how, on the one hand, members opposite participate in the debate and, on the other, how their colleagues in another place vote when the proposed legislation inexorably makes its way to the Legislative Council. The timber industry in this State will become energised and perhaps start to lobby the coalition, particularly National Party members. They will be brought to heel, as they have been brought to heel on so many other occasions in debate about the future of the environment of this State.

Mr Photios: What about your green credentials? What does this legislation do for you?

Ms ALLAN: I am pleased the honourable member for Ermington has interjected. Since March 1995 this Government has created 151 new national parks and reserves. Last week in the media John Corkhill claimed that the parks the Government is creating on the north coast of New South Wales are not appropriate national parks. I think he alleged they were confetti national parks. However, the Government has created real national parks. They are so real that despite the immediate rush of blood to the heads of those in the conservationist movement, particularly the Sydney-based movement, the conservation record of the Government will be unassailable in March 1999.

Despite the opportunism of these lowly members of the Opposition, in the next couple of weeks there will be a complete turnaround in the thinking of the conservationists. The Government has created almost one million hectares of new reserves. When the honourable member for Ermington was Parliamentary Secretary for the Environment under my predecessor, the honourable member for Gosford, his party preserved 6,000 hectares of national park compared to the one million hectares that the Government has preserved. No matter how much Opposition members bleat, that is an outstanding achievement.

Mr ACTING-SPEAKER (Mr Gaudry): Order! I call the honourable member for Wakehurst to order.

Ms ALLAN: The Government has created nearly 600,000 hectares of new parks, which is 120 times more than the mob opposite reserved for the whole State in its last two years in office. Even if Opposition members are too brain dead to work that out, the people in their electorates are not. I guarantee that one of the most difficult questions that could be asked of a conservationist would be to name a significant conservation achievement by the coalition Government. In answer to that question, all that a conservationist could think of would be the hit list of environmental disasters for which the current Howard Government has been responsible: Jabiluka, Hinchinbrook, the Kyoto greenhouse betrayal, or damming the Fitzroy River in Western Australia.

Those outstanding coalition environmental achievements are linked to all Opposition members. After 11 years of talking about the environment in this Chamber I have no respect for the coalition's environmental credentials. Members of the Opposition should crawl away, get on a ferry and go back to working on their public transport policies. The Government has delivered not only a worldwide conservation outcome; it has also managed to achieve security and stability for the timber industry.

Mr Smith: What a joke!

Ms ALLAN: I am amazed that the honourable member for Bega is uncomfortable about that achievement when he has predictability, security and value in the enriched south-east areas of his electorate and a marvellous south-east national park of nearly 140,000 hectares. He should believe in the Government's achievements; his constituents are aware of them. Earlier some honourable members claimed that the bill does not give the timber

industry security. The Government's resource security and employment goals for forest industry reform are clear. It is important to ensure that forestry activities occur in an environmentally sound manner. It is common ground that the environmental management system for forests must be open and transparent and that operational requirements and traditions must be scientifically sound. That is an issue the honourable member for Newcastle, who is in the chair, has spoken about on a number of occasions in this Chamber. Because of the warm responses in the Hunter region the Government has ensured that this bill delivers in that area.

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

Ms ALLAN: The Government has provided a massive capital injection for reserves in this State and it has provided predictability for industry. People like Gavin Hillier have been critical of the Government's decision, but overwhelmingly over the past few days spokespeople in the industry have been supportive of the legislation, and for good reason: the industry will have security and jobs will be created in the new national parks that have been declared. Under this legislation a funding package will create approximately 100 jobs in the National Parks and Wildlife Service. Those jobs will comprise new positions, which will be advertised statewide, and the jobs of displaced timber workers. The loss of those jobs may be inevitable as a result of the restructure that will occur.

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

Ms ALLAN: I am sure that many Opposition members do not get the opportunity to travel around the State and talk to people. They should go to some of the national parks and talk to displaced timber workers in the industry. When I visit places like Glen Innes, Coolah Tops or Tibooburra, I meet people who were once employed in the timber industry and who have had their employment secured by the National Parks and Wildlife Service. I seek an extension of time.

Question—That the member's speaking time be extended—put.

The House divided.

Ayes, 50

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

Noes, 37

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

Pairs

Mr Carr	Mr Collins
Mr Clough	Mr Peacocke

Question so resolved in the affirmative.

Extension of time agreed to.

Ms ALLAN: I particularly thank the members opposite for the generosity of spirit they have just exhibited. The tangible effects flowing from the bill include not merely the establishment of significant areas of national parks, a matter that has been given a very public airing in the last few days, but also the provision of a transparent mechanism to make decisions on the future management of the forests. There will be no trade-off between creating national parks and the need to protect soil and water in active logging areas. There will be best practice license conditions that have been developed in consultation with environment groups. The bill will also provide for public involvement in the review of forest agreements, including integrated approvals. The bill will ensure that any changes to pollution control licences can only occur through a highly transparent process. The Carr Government has established a world-class reserve system in Eden. It will now do the same with the upper and lower north-east forest regions of New South Wales.

Mr Photios: Point of order.

Mr SPEAKER: Order! I foreshadow that the honourable member for Ermington will ask me to direct members to remain silent. I uphold the point of order.

Mr Photios: It is a different point of order.

Mr SPEAKER: Order! I will not hear the point of order. The Minister may continue.

Mr Hazzard: On a point of order.

Mr SPEAKER: Order! I will not hear the point of order. The honourable member for Wakehurst and the honourable member for Ermington will resume their seats.

Ms ALLAN: The decision in relation to the north-east forests will add 380,000 hectares to the reserve system and will create 85 new national parks and reserves in addition to 37 existing parks and reserves. That follows the recent Eden decision, which added 37,000 hectares to the south-east parks and created a south-east forest park of 139,000 hectares. Those decisions are a major achievement for conservation and the whole community will benefit from them. Since coming to office the Government has declared a total of 151 new national parks and nature reserves totalling nearly one million hectares, and approximately 400,000 hectares have been declared as wilderness areas. That far exceeds the Government's pre-election promise and goes millennia past any promises and commitments that have ever been made by the coalition.

Mr Photios: Point of order: The House has shown some indulgence by giving the Minister an extension of time. It is all but impossible to hear her important speech because of the level of conversation behind Mr Speaker's chair.

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

Ms ALLAN: Indeed, the honourable member for Ermington should feel very sensitive about the issue.

Mr SPEAKER: Order! The Minister will disregard the comments of the honourable member for Ermington.

Ms ALLAN: The honourable member for Ermington and other members—Opposition members from marginal seats—should feel sensitive about this issue. Despite some of the public protestations that have been made during the past few days, the conservation movement will come back to Labor with open arms in March 1999. The honourable member for Ermington will have to face the active pro-conservation member for Gladesville in the battle for the newly formed electorate of Ryde. We know where Noel Plum's preferences will go—not to Michael Photios, the former parliamentary secretary for the environment, the person who presided over the creation of 6,000 mealy hectares of reserves when he was a member of the coalition Government!

I ask honourable members to compare his 6,000 hectares to the million hectares created by this Government. Last week the Government declared 400,000 hectares of wilderness in one day. I said to Neville Wran earlier this evening, "Neville, we trebled you last week. We compared your rainforests decision and we multiplied it thrice." The middle class voters will desert the honourable member for Ermington at the next election. They know that only a Labor Government can deliver conservation outcomes and clean up New South Wales.

Debate adjourned on motion by Mr Whelan.

LIQUOR AND REGISTERED CLUBS LEGISLATION AMENDMENT (GAMING) BILL

Second Reading

Debate resumed from 11 November.

Mr SLACK-SMITH (Barwon) [9.52 p.m.]: The Opposition does not oppose the Liquor and

Registered Clubs Legislation Amendment (Gaming) Bill. The aim of the bill is to prevent hoteliers from using their licences to establish gaming dens. It has become evident that some hotel operators have sought to abuse the gaming room provisions, which are, in effect, separate premises for gaming. Some hotels have gone beyond the spirit of the law and have bent the rules to establish mini-casinos on their premises and on other premises. They have sought to undermine the whole spirit and intent of the legislation by establishing premises which would in effect constitute a business solely for the operation of gaming machines, that is, a mini-casino. This bill will curtail the effects of that small minority.

I point out that the majority of hoteliers have not abused these privileges granted by the Act. Poker machines were allowed into hotels to introduce some financial stability into many establishments throughout New South Wales. I sometimes visit the Junction City Hotel and the Moree Tavern. I go there, have a couple of beers, have a bit of a chat, put my change through the poker machine—I have never been able to win on poker machines—and leave. For me it is a small part of going to a pub and saying hello to a few people.

However, a small minority of hoteliers have decided to take the present law further and to create mini-casinos, not necessarily on their premises but on other premises as well. The amendments to the Liquor Act 1982 were developed to ensure that machine gambling operations do not predominate over the services and facilities offered by hotels. The definition of "hotel" refers to the premises to which the hotelier's licence refers. The primary purpose of the hotel is to provide accommodation and the sale and supply of liquor for consumption on the premises. In the spirit of the Act people sometimes use poker machines as a subsidiary to the prime purpose, not as if the hotel were a casino.

The court must be satisfied that the application for the new hotelier's licence or the removal of the existing licence meets the following criteria: the size or physical layout or conduct of the proposed gaming operations on the premises would not be such that they would predominate over the primary purpose of the hotel; the conduct of the proposed gaming operations on the premises would not detract unduly from the character of the premises; and the nature of the undertaking carried out on the premises, other than the gaming activities, or the enjoyment of persons ordinarily using the premises and the proposed premises would satisfy the primary purpose of a hotel. These matters would also be grounds for objection to the grant of a new hotelier's licence or transfer application.

This bill empowers the Director of Liquor and Gaming to issue directions to licensees where the director has cause to believe that remedial action is required to ensure that the hotel is acting within the spirit of the legislation, and to prohibit persons other than the licensee who have a relevant financial interest in the business from letting or subletting rights associated with the licence or parts of the licensed premises to other parties. This will effectively stop operators letting parts of their premises for gaming to be conducted by another operator, which really is a mini-casino.

This represents an extension of the existing prohibition on the licensing, letting or subletting rights associated with the licence or parts of the licensed premises under section 101 of the Act. The bill provides for the granting of a hotel licence conditional upon the description of nature of the business of the hotel where the primary purpose of the business is the sale of liquor, which intends to deny applications from shopfront gaming. The Opposition has consulted the Registered Clubs Association and the Australian Hotels Association. It does not oppose this bill.

Mr GIBSON (Londonderry) [9.58 p.m.]: I support the bill. I congratulate the Minister for Gaming and Racing on being so prompt in bringing this legislation before the House. The bill overcomes a situation that may have developed into a major problem if quick action had not been taken. I congratulate the Minister on having the nous and the ability to introduce the legislation so quickly. The bill will curtail the efforts of a small minority who abuse their privileges under the Liquor Act. The proposed amendments to the Liquor Act 1982 have been developed to ensure that machine gaming operations are not the predominant services and facilities offered by hotels. The definition of a "hotel" refers to the premises to which the hotelier's licence relates and which has as a primary purpose accommodation for the sale and supply of liquor for consumption on the premises. Any gaming operations on the premises are subsidiary to the primary purposes.

The main object of the bill is to ensure that shopfronts do not spring up all over the place and that buildings adjacent to hotels, down the road from hotels, next to hotels and so forth do not become mini-casinos. That has occurred in various parts of Sydney already. Some people in the hotel industry have decided to extend what the law provides and to open these types of facilities. The premises that have recently opened look like the sleazy rooms that they have turned into. One can assume that the main reason for the premises might not even be for the

purpose of gaming. Other activities could be happening on the premises.

The Minister has been dutiful in ensuring that these types of premises are closed down. I have faith in the hoteliers of this State. The hotel industry has been responsible in its handling of the sale of liquor. We do not hear or speak much about this. In the early days of settlement of this nation the hotel was a meeting place. Hotels have always been meeting places. Even today some people frequent clubs to drink and other people prefer to drink in hotels. I am probably in that category.

Mr Schipp: And you do not have a drink.

Mr GIBSON: That is right, being a teetotaler like the honourable member for Wagga Wagga. If I did have a drink I would rather drink in a pub because I like the atmosphere and feel quite at home in them. We should give credit to hoteliers for being responsible. Over the years the hotel industry has been through a torrid time. A few years ago the Labor Government came to its aid by allowing the introduction of card machines in hotels. I have no doubt that if that had not been done when it was done many hotels would have closed.

I acknowledge the work that the Minister for Gaming and Racing did recently in increasing the number of machines that hotels can operate. Again, if that had not happened many hotels would have had to close. Hotels provide a place for people to meet, to have a drink and meal, and to see cheap entertainment. They also provide hundreds of thousands of jobs. Before I became a member of Parliament I earned a living from the hotel industry for some 20 years. The hotel industry has been very good to me in helping me to become a member of Parliament. Even to this day it helps financially with putting on functions and what have you.

It is imperative that we look after the hotel industry as well as the club industry and the restaurant industry because they employ so many people. Without them New South Wales would not have the lowest level of unemployment of any State in Australia. This reflects on the State Government, the Federal Government and the hotel and liquor industries. People who abuse the rights given to them by the Government to conduct hotel operations should be weeded out of the industry and never permitted to hold a hotel licence in this State again. Their actions jeopardise the licences of all hoteliers in this State. The majority of hoteliers have operated responsibly in the supply and sale of liquor and we should stamp out the threat posed by people jeopardising their operations. The sleazy operations

look sleazy and I am sure that most of them operate sleazily and do nothing for the community.

The hotels in western Sydney, in my electorate especially, have been very responsible. I may ring a hotelier saying that I have a young mother with a couple of kids in my office who will have no food or money in the house over the weekend. I have never been refused a few bob or a voucher for the family to go to a local store to obtain groceries and other necessities for the young family. This also applies to males in the same situation. Hotels play a very important part throughout the State. The bill will make sure that the hotel industry is run in the way intended, the way most hoteliers would want it run.

I had the privilege and pleasure on Monday night of attending a function at the Plumpton Inn in western Sydney. People playing poker machines had been given vouchers which were put into a barrel. I was invited to the Plumpton Inn to draw a ticket out of the barrel for the prize of a brand new motor car. Had extra poker machines not been allowed in hotels such prizes would not have been available. The person who won the car was a young fellow who had been down on his luck. He had trouble in his marriage and his wife left him in March. He has had all the bad luck in the world. His eyes showed that winning the car would give him a new start in life. He thought that the door had been closed on good luck for him. He won the car because a few weeks ago he decided to put \$5 in a poker machine. Not everybody who plays a poker machine wins but there is at least the opportunity to win.

I support the bill and commend the Minister for its prompt introduction. The situation could have got out of hand. Shopfronts are sleazy operations. The hoteliers of this State do not support them. The Government and the Opposition do not support them. This legislation will make clear what is allowed and what is not allowed. The sleazy operations will be stamped out and the hotel industry will carry on in the responsible way it has carried on since the nation was founded.

Mr R. W. TURNER (Orange) [10.08 p.m.]: I have pleasure in speaking on the Liquor and Registered Clubs Legislation Amendment (Gaming) Bill, which amends the Registered Clubs Act for the purpose of tidying up community development funding arrangements. The Opposition does not oppose the bill. However, I wish to comment on trends which are emerging following gaming machines being allowed into hotels. The objects of the bill are to amend the Liquor Act 1982 to impose restrictions on the grant of a hotelier's licence and

the continuation of such a licence so as to ensure that the primary purpose of the business conducted in a hotel under the authority of such a licence is the sale of liquor by retail and that any other use of approved gaming devices in a hotel does not detract unduly from the character of the hotel or from the enjoyment of persons ordinarily using the hotel, otherwise than for gaming; and to ensure that certain parts of hotel premises cannot be leased or subleased to any person other than the person who holds the licence to operate those premises as a hotel and that the right to supply any services in those premises cannot be leased or subleased.

Some of the criteria would be based on the physical layout of the hotel, the general manner in which it is run, the advertising of the premises and the availability of the facilities. As other speakers have noted, some hotels have been managing themselves in a businesslike fashion and are socially conscious of their role in the community. Some hotels have chosen not to put machines in their premises. Some in the Orange area have been put up for sale, advertising that they do not have gaming machines. I am sure that in some instances that would attract patrons who do not wish to be involved in gambling and who choose to go to a hotel to have a quiet drink and not be tempted to gamble on poker machines.

The inclination of some hotels to go overboard has led the Opposition to draft amendments to the bill so that gambling does not get out of hand or go beyond the intent of the legislation. I have noted the transfer of small hotel licences from regional areas to the city. In some instances that practice has resulted in the withdrawal of hotels from a small country town. The cancellation of a service in a country town, be it a hotel, a post office or a bank, has a snowballing effect. It slowly leads to the decline of the small towns. But it is also starting to have a social effect on families. Australia is spending \$10 billion on gambling, or double the amount it was spending less than 10 years ago.

Though it might not be possible to apportion the blame, if household money is being spent on gambling, something has to give: some children wear clothes that are not as new as they should be; some families start to rely on support services from agencies such as St Vincent De Paul and the Salvation Army; some families may have a refrigerator that needs replacing but is not replaced, thus resulting in a lessening in demand for whitegoods. There are many examples of the effect on families of gambling in this State and in Australia. Both the Australian Hotels Association and the Registered Clubs Association have

condemned the action of certain hotels and certain operators and fully endorse the measures being taken in this House to try to bring into line the few irresponsible hotels. The headlines "Pokies rival drink, drugs for addicts" in today's *Sydney Morning Herald* are a slamming indictment, but it is a sad trend that is emerging far too quickly. The article reads:

Problem gambling is growing so quickly it will soon rival alcohol and drug addiction as a matter of national concern, an inquiry heard yesterday.

The President of the NSW Council on Problem Gambling, Mr Laurie Bowe, told a Productivity Commission public hearing in Sydney that health warnings should be put in gambling areas and there should be a cap on the number of machines in the State.

Poker machines ranked as the highest form of problem gambling and their recent arrival in almost every hotel was a big problem . . .

"I've worked in the field for 10 years and the number of people who are walking through the door looking for help in the last couple of years is getting out of hand," he said after his address. "They are getting into terrible debt.

"You can't go to the pub and have a quiet drink now—it is getting to the stage where you can't socialise without having some access to gambling. There should be a cap on poker machines—someone has got to take a stand.

As I have previously mentioned, some hotels have made the decision not to install poker machines, which gives people who do not wish to play poker machines or to be tempted somewhere to go. The article further states:

There were an estimated 94,000 poker machines in NSW—about 10 per cent of the world's total.

I do not believe that that is a figure that we, either as politicians or residents of New South Wales, should be proud of. The article continues:

There are more than 1,500 clubs in NSW which operate poker machines. Last year, NSW hotels were given permission to operate up to 15 poker machines each and this number was doubled in June. A further 2,300 licences were sold to hoteliers in September.

The Wesley Mission's Gambling Counselling Service was reported as having said:

No other society in the world is so underpinned by gambling, right down to competitions on the back of chip packets and cereal.

The article continues:

Australians spend more than \$10 billion a year on gambling, more than double the amount of 10 years ago.

Another article in the November 1998 edition of *Southern Cross* magazine contained a report on the address of the Premier, Bob Carr, to a New South Wales Council of Churches in which he was quoted as saying:

"The Church has a right to be heard and an obligation to speak out."

The report continues:

When asked about the State's policy on gambling, the Premier admitted that gambling is a concern. He said that he would approach the Prime Minister about re-addressing fiscal issues to enable the NSW Government to buy back gaming and gambling machines.

I do not think the church authorities found that statement credible when only in the previous couple of months the Premier had sold the machines and done very well out of them. The Premier went on to say:

"Let's undertake to talk further about it.

Despite Mr Carr's admission of the problem in NSW, he agreed to reduce the tax on revenue from overseas gamblers that same day.

The head of the New South Wales Council of Churches, the Rev John Edmondstone, was disappointed by the Government's decision. "I am convinced that it will have an effect on the local market and local families," he said.

Mr Egan said that the new tax break for the Star City Casino "will attract more high-rollers to NSW, generating more jobs and more revenue".

I suggest that it will generate more agony for some families. The Opposition does not oppose the bill but expresses concerns that gambling is getting out of hand. It has gone too far. The general opinion is that whilst the facilities are needed for social activity, unfortunately many people use them far too often, have become reliant on them, are quite addicted to them and are spending far more money than they can afford. We should be mindful that whilst gamblers comprise only a small proportion of the population and people have the right to make their own decisions, unfortunately it is not only poker machine addicts who are suffering but also their families.

I know that a certain amount of the gambling tax goes towards counselling, but that is not enough. We need to look into it further and adopt the public perception that this State has enough gambling. We have perhaps gone a little too far. We need to redress gambling. I do not think the general public view with much credit the Premier's statement that if the Federal Government supplied more finance to this State he would buy back some of the machines.

The machines are there to stay, but this bill will restrict the movement by some irresponsible publicans to create these street gambling dens. The sooner that is curtailed the better. The Opposition does not oppose the bill.

Mr TRIPODI (Fairfield) [10.20 p.m.]: I support the bill and commend the Minister for acting so quickly on this matter. Last week I made a private member's statement expressing the concern of Fairfield City Council and residents about events in the Fairfield local government area and the possibility of a rush of applications to establish gaming taverns in that area. That has happened in the city and the Minister has promptly denounced it. Many council areas in Sydney would be concerned about such taverns being established in their areas.

In my electorate members of the Asian community are considered to be vulnerable to gambling and they are specifically targeted. It is pleasing that the Minister has acted swiftly in sending a message to the hotel community that the Government will not tolerate abuse of the privileges that have been extended to the industry, particularly the reforms to allow 15 poker machines to be set up in hotels. Ninety-nine per cent of publicans support the bill, as do those responsible people in the industry who have major investments and who have a properly structured facility. The primary purpose of a hotel is to sell food and alcohol, with gaming as an ancillary service. Cowboys will not be allowed to set up for the primary purpose of using gaming devices to exploit vulnerable members of the community for personal gain.

In my area a draft local environmental plan [LEP] is being rushed through to try to restrict the establishment of gaming taverns, and this bill will reduce the necessity to do that. I have some concerns about the content of the rushed LEP for my area, but there is considerable concern that people are not following the spirit of the proposed legislation and are trying to exploit the gaming dollar in the Fairfield local government area. Star City Casino has a free bus service from Cabramatta to the casino and residents are concerned that the area is being targeted for its gaming dollar. All publicans in my local government area act responsibly and in the spirit of the legislation.

The Government's intent is clear, that is, if one has more than 10 machines those machines must be set up in a separate area so that people entering the hotel are not immediately exposed to the gaming devices; they must make the conscious decision to gamble. The primary purpose of a hotel is to serve alcohol and food, and this bill will reassert the

Government's intention to ensure that the spirit of the legislation is complied with. Addiction, which takes many forms, will be the biggest problem in the twenty-first century and gaming, alcohol and drug abuse are the three primary areas that will dominate social policy. The Government is proactive in that area and clubs in my area have an excellent record of identifying people with gambling problems and seeking to assist those persons.

The Mount Pritchard and District Community Club Ltd has a strong policy on gambling and actively seeks to help those with an addiction. The Government set up the Casino Community Benefit Fund and my local government area has been the recipient of substantial grants to assist vulnerable people. The Government is opposed to people setting up shops and putting in poker machines; it has acted swiftly to deal with the matter. There is increased access to poker machines because hoteliers can enhance their gaming machine operations and increase their overall profitability. Once profitability is increased more people will enter the industry, and that is the purpose of allowing new gaming devices to be installed in hotels.

Many hotels went into liquidation and faced bankruptcy. This reform aims to send a lifeline to the industry. But the Government urges the industry to be responsible. All the major hotels, which have large parking lots and a comprehensive range of food and beverages, support the bill. Cowboys will not be allowed to enter the industry and exploit the vulnerable. The bill suggests three initial areas for consideration by courts in making a decision about an application. They include the physical layout of facilities on the premises, the manner in which the gaming is to be conducted and promotion of gaming on the premises. The Government is establishing that new criteria for assessing an application.

At the end of the day the courts will be empowered to be a braking mechanism against further abuse in the industry. The bill also empowers the Director of Liquor and Gaming to issue directions to licensees where the director has cause to believe in relation to the conduct of the business that remedial action is required to ensure that the hotel is acting within the spirit of the legislation. The director will be empowered to effectively police the industry and prevent problems from occurring.

The bill also aims to prohibit persons other than the licensee—I suggest we will prohibit persons with a relevant financial interest in the business—from letting or subletting rights associated with the licence or parts of the licensed premises to other parties. This will, in effect, stop operators leasing

parts of their premises for gaming to be conducted by another operator. That practice is occurring increasingly in the industry, as business people are looking more and more at the gaming dollar rather than at providing alcohol and food services. Once again, the Government is focusing on that problem.

I had the great pleasure of having the Minister visit my electorate. It is a big concern in the club industry that these potential entrants are not being responsible in the way they enter the industry and in the range of services they provide. The Government is reacting to the legitimate concerns of the club industry. There does not seem to be that sort of problem in the club industry. It is primarily in the pub industry that these problems seem to be emerging but most clubs, and 99 per cent of pubs, are being responsible in this area. It is pleasing that the Minister is reacting to the concerns of the club industry, the Australian Hotels Association and the residents and people who may be affected by this new behaviour.

The people of Fairfield are pleased that the Minister has reacted so swiftly with an appropriate and balanced response. Fairfield council can now take a more considered approach in the development of its local environmental plan to control the industry. At the end of the day we will have a more balanced outcome and we will be able to focus on solutions to this gaming problem.

Debate adjourned on motion by Mr Glachan.

SYDNEY HARBOUR FORESHORE AUTHORITY BILL

Second Reading

Debate resumed from 28 October.

Mr DEBNAM (Vaucluse) [10.31 p.m.]: I lead for the Opposition on this bill. At the outset I confirm that the Opposition will not oppose the bill. However, I will briefly outline a number of concerns that I ask the Minister to address. This bill has had a long gestation, mostly by media release. There has been a series of public statements and media releases by the Carr Government in the past year and a half, but it is obvious that the research and planning of the detail on this issue has followed the media releases. In fact, it has been much later than the media releases, and this is reflected in the Minister's speech and the bill itself.

I shall dwell on a few points the Minister made in his speech and then move on to other

matters. The Minister began by noting that Sydney needs a more holistic approach to foreshore planning and land management. Doubtless the Opposition agrees, and generally the community would agree with that. He went on to say that the bill would put an end to growing public concern about a multiplicity of authorities. This bill in itself is not putting an end to any community or public concern at all. I hope that in due course the community trusts the endeavours of the Government to move towards a more responsible approach to foreshore planning, but there is a long way to go yet. The Minister went on in his speech to talk about maintaining a working harbour character and function.

Again, the Opposition agrees with that objective, but it concerns everyone in the community that we need to understand what the working harbour and its character are all about, as well as the employment opportunities around the harbour foreshore. As we saw in the harbour workshop that the Minister convened a few months ago, one of the real concerns of people who attended the workshop was that we still have not got it right in looking at employment opportunities around the harbour and diversity of land use. The Minister made the point that the implementation of his Sydney Harbour policy "gives the community a clear sense that there is consistent control of planning". I am not so sure about that. We have seen some odd decisions from this Government in the past 3½ years, and I do not believe that we will see more consistent planning from the Government in the near future.

The Sydney Harbour planning strategy forum that took place on 24 August was a good initiative with great objectives. The objective was to develop a vision and strategy for Sydney Harbour, its tributaries and foreshores. The director-general noted in a letter that went out with the invitations that the comments and feedback from this forum will directly contribute to developing a new planning strategy and direction for this important part of New South Wales. That is all very well, but this was in August after there had been media releases on the issue for a year and a half, and I am still waiting for feedback from that forum.

I do not know how many people attended the forum, but there must have been a few hundred and, like the others who attended, I was looking forward to the output, having invested our efforts in that day. There was a lot of valuable comment in that workshop. As well as the main forum a number of individual workshops were conducted during the day. Many people contributed a great deal and were expecting some feedback fairly soon after the event.

So far as I know, there has been absolutely no feedback, and I sincerely hope that all the effort that went into that day will not evaporate into thin air. We are still expecting a lot to come out of that forum. The Minister's speech outlined the objectives of the bill and, as I said at the outset, the Opposition does not disagree with its fundamental thrust. Clause 12(1)(c) of the bill, which deals with the functions of the authority, reads:

to promote, co-ordinate, organise, manage, undertake, secure, provide and conduct cultural, educational, commercial, tourist, recreational, entertainment and transport activities and facilities.

The point I made briefly at the outset referred to employment around the harbour and its foreshore. As was noted in the 24 August workshop, we simply have not got right that diversity of land use around the harbour. A great deal of concern was expressed at the workshop that we effectively have high-rise residential developments around the harbour; we have not maintained the 200-year character of the harbour. Generally the community would share the concern that that is rapidly disappearing. Clause 16 of the bill deals with land on or in relation to which the authority's functions may be exercised. The Property Council of Australia has drawn to my attention the fact that clause 16 allows the proposed authority to exercise its power beyond the defined foreshore area. The council made the point that this clause is ambiguous. I agree. If the Minister could amplify his intentions in that regard it would ease a number of concerns as to the reason for that clause.

Clause 19(2)(b) deals with exchange of core land for land within the foreshore area that adjoins or is adjacent to the core land to be exchanged. The simple question here is: Are we simply saying that anything is up for grabs, that anything is available for exchange or for sale depending on whether it can be swapped with something else? What is the real definition of core land? Is it to be critically important? Clause 19(5) states:

A lease or licence granted under this section must not have a term that, together with the term of any further lease or licence that may be granted under an option in respect of it, exceeds 99 years.

The 99 years is an emotional issue within the community. I would be interested to hear the Minister's comments on the appropriateness of a long-term lease. The Minister would be very much aware that people question the appropriate length of a lease, and many people consider 99 years to be far too long and a de facto sale. It is an issue the Parliament needs to deal with in the future. I am not sure that we could resolve it in the bill, but I would

be intrigued to know if the Minister has considered any reduction of that time in the preparation of the bill. Clause 20(1), disposal of non-core land, allows the authority to sell, lease, exchange or otherwise dispose of or deal with non-core land and grant easements for rights of way over non-core land or any part of it.

The community's question is simple: Is there any intention to sell off any parcel of land? What is in train in terms of non-term core land? Is anything happening behind the scenes? If not, will the Minister assure us that nothing is about to jump up at us after the bill proceeds through the House? The Local Government and Shires Associations raised a concern about the maintenance of infrastructure and referred to part 4, clause 12(1)(b) and suggested an amendment by inserting the words "and maintenance of infrastructure". I do not propose to move such an amendment. However, I would be interested to hear the Minister's comments. I am sure the association has raised this concern with the Minister, which he may be able to satisfy in his reply.

The association explained its concerns by saying that it is working on the maintenance of seawalls and river abatements with councils and relevant State agencies, and seeking to address the need for more co-ordinated State funding for the maintenance of further seawalls throughout New South Wales. There is some confusion about the responsibility of maintenance that needs to be addressed. The suggested amendment would clarify responsibility for seawalls, jetties and the like. I am sure the association's concern would be eased if the Minister were able to clarify the Government's position. Earlier I mentioned the workshop that was held on 24 August, at which many good ideas were presented. We are looking forward to feedback from the workshop.

When the overwhelming majority of people who took part in the forum looked at the various maps and developments, they took exception to the residential development on almost every identifiable old industrial site around the harbour. They queried whether this unseemly rush to high-density residential development was in the interests of the community and the harbour, and whether it was worthy of further review. Gerry Gleeson, chair on the day, was somewhat taken aback by the strength of the comments on that issue, which requires further comment in the Minister's reply.

The working harbour of Sydney is being slowly strangled. There is no doubt that we would all like to achieve a healthy balance between tranquil open space, recreational facilities, retail and

commercial businesses and residential buildings, but we need to hasten slowly in redeveloping the sites around the harbour to ensure that we get the mix correct. The bill is about the Government's credibility to protect the community's interests around the foreshore, which greatly concerns the people of New South Wales.

When we remember the Carr Government's record in regard to east Circular Quay and other properties, such as Strickland House, we also need to remind ourselves of what the Government is doing in Cliff Road, North Wollongong, which is not quite the foreshore of Sydney Harbour. The bill is about how much power we want to vest in the Minister for Urban Affairs and Planning and whether the community has confidence in him to do the right thing. The Government is clearly doing the wrong thing in North Wollongong with its mates on the Labor Council: it is spot rezoning to drop a high-rise hotel into a residential street on a fragile cliff front.

Mr Knowles: Point of order: The bill relates to the establishment of the Sydney Harbour Foreshore Authority. The honourable member for Vacluse in leading for the Opposition is canvassing issues in Wollongong which, according to my street directory, is not within a bull's roar of Sydney Harbour. There must be other forums and opportunities for him to talk about other issues. I would ask you to require him to maintain the proper forms of this House and restrict himself to the leave of the bill.

Mr DEBNAM: To the point of order: The bill is about the Government's credibility on foreshore protection. The Government has been involved in a number of different developments throughout New South Wales that have damaged its credibility. One of the most recent is the rezoning of Cliff Street on fragile coastal land. It is extremely relevant to the bill, which is all about establishing trust in the Government of New South Wales.

Mr SPEAKER: Order! The bill creates an authority that will exercise the functions of the Sydney Cove Redevelopment Authority, the City West Development Corporation and the Darling Harbour Authority in defined foreshore areas. Although I have extended a degree of latitude to the honourable member for Vacluse, he is now unnecessarily alluding to matters that do not relate to the debate. I ask him to return to the subject matter of the bill.

Mr DEBNAM: The bill is all about the Government's credibility, regardless of other issues.

What the community wants from the Government, specifically from the Minister because the community has no faith in the Premier, is an assurance that no more high-density residential harbourside development will be approved by the Carr Government between today and the State election. The community of New South Wales does not want the Premier signing off on contentious projects a few days before the election as he did with east Circular Quay in 1988. Will the Minister explicitly assure the Parliament and the community that it will protect our harbour foreshore and the community's interests from the Premier? Although we have had fine words from the Carr Government, our Premier has attempted to sell off prime harbourside land at Strickland House, and signed off on east Circular Quay a few days before the 1988 election.

I will dwell for a moment on the east Circular Quay issue. Today I noted with interest a statement by the Minister that Mr Jeremy Dawkins would be appointed as Sydney's first harbour manager. I note also that the harbour manager's responsibilities will include land use and planning issues around the harbour and its foreshores, and urban design. On page 2 of the Minister's press release he said that the harbour manager "will form an important link between the community and various controlling authorities". When the Minister replies to the debate on this bill he might like to tell me whether Jeremy Dawkins has any Labor Party connections or whether he is another Labor Party appointment. Who is Mr Jeremy Dawkins? What is he famous for? Before I say anything more about that matter I ask: What would I say if someone asked me what is the most recent contentious issue relating to Sydney Harbour and its foreshores? Would it be east Circular Quay?

Mr Rixon: What is the most recent contentious issue relating to Sydney Harbour and its foreshores?

Mr DEBNAM: I would say the most recent contentious issue relating to Sydney Harbour is east Circular Quay. Despite overwhelming community concern about what has happened at east Circular Quay, a few people of principle have said that they like the result and they believe that, despite overwhelming concern about the project and the building, everyone else will like it in due course. What a patronising attitude! One matter Mr Jeremy Dawkins is famous for in the last 18 months is his article in the *Sydney Morning Herald*, in which he stated:

When Sydney gets to know the new East Circular Quay everyone will love it.

He said that there should be buildings at east Circular Quay. In a fairly lengthy article he spoke at length about his views and said:

This is my opinion on East Circular Quay.

That is fair enough. I refer to the Minister's press release, in which he states:

Mr Dawkins will form an important link between the community and various controlling authorities.

This man is to be the watchdog over what is happening on Sydney Harbour and its foreshores. The Minister is handing over Sydney Harbour to a gentleman who is clearly at odds with the community and with community interest in New South Wales about one of the most contentious issues in Sydney in recent years. It is unbelievable. Why did the Minister appoint this gentleman to this critical job in Sydney, given his views about this most contentious project? Even if the Minister said he would appoint someone who is clearly at the other end of the spectrum in relation to this most contentious project, we would have to question whether that was a balanced approach. The Minister did not do that. He appointed someone and told us not to worry, that this person will be the community's watchdog; he will be the important link between the community and various controlling authorities.

Earlier I said that this bill is all about how much the people of New South Wales want to trust the Government. Not many honourable members realise what has happened to legislation relating to planning issues. Enormous power has been vested in the Minister for Urban Affairs and Planning, much of which the Opposition has agreed with. The bill, which leads the Government in a sensible direction and is a sensible rationalisation, requires a building of trust between the Government and the people of New South Wales. The community's trust in the Carr Government has been sorely betrayed over the past 3½ years. This bill was to be the last significant planning bill of the Carr Government.

When I was briefed by the Government on this matter I said that the Opposition would not oppose the bill. The Opposition has a number of concerns about the bill, but we simply ask the Minister to address those concerns when he replies to the debate. Today the Government appears to have shot itself in the foot. I cannot believe that the Carr Government has done that. There must be some other obvious explanation for the appointment of the harbour manager that I have missed. I have not been able to figure out what that might be. The Minister might also tell us about the terms and conditions

that will apply to Mr Dawkins' employment. Depending on the Minister's reply, we will reconsider Mr Dawkins' position after the March election. I hope that the Minister is able to explain away our concerns.

I will not refer to other press releases on 17 March this year or to the Minister's speech in February 1997 in which he talked about how special the harbour was and about the importance of establishing trust between the community, the Government and the harbour manager. The Opposition agrees that that need is important but it is astounded at the way in which the Minister has approached the matter. The Minister might explain why he made this appointment, bearing in mind the position the harbour manager has taken, against community interest, in relation to this most contentious issue. I said at the outset that the Opposition will not oppose the bill, but I ask the Minister to address the issues that I have raised. Apart from an explanation concerning today's appointment of the Sydney harbour manager the community also wants a promise from the Minister that he will protect Sydney Harbour's foreshores from the Premier in the few remaining days of the Carr Government.

Ms FICARRA (Georges River) [10.57 p.m.]: The management of Sydney harbour and its foreshores must be the most important natural resource management role for any government. It is possibly one of the most challenging issues for either side of Parliament. Over time the use of the harbour changes and the potential for conflict between water-based industries and the demand for residential development will only increase unless there is careful planning. The honourable member for Vaucluse touched on that issue and referred to the concern of the community in regard to this wonderful asset, an asset that is valued not only by people in Sydney but by people throughout New South Wales and Australia. The planning and development of the harbour foreshores is complicated by a multiplicity of government agencies and levels of government. Bearing those matters in mind, the coalition supports this sensible bill.

The House has heard about the appointment of a harbour manager, ostensibly to co-ordinate harbour-related activities. However, while the Opposition questions the objectivity of this harbour manager and the provocative comments that have been made about east Circular Quay, the most controversial development in this State for many years, it is a bold appointment by the Minister. I am sure that the Minister will refer to that appointment

when he replies to the debate on this bill. Time will tell how effective the harbour manager is. The appointment is hugely significant for Sydney Harbour. I hope that it will set a precedent for rivers in New South Wales, and I hope that this proposed legislation centralises planning control in the hands of the Minister for Urban Affairs and Planning.

As the honourable member for Vacluse said, the coalition agrees with the provision of the bill so long as the power provided by the bill is used in a fair and just manner. The Minister has had the support of the coalition in increasing his power over many aspects of the Urban Affairs and Planning portfolio. By giving the Minister that support, the coalition is putting great trust in him on behalf of the people of Sydney and New South Wales. The declaration of sites of State significance around the harbour will make the Minister the consent authority for any proposed developments. With the assistance of expert advisory panels the Minister will, I hope, be able to monitor building and project proposals so that they contribute to an ecologically sustainable city and harbour.

The object of the bill is to constitute the Sydney Harbour Foreshore Authority and to specify its functions. The new authority will exercise the functions currently exercised by the Sydney Cove Redevelopment Authority, the City West Development Corporation and the Darling Harbour Authority in a defined foreshore area that extends generally from Camerons Cove at Balmain to Elizabeth Bay at Potts Point. The existing authorities are to be dissolved, with the Darling Harbour Authority operating until after the Sydney 2000 Olympics. Thus the dissolution will occur after 1 January 2001. The bill results from announcements earlier this year about the need to take control of the harbour foreshore between Garden Island and White Bay and 38 key sites around the harbour and along Parramatta River.

The bill complements State environmental planning policy 56, which relates to Sydney Harbour foreshores and tributaries. The planning and management of Sydney Harbour foreshores provides a good example of the difficulties in managing public and private land to protect a natural asset. Important participants in the planning and management process include numerous local councils, State government agencies, the Commonwealth Government and developers keen to redevelop old industrial sites. The combination of all these entities will present a formidable planning challenge. However, if we are to be responsible custodians, the vital challenge is to protect the natural and cultural heritage of Australia's most

loved treasure: Sydney Harbour and its foreshore. The management of land use around the harbour has a major impact on water quality.

Strategic planning in a co-ordinated sense is vital and I hope this bill will provide the necessary restructuring of our current fragmented and antiquated planning regulatory procedures. It has been clear to the public that the planning and management process has involved a lack of vision and strategic planning, and interdepartmental and that interagency communication has often involved non-existent or inadequate public participatory and consultative processes. As a result, the public has become disillusioned and cynical of all politicians at local, State and Federal levels who purport to protect our natural and built heritage. The events at east Circular Quay, Walsh Bay, the Conservatorium of Music, Strickland House at Vacluse and Luna Park are all permanent scars in the mind of the public. They are constant reminders of the need for true, accountable and participatory reform. I sincerely hope that the Minister intends to restore public faith in the system.

The visual amenity of Sydney Harbour is largely dependent upon the development or conservation of land on its foreshores. With the upcoming Olympics, all Australians are keen to ensure that our harbour is showcased to the world in its best possible light. A persistent problem in the management of all waterways around Australia is institutional failure. That is usually manifested by a multitude of government authorities each having a role to play in the management of a resource but none having the ultimate authority to ensure that the final result is as planned and is acceptable to the community.

A number of guiding principles have determined future land use of publicly owned harbour foreshores. I hope those principles will continue to be upheld in a bipartisan fashion. Those guiding principles are that the public should have maximum access to and use of land on the foreshore; that public ownership should be retained; that public access links between existing foreshore open space should be retained and enhanced; that significant bushland and other natural features along the foreshore should be conserved for public use and enjoyment; that any change in foreshore land use should protect and enhance the special visual qualities of the harbour; and that all items of heritage significance should be enhanced.

The guiding principles also include the determination of whether a surplus foreshore site is suitable for regionally and locally significant open

space that will enhance the harbour foreshore open space network; that any development not required for regional open space should be compatible with the scale and character of its foreshore location; and that significant proceeds from development of this land should be used to contribute to the establishment and maintenance of public open space. Further, in maintaining the commercial viability of Sydney Harbour, consideration should be given to the retention of key waterfront industrial sites. However, where possible, public access through these sites to the foreshore should be provided. I hope those overriding guiding principles will receive bipartisan support at all times.

When the bill has passed through the Parliament, it will need to be monitored. The development of a framework should encourage a consistent and co-ordinated approach to the planning, development and management of Sydney Harbour, our waterways, islands and foreshores, and put in place effective development control systems, recognising the harbour's environmental, cultural and heritage qualities and its role as the recreational and tourist focal point of this nation. The rationalisation of the authorities that oversee Sydney Harbour is long overdue. At Federal, State and local levels 15 government authorities have harbour management roles. The 20 waterfront Acts and regulations are obviously a recipe for potential mismanagement rather than good management.

The Pyrmont-Ultimo peninsula needs to be humanised. The planning emphasis needs to be on encouraging more family housing, more small business in the area, including more shopfronts at street level in heritage buildings, and high-quality urban design and sustainable development, which includes housing stock for a range of ages. Loss of open space, parking problems and personal safety concerns for city west residents need to be addressed. Those residents need a sense of community. The coalition has acknowledged and addressed the community's concerns about integrated planning for Sydney by announcing the creation of a position of a Minister for Sydney if it is in office after 27 March next year, which I believe it will be. The portfolio will address issues such as the strategic planning of our suburbs and the provision of better government services and transport. The new Minister for Sydney will co-ordinate the nurturing of Sydney's city centre back to life to create a magnet for tourists and locals.

Mr Knowles: Get back to the bill.

Ms FICARRA: The Minister said I should get back to the bill. The new portfolio is the essence of

good planning for Sydney and the harbour foreshores, and the coalition looks forward to its implementation. As the Minister wants me to get back to the bill, I remind him of the words of Tom Uren, a Federal Minister for Urban and Regional Development in the Whitlam Government. In an article in the *Sydney Morning Herald* on 14 February 1997 he was quoted as saying:

The people of Sydney are angry. They hate the building now being constructed at East Circular Quay. Many see it as a scar on our Sydney Opera House—a building which has enhanced the beauty of Sydney Harbour. This new edifice exemplifies the conflict between public benefit and private greed.

Spurred by the Olympic Games, enormous pressure is now being exerted by private interests to appropriate public spaces for private gain. People feel powerless as governments at all levels accommodate the demands of powerful commercial interests.

We are too accommodating at times. For the first time Sydney's population has officially hit four million. Sydney Harbour and its foreshores are precious to all Australians. Sydneysiders feel let down by the people who plan its development and manage its infrastructure. More than 100,000 tourists enjoy the Sydney Harbour daily—its great lifestyle, beaches, waterfront parks, gardens, eateries and entertainment venues. Tourism brings an estimated \$15 billion per year into New South Wales and employs many people. The growth in the tourism sector is evidenced by the many hotels, apartments and commercial centres being built; it is keeping the construction industry alive and employing many Australians.

However, underlying this state of intense activity is public concern for a consistent and co-ordinated approach to the planning, development and management of the Sydney waterways, islands and foreshores covered by this legislation. We will have to wait until the coalition wins government next year to move on to the rest of Sydney not covered by this legislation but equally of concern to the public. Sydney Harbour will be the major focus of the 2000 Olympic Games. The appointment of the Minister as consent authority for a number of sites of State significance, together with the appointment of a harbour manager and a Sydney Harbour Foreshore Authority, are positive moves and the coalition supports them.

However, we want more information from the Minister, particularly about the appointment of the harbour manager and his particular expertise that warrants the bestowing of that position upon him. The coalition looks forward to the establishment of a network of river keepers and river managers throughout New South Wales in response to

community needs and expectations. This legislation is a preliminary step in the right direction and the coalition does not oppose the bill, but will continue to monitor the Government's performance on urban planning issues to preserve our heritage for future generations. In the words of Albert Notting, who set up the harbour foreshore vigilance committee in 1900, "What is needed is eternal vigilance."

Mr BROGDEN (Pittwater) [11.11 p.m.]: I thank the honourable member for Vacluse, the shadow minister for housing, and shadow minister for urban affairs and planning and my colleague the honourable member for Georges River for not opposing the Sydney Harbour Foreshores Authority Bill which establishes a foreshore authority and specifies its functions. The new authority will exercise the functions currently exercised by a series of Government agencies that have responsibility for the harbour and its foreshores, including the Sydney Cove Redevelopment Authority, the Sydney Works Development Corporation and the Darling Harbour Authority.

Mr Speaker, as a former resident of Balmain and the Pyrmont area, as I am, you will appreciate that this is an important bill that will bring together the Government's management authorities relating to the harbour and its foreshores. In so far as the bill adopts the concept of place management by the use of Government authorities to manage a physical place rather than using a series of Government departments to manage functions on that body of water, it will be an important piece of generational legislation.

[*Interruption*]

The Minister commented that I am another place-management acolyte and he welcomed me to the club. I encourage the Minister to adopt this bill and this model for Pittwater, the area that I represent. As the Minister is fully aware, I have asked him both in this House and in writing on several occasions to adopt a Pittwater manager and to take the same opportunity to appoint a manager for Sydney Harbour to manage the series of Government departments responsible for Pittwater, which is Sydney's second harbour. I encourage the Minister to use this bill to do that in the next few months. If the Minister does not do it in the next few months, I guarantee that my colleague the honourable member for Vacluse will do it when we assume Government in March 1999. I believe that will be of great benefit.

The Sydney Harbour Foreshore Authority is an important body in the life of Sydney. It is one that

will consolidate the management of the harbour for the community and on behalf of the community. We welcome the appointment of a harbour manager. We question his credentials—as we like to say in the Liberal Party "name a branch"—but we will find out later what his credentials are, beyond those of simply Labor Party membership. We do not oppose the proposed legislation and hope that it will satisfy its objectives.

Mr KNOWLES (Moorebank—Minister for Urban Affairs and Planning, and Minister for Housing) [11.14 in reply], in reply: I thank the honourable member for Vacluse, the honourable member for Georges River and the honourable member for Pittwater for their contributions to the debate. The establishment of the Sydney Harbour Foreshore Authority will be welcomed by all objective observers who seek to improve the regulatory management of our city, particularly the harbour foreshores. In my view it is fundamentally important to recognise the Government's objective here as one of establishing a place-management approach to what is possibly the most important place in our nation. Sydney Harbour is a national icon. It is the image that so frequently appears when Australia is portrayed around the world.

It is beyond my comprehension that for almost all of the last 200 years it has been managed in a fragmented and piecemeal approach as many places rather than as one place, the centre of our city—as opposed to the traditional management of it as the edge of the urban conurbation. From a policy perspective I have no doubt that, irrespective of political nuances, the Sydney Harbour Foreshore Authority will be of fundamental value to the future management and development of our city. Despite the cheap shots and nonsense about things such as east Circular Quay, the Sydney Harbour Foreshore Authority and its responsibilities will stand the test of time.

Equally, despite the cheap shots and nonsense about the appointment of Jeremy Dawkins as harbour manager, his qualifications will demonstrably ensure that that third part of the policy framework, that is, dealing with sites of state significance, this bill and the harbour manager, will fundamentally improve the management of the harbour and our foreshores. I point out that despite being critics of the east Circular Quay development, both Ian Kiernan as harbour keeper, and the honourable Tom Uren have strongly and mightily endorsed the appointment of Jeremy Dawkins given his quite extraordinary and almost unique background in his responsibilities for redevelopment

of Fremantle in the context of the establishment of the America's Cup, and Battery Point in Hobart.

The Opposition raised this aspect of east Circular Quay and who may have been once a supporter of the developments at east Circular Quay. We do not have to go too far back in time to recognise that indeed it was the former Government that enabled the establishment of east Circular Quay in so many ways. For example, I have in my hand the planning instrument for zoning. Despite the views expressed by honourable members opposite, it was not signed by Premier Carr as a former Minister for Planning, but was in fact signed by one Robert Webster. More importantly, not only did the coalition rezone the site, a normal regulatory function, it also participated in the enabling of the development.

It was Robert Webster who, upon being appointed Minister for Planning, commissioned what was described as the "Ideas quest for east Circular Quay". Essentially, he tore up all previous approvals and proposals for east Circular Quay and, in conjunction with the former Lord Mayor of Sydney, commissioned an ideas quest about the future development of east Circular Quay. That quest produced the blueprint of what we see at east Circular Quay today. That is affirmed in correspondence between the honourable Robert Webster and a former Town Clerk of the Council of the City of Sydney in October 1992. The council objected to development in that location and proposed a land swap to the then Minister for Planning, that is, cash-in or trade-in of the land at east Circular Quay for some alternate location to enable that land to be conserved as open space. Webster, in his reply to that request for a land swap, specifically ruled out that option. He made the point in his correspondence:

I believe that resolution of the issues involved can be achieved through consideration of a range of other options. In this regard, the Council would be well aware that the Central Sydney Planning Committee has published a new set of planning and design principles for East Circular Quay arising from the Assessment Panel's review of the recently conducted Ideas Quest.

In that context, he said, a land swap was inappropriate. That is the first piece of evidence, with Robert Webster's fingerprints all over it, that makes it very clear that the opportunity was given for a land swap, and that it was rejected; and, further, that Webster chose to endorse the development option contained in his ideas quest. The second piece of evidence with his fingerprints on it is of course the rezoning instrument itself. If we are talking about people who were once fans of east

Circular Quay but these days would seek to recant those views, the grand-daddy of them all is the present Leader of the Opposition, Peter Collins. As Treasurer, he agreed to a \$1 million stamp duty waiver for a multinational company to allow the development to proceed. I have in my hand the correspondence from Premier John Fahey to Minister Robert Webster, dated 4 May 1994. It states:

Dear Mr Webster

I refer to your letter concerning the future of the redevelopment of East Circular Quay.

Thank you for informing me of the resolution of negotiations between the Department of Planning, State Transit and Sydney City Council regarding the temporary relocation of public bus layovers . . .

As regards the reimbursement of stamp duty costs in relation to the redevelopment of East Circular Quay, I am pleased to advise that the Treasurer has approved an ex gratia payment of \$907,014 in accordance with the terms of the Premier's September 1992 commitment. The payment represents a full rebate on the stamp duty required to be paid by the parties involved in the redevelopment of East Circular Quay.

The rebate applies to stamp duty required to be paid by CML, Sydney City Council, the Perpetual Trustee Company Ltd as Trustees for MIRVAC and a company called Jedbo Pty Ltd in relation to land cross transfers between them, documented by an agreement . . .

The Treasurer has informed the Commissioner of Stamp Duties of his decision, and the necessary arrangements will be made to stamp the documents, and refund the moneys already paid, when the assessment has been finalised.

If that is not evidence of a commitment of support for a development, I do not know what is. I do not know that too many governments would give a \$1 million free kick to development companies around this town if those governments are not signed up hook, line and sinker to it. So we have documentary evidence of Webster's rezoning of the site; Webster's rejecting a land swap; Webster's conducting an ideas quest for proposed development on the site; and we have Peter Collins giving the developers \$1 million to get on with the job. And it is supposed to be the Premier's fault!

Any time Opposition members want to raise the views of Jeremy Dawkins about the type of development on that site—and, by the way, they have misquoted Jeremy Dawkins—these documents will be part of my reply. Collins gave the developer \$1 million; Webster had an ideas quest that essentially said let us have development; Webster refused a land swap; and Webster rezoned. The honourable member should go back to his leader and remind him that at any time, in any place, anywhere he wants to talk about east Circular Quay, these

documents will always be in my pocket. They will be available to remind him and the community that, despite the nonsense of the honourable member, this is where the development started.

Mr Debnam: Is that what you think, that it is nonsense to the community?

Mr KNOWLES: I think the community would think it is absolute nonsense that the Leader of the Opposition as Treasurer gave \$1 million to a multinational company to erect that building on the site. I enjoy the fact that the honourable member for Vaucluse, despite confusing Wollongong with Sydney, wants to continue to raise east Circular Quay as an issue, because every time the Opposition seeks to do that it gives the Government an opportunity to remind the community of the nonsense that must have gone on back then that resulted in a rezoning, the rejection of a land swap, and a \$1 million stamp duty waiver to get that building under way.

I have not made this up. This is the documentation and Robert Webster's signature is on the rezoning instrument. These are all public documents. They are all part of the public record. Having said that, I think everyone would agree that the foreshore authority is of value to Sydney residents. Everyone recognises that this proposed legislation will fundamentally improve the corporate governance and governance of our harbour and its foreshores, and development in and around it in the area defined in the bill. It forms an important part of the Government's overall proposal to manage Sydney as a place. I commend the bill to the House.

Mr Debnam: Point of order: I sense that the Minister is wrapping up his reply—

Mr SPEAKER: Order! There is no point of order.

Motion agreed to.

Bill read a second time and passed through remaining stages.

FORESTRY AND NATIONAL PARK ESTATE BILL

Second Reading

Debate resumed from an earlier hour.

Mr JEFFERY (Oxley) [11.27 p.m.]: It is with some disappointment, as well as sadness, that I speak to the Forestry and National Park Estate

Bill—not because this is possibly the last time I will speak on a bill in this House, which I have served for 15 years as a member, but because the Carr Government is taking from the existing electorate of Oxley and the new electorate of Oxley more than 300,000 acres of additional forest and locking it up for national parks and reserves. I was horrified to read that the bill proposes some 40 additions to 16 new or existing national parks in the Oxley electorate. Of course, that will withhold a supply of timber for the mills in the electorate. Since 1995 about 60 per cent of the timber industry's log supply in the electorate of Oxley has been taken away without scientific reason or regard to the socioeconomic impact of such actions.

The electorate of Oxley has one of the lowest socioeconomic levels of any electorate in New South Wales. Recent statistics prove that statement. The Oxley electorate has massive social problems and unemployment, yet this measure will take further jobs from the timber industry. Recently, Midco Meats closed, with the loss of 280 jobs. Workers came to me. I tried my best. We went to the Premier, but received no help. In fact, we did not even get an acknowledgment after the initial deputation to the Premier and the Minister. That event is a great disappointment to the workers of this State. I am sad that a Labor government has put so many Oxley electorate workers on the unemployment scrapheap. The bill before the House will put more people on that scrapheap.

The Premier himself promised to assess the economic impact on rural New South Wales before implementing any government decision that was made. That was just hollow rhetoric. The Premier and the Minister have spoken about job increases. It is sleight-of-hand; these will be phantom jobs. There will be no net job increases. In its 1982 forests decision the Wran Labor Government said that jobs would be taken up in the tourist industry. The bottom line was to be that hardwood forests would be protected forever. Premier Wran said to Opposition members, "What are you going on about? We have written into legislation the protection of hardwood forests in New South Wales and, in particular, the electorate of Oxley." That statement has gone by the by. Hardwood forest areas available for logging are being whittled bit by bit. No-one would listen to the loggers, and the graziers who were reducing fire risks, noxious animals and weeds. The Government would not listen to the beekeepers, other important primary producers also being stung by the Government locking up areas. The consultation process does not matter because everything is already decided, as the honourable member for Cessnock said today. I feel sorry for

him, being in a Government that will not listen to him or consult him. It offered him a briefing at 9.30 this morning. What an insult! If I were a Government member and the Government did that to me I know how I would vote. The Government will not even listen to the Labor member for Cessnock.

Dr Macdonald: He should cross the floor.

Mr JEFFERY: The honourable member for Manly said that the honourable member for Cessnock should cross the floor.

Dr Macdonald: Would you?

Mr JEFFERY: I have crossed the floor before as a Whip. I am the only Whip to have crossed the floor in the Westminster system and to have survived. The honourable member for Manly knows only too well that the Premier has lied to him in the past. He has lied to virtually every group in New South Wales—farmers, greens, motorists on road tolls and to the community on health. How far can one go before one's credibility is zilch? The Premier has duded the honourable member for Manly in the past and now he is duding the people of New South Wales, particularly in my area. The Leader of the National Party tried to table a legal opinion today from Dunhill Madden Butler Solicitors of Canberra. It is a legal analysis by Pat Brazil, AO. It is important to my electorate that this legal opinion be considered. His opinion is that so-called forest agreements under part 3 of the bill are non-binding. This eminent legal person stated:

Legally the most interesting aspects are that:

- The agreements would have no binding force (under Cabinet solidarity the State Government could amend them or terminate them at any time, as only State Ministers are parties).
- If there were any room for doubt on the matter, clause 18 provides that an agreement can be amended or terminated at any time jointly by the Ministers to the agreement.
- There is even no requirement of public participation before amendment or termination (that requirement is limited to the 5 yearly reviews—clause 19).

It is clear that the agreements are non-binding. We have heard about the necessity of resource security. I have spoken in support of resource security for mills and workers in my electorate. The legislation uses "shall" and "may". It is iffy stuff. The legal opinion from Mr Brazil also states:

Integrated Forestry Operations Approvals (Part 4)

Approvals can have effect for up to 20 years, unless sooner revoked. This is in clause 29, and clause 30 goes on to spell

out that an approval may be amended, suspended or revoked at any time jointly by the Ministers who granted the approval. Another "definite maybe".

There are no guarantees whatsoever with the Government. Loggers, small mills, the Forest Protection Society and others have given up the fight. They say, "What the heck!" The Labor Government has really cruelled them. There will be social consequences and a breakdown in law and order. If people in the bush do not have jobs country towns will decline even further and there will be horrific social consequences. The Premier's economic and social impact statement is nothing but a farce. It is sad that this is happening to my electorate in my twilight days in this Parliament. Another 300,000 hectares of forest will be lost. The maps in the anteroom opposite show most of my electorate in grey, denoting national parks. The 300,000 hectares under consideration is additional.

I am not against national parks but we cannot take away all these forestry jobs. The old growth forests were to be logged for future generations and jobs. They were top forestry areas. Now they have gone. The Minister should realise that an old tree is like an old person. I am getting older and I will pass my time. A tree is no different. After 400 years a hardwood tree gives off more carbon dioxide than it takes in. If there is such a thing as a greenhouse effect, such a tree is contributing to the greenhouse effect. A young forest is a healthy forest, a vibrant forest. Trees are renewable. They grow on sunlight, air and rain. They are not like minerals. People talk about concrete sleepers, concrete buildings and so on. Gravel that is taken out of the ground cannot be replaced but timber can be replaced. It is a renewable resource. Available forest areas are being taken away bit by bit. The media release dated 12 November from the Forest Protection Society says it all:

COMMUNITY ANGER AT CARR'S "SMOKE AND MIRRORS" FOREST PLAN.

The timber community support group, the Forest Protection Society, is alarmed by Bob Carr's so-called "Forest Agreement" for Northern NSW forests, fearing it will cause massive social dislocation and further economic hardship in regional communities.

How true this is for Kempsey. How true this is for Wauchope, which the Government has almost got rid of already. How true it is for Nambucca. How true it is for all the areas in the lower north-east and the mid north coast. Boral has major mills. Herons Creek will be in the new Oxley area. What will happen to the Boral mill at Kempsey? It is now on the skids because of what the Government is doing. The hard-working people there cannot get jobs in

another field. They cannot be retrained. Their jobs will also be taken away. In a press release of 12 November Boral stated:

Unfortunately the Government hasn't delivered the type of decision which will encourage investment. We particularly have concerns about the ability of the Government to provide long-term consistency in size and quality of logs that would enable us to quickly move into higher value markets.

That is happening now. Log trucks going past carry small logs. There is very little recovery from them. As a former farmer I can tell the Government what it is doing. If I have eight paddocks and I lock up six of them and all the cattle and sheep are put into two paddocks those two paddocks are overgrazed. That is an example of what will happen to the forests. The Government will not deliver the resource security it has promised, even at the reduced level. The Government goes on about value adding. There is a great example of that at the Kempsey mill. But this should be in addition to, not in place of. We could increase proper employment.

Each year Australia imports nearly \$3 billion worth of timber and exports nearly \$1 billion. There will be more pressure for imported timber, raping the forests of other countries. At the same time Australian timber will not be exported. Exports are needed because of the balance of payments problem. We are doing everything back to front. This is serious. Forests have kept rural towns alive. The Government's action is further damaging rural economies. As I said, my electorate is down to the bone. There is nothing else. We have lost the Midco abattoir. The employment will not be taken up by the tourist industry. We lost sandmining. Premier Wran said that there would be new jobs in tourism. However, not one job has been created in the tourism industry. I support the tourism industry, which has areas of advancement, but it will not take over from our important forestry industries.

The restrictions on larger mills provided in this proposed legislation will result in less salvage mill timber for smaller mills in the bush. The Government referred to value adding. Most mills have always value added to a degree, whether or not it is for pallets. Salvage mills also need government support. The frustration of the people involved in the embattled forest industry and the socio-economic effects of mill closures on Wauchope, Kempsey and the Nambucca in particular are clearly evident.

The Minister for Police knows that the Government will have to pick up the pieces and provide extra funding to implement its decision on forests partly because of the huge socio-economic problems arising from increased law and order

problems. As I said, many people depend, either directly or indirectly, on native forests. School teachers and others will also be affected by the Government's decision. Children in mill towns must go elsewhere to search for jobs; consequently, fewer teachers will be necessary. Also, banks are closing branches. Mechanics who work on logging trucks and people in fuel companies will lose their jobs. The effects of the decision will snowball.

No wonder people in country New South Wales are getting upset with the Carr Labor Government. This Government has deserted workers in the bush. It is time we had more commonsense and balance in the debate on timber. The forestry industries have worked with forest ecology. No plantation would have the same benefit, nor would it be nurtured and protected for future generations, as happened in the past. Let us get the facts straight about the forest debate. Forestry products are essential, desirable and sustainable. The jobs of more than 200,000 Australians are at stake.

In the past timber products, especially those produced in New South Wales, have been produced under strict codes of practice. Forests are larger and healthier, and contain greater biodiversity than they did 30 years ago. Less than half of the estimated 160 million trees planted each year are harvested annually. Our State forests have been managed sustainably for almost a century. Plantation timber may be a substitute for wood products but it will never be a substitute for forestry industries. The Government has a lot to answer for in terms of this bill. [*Time expired.*]

Mr BECK (Murwillumbah) [11.42 p.m.]: The honourable member for Ballina said that this bill is fundamentally flawed and lacks the support of key stakeholders. He further said that the Opposition will oppose the passage of the bill. I support the honourable member's statement and his contribution to this debate. The wheels have well and truly fallen off Labor's forestry and conservation reform with a return to confrontation in northern New South Wales, especially in my electorate of Murwillumbah, which is preventing approved timber harvest operations, threatening the continuation of log supplies to saw mills and putting jobs in those northern towns at risk.

The honourable member for Oxley said that he has been in this House for about 15 years. I was elected to the Parliament at the same time as the honourable member. At that time Standard sawmill employed some 150 people and Sly Brothers sawmill and Bryants sawmill each employed 20 or 30 people. In the past sawmills were operating

successfully at Chillingham, Tyalgum and Eungalla, to name a few. Mill jobs were important to those towns and gave security not only to mill workers but also to logging truck drivers, fuel and tyre suppliers, and school teachers. With a ratio of 4:1, the loss of more than 200 jobs means that 1,000 people in the electorate of Murwillumbah are out of work because of the policies and decisions of Labor governments.

The Premier is continuing down that track. There is only one viable mill remaining in the Murwillumbah electorate, that is, the mill on Smith Creek Road at Uki. The costs of getting timber to that mill are excessive and the amount of timber available is not the same as it was previously. Unfortunately, this proposed legislation will not help to secure the remaining jobs at the mills. There is almost universal opposition to this bill, with the exception of the New South Wales Forest Products Association.

The bill is firmly opposed by key interests, including the National Association of Forest Industries, unions such as the Construction, Forestry, Mining and Energy Union, Boral Ltd, the Institute of Foresters of Australia, the Forestry Field Officers Association and the conservation movement. Even the conservation movement opposes the Premier's unsatisfactory attempt to resolve the mess of his own making in the forestry industry. Although the Forest Products Association supports this bill, it has requested that eight amendments be made. So a large cross-section of the community opposes this bill. The National Association of Forest Industries stated:

While the Government has so far refused to release detailed resource information, it appears clear that the reduction in resources will lead to closures and loss of jobs in both the Eden, upper north east and lower north east regions.

This area is from Eden on the Victorian-New South Wales border to Tweed Heads on the New South Wales-Queensland border. So it reflects the diversity of the timber industry throughout the State. In a press release entitled "Community anger at Carr's 'Smoke and Mirrors' forest plan" the Forest Protection Society Ltd slammed the legislation. In a media release dated 12 November Boral Ltd stated:

Unfortunately the Government hasn't delivered the type of decision which will encourage investment. We particularly have concerns about the ability of the Government to provide long-term consistency in size and quality of logs that would enable us to quickly move into higher value markets.

Boral has a large mill in the Murwillumbah electorate which was previously operated by Standard. Before Wran and other Labor Premiers got hold of the timber industry that sawmill employed

more than 150 people. Every morning at the mill trucks were lined up with logs ready for employees to start sawing the valuable timber resource for construction, et cetera, in a growth area in north-east New South Wales and indeed, throughout Australia.

Today Boral is doing a magnificent job. However, sawn timber stacks rather than log trucks are now lined up, and some of that timber may possibly be imported. The Carr Government has not got the proposed legislation right. I refer to a media release dated 12 November from Gavin Hillier, New South Wales Secretary of the Construction, Forestry, Mining and Energy Union, forest and forest productions division, which stated:

The Construction, Forestry, Mining & Energy Union refused to endorse the forest decision announced today by the NSW Labor government. Instead the union described the government's decision as an example of bad public policy, resulting from the cobbling together of politically motivated initiatives and the expenditure of more than \$50 million of taxpayers money to appease the insatiable appetite of NSW green groups.

He described the decision as a demonstration of the Government's failure to stand up for a balanced outcome against the pressure of conservation groups. All these people are against the Forestry and National Park Estate Bill because it is not what the people of New South Wales want. The Commonwealth Government was also critical of the bill. The Federal Minister for Forestry and Conservation has pointed to the bill's departure from the regional forest agreement set out in the national forest policy statement. The Commonwealth Government pointed out that New South Wales was the only State in Australia departing from the agreed regional forest agreement process by unilaterally introducing its own system of agreement. The Commonwealth does not endorse the policy. The bill lacks the support of key stakeholders and does not provide the forest industry with secure, sustainable log supplies. It is unworkable and will lead to unsustainable forestry practices. The bill will prevent much-needed investment and jobs in regional New South Wales. The Opposition opposes the bill.

Dr MACDONALD (Manly) [11.53 p.m.]: I do not know why National Party members are complaining. The Labor Party has delivered a National Party agenda. There will be 20 years of resource lockup. Also, a raft of financial assistance will be given to loggers, including more log trucks on the roads, \$18 million to buy private land, \$30 million for plantation establishment and more than \$50 million in public subsidies to the logging industry. The National Party could not have wanted more yet it still opposes the bill.

It is sad that in the dying days of the Parliament this bill, which is a major betrayal by the Carr Government of its Labor forest policy of 1995, has been introduced. It represents a total failure of intergenerational equity and a dismantling of public participation and community rights. It is a nasty bill to appease One Nation voters and to shore up the Clarence electorate. I hope it will backfire on the Labor Party and the marginal city seats.

What do we say to the children of New South Wales, who will inherit an even further depleted environment as a result of this bill? We should tell them the truth. Six years ago there was much conflict in the forests and at that time an agreement in the form of the national forest policy statement was signed by all Australian governments. One of the aims of the statement was to retain at least 15 per cent of pre-European settlement forest, with an emphasis on endangered species and old-growth and wilderness areas. Part of that process was the establishment of a comprehensive, adequate, representative reserve system—not an unreasonable process. The process was to adequately protect all species now and in the future and to represent their natural locations and settings. In other words, we were to share the planet with other species and maintain it for future generations. A joint scientific committee was set up to provide a range of reserve systems, leading to a maximum reserve system in the spirit of the national forest policy statement. A maximum reserve system would require 1.1 million hectares.

The Government ignored the experts, caved in to political pressure and refused even the compromise position put forward by conservation groups. Instead it offers a miserly 380,000 hectares, totally in defiance of the joint scientific approach. The negative impact on our forests and ecosystems will be huge. I hear mutterings from the Minister for Forestry. I did not think I would see the day when the Labor Party would introduce such a bill. We must also tell children what this will mean. In fact, I have a leaked document which was prepared for caucus. It goes through the bill and reminds members of the Labor Party about the national forest policy statement and their forest policy of August 1994.

The document refers to positive outcomes but spends two pages on negative outcomes. It is chilling reading and was provided to all Labor Party members in caucus. For instance, approximately 56,000 hectares of identified wilderness on State forest remain available for logging. Approximately 212,000 hectares of old-growth forest in State forests remain outside the dedicated reserve system,

although 170,000 hectares will have some protection in forest management zones.

Also, 40,000 hectares of old-growth forest in State forests will be available for logging. The definition of high conservation value old growth was non-precautionary, and old-growth forest, which is habitat for many threatened fauna species, will be available for logging. This information was provided to Labor Party members yet they support this proposed legislation. It refers to the shift from old-growth forests to plantation and states that regrowth logging has not occurred. A comprehensive, adequate, representative reserve system has not been achieved, environmental controls have been significantly weakened and third-party appeal rights have been abolished.

Mr Yeadon: Point of order: I would ask that you request the honourable member for Manly to clarify the document to which he is referring. I understand that the document was prepared by a Mr Noel Plumb of the National Parks Association and was not a document prepared by any Government member or Minister for the caucus.

Mr DEPUTY-SPEAKER: Order! I uphold the point of order. The honourable member for Manly will identify the document.

Dr MACDONALD: I understand the document was prepared for caucus.

Mr DEPUTY-SPEAKER: Order! I asked the honourable member for Manly to identify the document. Who prepared the document and on what date was it prepared?

Dr MACDONALD: I understand it was prepared for caucus.

Mr DEPUTY-SPEAKER: Order! Does the document have a title? If it does not, the honourable member should not refer to it.

Dr MACDONALD: No, it does not have a proper title.

Mr DEPUTY-SPEAKER: Order! If the honourable member is unable to identify the document, he should not refer to it.

Dr MACDONALD: I will not make any further reference to it. If the Minister is so embarrassed by the fact that this document was written, it is a poor reflection—

Mr DEPUTY-SPEAKER: Order! The honourable has had the benefit of my ruling.

Dr MACDONALD: It is a poor reflection on the Labor Party's proposed legislation.

Mr D. L. Page: To the point of order: I support the Minister's point of order. If a member quotes in this House from a document that is purported to be a briefing note prepared for the Labor caucus, one assumes that it is a briefing note prepared by someone within the Government. It would be misleading to allow a document prepared by a stakeholder in the proposal of the Government to be passed off as a Government document. I ask you to clarify the situation by asking the honourable member for Manly to table the documents so that the House can determine the source of the document. It is an important point and is in keeping with the standing orders that honourable members who quote from documents ought to identify the source of those documents.

Mr DEPUTY-SPEAKER: Order! I have ruled on the point of order. The member for Ballina is aware that only Ministers can table documents. The honourable member for Manly has said he will not refer further to that document. I must accept that statement. The document cannot be used further in this debate unless it is properly identified.

Dr MACDONALD: The truth about the impact of this legislation is a sensitive point. The long-term outlook is frightening. This sheer political treason is breathtaking. Let us examine some Labor promises made in 1995. The Carr Opposition promised that it would shift the basis of the State's timber industry from logging old-growth and wilderness forests as defined by the National Forest Policy Statement [NFPS] towards a reliance on plantation and regrowth logging. What happened? Old-growth forests and wilderness will now be logged under the proposed dirty brown option.

Another Labor Party promise was that areas identified to be placed in a comprehensive adequate and representative [CAR] reserve system under the NFPS would be removed immediately from State Forest management and transferred to appropriate conservation agencies. The result has been that significant areas identified by State Forests, National Parks and Wildlife Service and the Department of Urban Affairs and Planning as being required for a CAR reserve system were not transferred and many substantial areas of high conservation value have been proposed for logging.

The Labor Opposition promised also that it would review the existing framework of environmental regulations to establish clear,

consistent and strong environmental regulations for the production and harvesting of timber. The mechanisms proposed in the bill will establish regulatory measures that are not clear, consistent or strong but rather are secret, flexible, politicised and non-expert. Labor promised that statutory appeal rights would include third party rights in respect of the implementation and operation of forest management plans. However, this bill strips away third party rights. Under the bill's provisions no member of the public may bring proceedings to enforce a law, agreement, approval, licence or condition.

Labor promised that completed regional assessments would be used to establish a CAR reserve system, but under this Government that system has effectively been abolished and replaced by national parks as a new benchmark. In other words, the Government is saying, "We have all these new national parks and all this land has been dedicated". That is not the point. The CAR process identified what needed to be reserved, but the Government has produced a proposal that is an abridged reservation.

I shall conclude my remarks by referring to the importance of public participation rights. Forestry activity is potentially damaging to the environment. It must be undertaken within a tight environmental planning and assessment framework. The Forestry and National Park Estate bill abolishes that framework. It creates forest agreements and 20-year integrated forest operations approvals without key environmental impact assessments or public participation. Agreements and approvals can be varied without assessment. Threatened species protection, that is, the eight-part test, and species impact statements will not apply. Forest agreements will be made in secret.

This bill flies in the face of accepted land use planning legislation. Forestry operations will be exempt from existing provisions of the Environmental Planning and Assessment Act, especially parts 4 and 5. History seems to repeat itself. In the Legislative Assembly some 10 years ago almost to the day Labor Party members spoke in the second reading debate against the Forestry (Environmental Protection) Amendment Bill. On 30 November the present Minister for Agriculture, and Minister for Land and Water Conservation said:

How can one call a bill an environmental protection bill when its main aim is to circumvent the Environmental Planning and Assessment Act?

He went on to say:

... this bill will be the foot in the door for many developers around the State who will call on the Government to break down many of the environmental protection laws that the Labor Party so proudly championed during its 12 years in government.

The honourable member for East Hills also spoke in that debate on the same day and quoted an article in the *Sydney Morning Herald* of 7 May which stated:

The State Government is pressing ahead with plans to amend the Environmental Planning and Assessment Act despite widespread opposition from conservation groups. The latest proposal would see environmental impact statements, which are normally conducted by outside consultants, replaced by less extensive forest management plans.

He continued:

It is anti-environment, as is demonstrated clearly by this legislation.

This Labor Government is now bringing in legislation that throws away compliance with the Environmental Planning and Assessment Act. The honourable member for East Hills continued:

This bill strikes at the very heart of the Environmental Planning and Assessment Act.

I thought the Labor Party represented the environment, conservation groups and perhaps our future generations. It has sold out our forests for political gain! It has removed third party rights, open standing provisions, the rights of the community to take action to enforce forestry agreements, and integrated forestry approvals. This legislation will have very wide and serious ramifications. The public has no opportunity to restrain breaches of approval or licence breaches, for example, pollution licences issued under the Protection of the Environment Act or under the Threatened Species Conservation Act.

This legislation provides one law for the loggers and one for everyone else. This bill is worse than Greiner's 1992 national resources management package, which was rejected by the Labor Opposition and the Independents. This Labor Government has drifted so far to the right on environment matters that it has become mesmerised by One Nation and has introduced this shocking bill. I oppose it for reasons different to those espoused by the Opposition. The Opposition opposes it because it does not want even this amount of land to be included in the reserve system. The Opposition opposes it because it too is fearful of One Nation. It wants to look tough and say, "We don't even want this." It is a sad day for the Opposition, but it is sadder for the Labor Party. It is a dark day in Labor history.

Mr ELLIS (South Coast) [12.07 a.m.]: Some of the comments of the honourable member for Manly were purely emotional without any facts to support them. If the honourable member cares to visit the south coast he will see an area that was logged heavily for many years for shipbuilding and to supply timber for mines and other purposes throughout the State. More than 400,000 hectares are now national park and wilderness areas. This area now imports timber because local timber is tied up.

Timber is brought from further south around Eden and from the northern and western areas for construction and other timber needs. This adds a costs burden to the people of the south coast. The vast area that was logged has been set aside as pristine land and wilderness. Until 20 years ago, this area had been logged for more than 100 years.

If a great deal of damage has been done, how can the National Parks and Wildlife Service say that the area is in pristine condition? I would like Government members and the Minister to have a look at the area that has been devastated by logging. The coalition Government declared Ettrema wilderness in 1992. This Government extended the wilderness declaration, and plans a third stage if an Aboriginal land claim is not allowed. If logging is carried out properly in a rotated way, it can cater for the flora and fauna and help protect the environment; it is rubbish that logging destroys. Because we are not managing or using our renewable resources properly, we are importing \$3 billion worth of timber per year, but exporting \$1 billion.

Some years ago I watched demonstrations on the wharves as boats carrying timber from countries that did not manage their timber arrived in Sydney Harbour. That is devastation of the planet! We should do what we can to produce our own timber in a managed environment. The bill does not cover the consultation process or its social and economic impact on the community. People who live in the bush have the bush as their backyard. They enjoy it, they want to protect it, and they want to maintain its pristine condition as much as possible. It is not the people who live in the locality who cause environmental damage, but those who visit the area.

The proposed legislation will disadvantage those who, for many years, used State forests as their backyards. All of a sudden gates will be erected without any public consultation or any management plan. Part 2 of the bill, which refers to land transfers to national park estate, does not state when management plans are to be implemented. It is

important that local communities have an input into the management of the land that surrounds their community. The management plan is the tool by which they can have a say in how the area is managed. The Morton National Park has been declared for more than 50 years, but only now has a draft management plan been produced.

The National Parks and Wildlife Act provides that a management plan for all national parks should be produced within a reasonable time frame. I would argue that 50 years is a reasonable time frame. If this Government intends to nominate 150 national parks, a time frame should be set for the implementation of management plans, or the National Parks and Wildlife Service will close them and make them de facto wilderness. I am concerned about the Government's lack of consultation with local communities that will be affected by the conversion of State forests into national parks. Another bun fight will result further down the track. For those reasons I cannot support the bill.

Mr SMITH (Bega) [12.14 a.m.]: I would like to focus on the individuals who will be affected by the proposed legislation. I am particularly concerned about the people of Bombala, a town that is no longer covered by my electorate, but a town in which I lived for most of my life. Much of the prosperity of Bombala comes from the timber industry; it is basically a timber and farming area. The bill is devastating for the town. In the past few days a petition containing thousands of names was compiled. As the electorate of Monaro does not currently have a sitting member, the people of Bombala asked me to present the petition to Parliament, which I did last week.

The Government has a problem with credibility. Prior to the last election the Labor Party in opposition stated that many jobs would be created if new national parks were declared; additional jobs would be created in the softwood industry. At the time the Labor Party spoke about the establishment of value-added mills in Bombala and how the area would prosper because of its pine resources, which still exist. The value-adding mills were never established. To this day there is no mill in Bombala. The only prospect the town has is that another mill will close, which will devastate the residents. The people of Bombala have already suffered because the Government did not come through with its promise.

When the Government declared other national parks it was believed that other mills would create extra jobs. If the pine is cut and milled in the near

future, it will have to be trucked out to Tumut or elsewhere. Very few jobs are available for the people of Bombala. They were duped by the Government into thinking that they would get a massive mill, when in fact they got nothing but national parks. When new national parks were declared the mills were cut back. Many families have worked in the forests for generations. Now names are drawn out of a hat to determine which business and its employees will no longer be required. They have no prospects at all.

The bill is just another series of words. It is not deliverable. One only had to listen to the rhetoric tonight to realise that on the one hand the Government is declaring new national parks, and on the other hand it is trying to placate the timber industry. I am referring to the south-east of the State, which is my area. Recently the Premier opened Mount Piper lookout. Lo and behold, when the regional forest agreement was under major discussion, he declared a new national park of 40,000 hectares. He ignored the process. His attitude was: to hell with you people who are trying to decide the best thing to do with the resource. I will declare it anyway.

He declared the new national park without reference to any material or to those who were trying to put together the regional forest agreement. This bill goes even further. It will remove another 40,000 hectares from the resource. So far as the Labor Party is concerned this is a word game. We have an election in March. The Government thought it could get itself out of a tight position, but it now finds itself fighting both sides. The Premier and his Government went all out to impress and try to win the vote of the Greens at the last election. Suddenly the Government has realised that the green vote is not viable and it has tried to get back on side with the timber industry.

Now this conflict exists. On the one hand the Government promises massive new national parks; on the other hand it promises jobs. Anyone who has had anything to do with the timber industry knows that is impossible. It is unachievable. Until this bill was introduced everyone believed that forestry generally had to be sustainable. More national parks have now been promised, yet the timber industry will continue working, although on a different scale; not so much on the old-growth forests but on regrowth forests, recovery mills and the like. That means a smaller area will be worked. It will be pounded into the ground and in 20 years it will be like the carpet in Parliament: so desolate that nothing will grow there. For as long as I remember,

the cry was to make this a sustainable industry. Now the industry is to take more resources and increase production, but only from a small area. One does not have to be a genius to realise that it will not work.

Mr Sullivan: But with plantations it will work.

Mr SMITH: Plantations are great—they are planted now and harvested in 80 years. The honourable member for Wollongong knows absolutely nothing about timber. It is time he concentrated on his own electorate. From what I hear, he will not have a seat after the next election. I can understand why. The people of Wollongong want a better representative than the one they have now. The Government says it will guarantee resources for the mill and the proposed recovery mill for the next 20 years, with five-year assessments. Everyone knows the proposal has to go to Cabinet. If Cabinet says yes there will be agreement to harvest and produce timber. But if Cabinet says no, it will be wiped out. The Forest Products Association has duped the whole forestry industry. It is time that the mills and the forest workers realised what the Forest Products Association is all about. It has sold out the industry. A letter dated 9 November from Graeme Hammond, President of the South East Timber Association, to the Premier, reads in part:

We draw your attention that contrary to the media releases of your Government and the Forest Products Association that the matter of jobs is far from settled.

On 30 November 1998 a lottery will take place for the contracts of three of the members of this Association. This lottery by a draw from a hat has attracted wide print and television interest and has the attributes of a media event.

We submit that the decision for the South East Forests made by media release was strong on rhetoric but short on detail and substance.

That is what this is all about. The people who work in the industry know that this agreement cannot be delivered. It will not be long before members of the Forest Products Association, who have been fairly quiet judging by the responses I have received, realise that their committee members who are party to this regional forest agreement are not representing them very well. Members of the Forest Products Association will begin to realise that since Labor has been in government they have not been very well represented by their association at all. Smaller groups, those who are the strength of the timber industry and who know the forests, have had enough of the big boys running the show.

They want their own organisation and they will put their own point of view across. They are not happy with what the Minister and the Government are doing. It will be interesting to see where the Government goes from here. It has got itself into a real corner. On the one hand the Premier is talking to every second group about how he has made 85 or 100 new national parks, and on the other hand he is saying he has given all these jobs to the bush. It is a farce. It is another series of words—similar to what happened at the last election—to try to get back into government. Government members know that is not achievable; we know it is not achievable.

Mr PHOTIOS (Ermington) [12.26 a.m.]: It is some time since I have been moved to speak in this House on the environment, given my current role as shadow minister for transport and shadow minister for tourism. I do so tonight feeling a great weight on my shoulders, as should all members, given the enormous damage the bill will do to the environment. I am unequivocally, unashamedly a committed environmentalist, as I have been for a decade in my representation in this Parliament. While I may not share the view of some of my colleagues as to why they oppose this legislation—but respect it nevertheless—I make it quite clear again that without qualification, without the compromise that shamefully hangs like an albatross around the neck of the once green Premier, Bob Carr, I stand by my principles. The Premier has sacrificed his principles today, as has the Government.

I am appalled at the credentials of the party that runs the State and the way in which it has sold out the environment—not for future generations of Australians but for short-term gain. It is an attempt to get a political solution to a problem that is more important than the political dynamics of the day. I joined the Wilderness Society before I joined the New South Wales Parliament. Today I remain one of the few members of Parliament who is also a proud, card-carrying member of the Wilderness Society. I have enjoyed the support, on a non-political basis, of environmentalists both in my electorate and beyond. One might say it is an unusual credential for a Liberal, but it is one that I ascribe to without reservation and without fear or favour.

My opposition to this anti-environment, pro-logging, pro-development, anti-natural heritage legislation, is based fair and square on my commitment to the principles underpinning the protection of the environment, not just for today but for tomorrow. In that regard, I emphasise my

concerns. Where is the much-publicised addition to the national park estate—not the modest achievements the Government claims credit for? Where is the national estate protection the Premier promised the State and the green movement of which, despite my party affiliation, I am proud to call myself a member?

I say to the Minister, who is in the Chamber, and to the Government: The Government has sacrificed the environment just as it is now sacrificing the timber industry, jobs and unions, all in a desperate attempt to obtain a political solution so that it can arrogantly strut the stage and claim to have done what no other Australian government has done. The Government believes, in its naivety, that it could use and abuse the environmental movement; that it could take advantage of Col Dorber, who sold out his own industry, the timber industry; and that it could take advantage of the plight of trade unionists, workers and battlers struggling for a living, to bring an end to a compromise; and that that would afford the Government a political salvation. As such, it has compromised its principles, but it will not bankrupt mine. My conscience will not be bankrupted at the foot of this appalling bill.

I oppose this bill without reservation, with pride, with pleasure, with commitment and with sincerity because in the long run it will be inherently damaging to the environmental heritage of this State. As a result of this bill hundreds of thousands of hectares of high conservation value native forests will remain unprotected from exploitation for the next 20 years. Bob Carr's woodchipping machines will operate for 20 years without any regime of protection. Bob Carr's 20-year logging operations will be the legacy of this bill.

I commend my Independent colleague the honourable member for Manly for his intelligent critique of this bill. I commend the environment movement for not being duped by a party that seeks to take it for granted. In the past few hours a prominent environmentalist said to me, "Labor's agenda is to have unconditional surrender from the environment movement." The Labor Party seeks to take the environmental movement for granted. It has done that time and again.

I hope through my speech tonight I can highlight the fact that members of the coalition are implacably in favour of protection. I am one of them. Old growth wilderness and threatened species habitat will be unprotected as a result of this anti-environmental bill. Recently I had the opportunity to discuss this bill at length and on a number of occasions with my good friends Noel

Plumb, the Executive Director, and Tom Fink, the President, of the National Parks Association. I share their concerns and commend the National Parks Association for not playing politics but for playing principle.

Labor has shed its credibility on this issue. It deserves to be thrown out of office. It deserves to be taught a lesson. John Corkhill, who is present in the gallery, is a man with whom many on my side of this Chamber do not have a great deal in common. But for the decade or more that I have known John he has been a fearless fighter. He fought the former Government, just as he is fighting this Government over this bill. I commend him. From the top to the bottom of the environmental movement, people are fighting for the good name of the environment and for the future protection of our forests.

Ms Moore: Without getting much support from this Parliament.

Mr PHOTIOS: Without getting much support from members on the Government benches, as noted by the honourable member for Bligh. I presume that the honourable member for Bligh will join me, the honourable member for Manly, and honourable members on this side of the House, for a number of different reasons, in opposing this bill. There will certainly be support from the minority in this House. I will work hard to convince members on the upper House crossbenches to throw out this bill. It must go. The Government must go back to the drawing board and give meaningful protection to the environment. More important, the Government must maintain third party rights and public participation rights, dump its appallingly retrograde, anti-conservation attempts, and eliminate any environmental impact statement process and public participation for the next 20 years in the determination of forestry and conservation issues.

Bob Carr's legacy will be to deliver to the people of New South Wales a more right-wing extreme environmental bill than Nick Greiner, John Fahey, Neville Wran and, dare I say it, even Ian Causley would have dreamed of delivering to this Parliament. Honourable members would know that my old nemesis, Ian Causley, shares very little in common with me in relation to these matters. If the Government is prepared to bankrupt its environmental legislation and shipwreck its conscience, it should not stay in government. If this Government cannot responsibly govern the environment it should not govern this State. Under this bill regional forest agreements and integrated forestry operations approvals can be altered by ministerial fiat, no matter what the impact on the native environment. That can be done for a period of 20 years.

That is Carr's environmental legacy. I say that that is Carr's environmental shame. I join with other honourable members, in many instances for different reasons but with mutual respect, in fighting this principle. I understand the principle of those who fight to keep the timber industry going. They represent electorates in which the timber industry plays an important role. I do not criticise honourable members for fighting for their principles, their community, their industry and their jobs. At least the Russell Smiths, the Tony Windsors and the Don Pages are consistent. Bob Carr should hang his head in shame. He wants to have a two-bob bet on every issue relating to the environment.

I am sick and tired of hearing cynical political statements from people like Bob Carr, who sanctimoniously tells me that he is an environmentalist. Where are his credentials tonight? Where is the legitimacy behind this bill? I would rather have an enemy that I know or a foe who stands behind his or her principles than someone who will shipwreck his or her conscience and damage the environment or the timber industry for short-term political gain. What Bob Carr is doing with this bill is shameless. This Government is environmentally bankrupt.

As a committed environmentalist, as a member of the Wilderness Society and as one who fought in the party room, at the Cabinet table and on the Opposition benches for the environment, I unashamedly and with a clear conscience oppose this bill and call on the Government to give more than adequate protection to old-growth forest, to threatened species, and to maintain third party participation and rights in a process which, in the long run, will environmentally enhance our State. Through this bill, the Government will be damaging our environment for the next 20 years. This Government's legacy appals me, as it should the whole State.

Ms MOORE (Bligh) [12.38 p.m.]: This bill is a massive setback in environmental protection and it will destroy any remaining environmental credibility that the Government had. It repeats the worst of the forestry environment protection bill and the 1992 package of natural resources management bills, both of which were opposed by the Australian Labor Party at the time. The only benefits in this bill are that it provides protection for an additional 380,000 hectares of forest in the north-east, and 37,000 hectares in Eden. But that is far short of the 1.1 million hectares in the north-east and the 82,000 hectares in Eden that were identified in the objective and scientific studies as necessary to ensure the long-term viability of our native plants and wildlife.

This bill is not a green victory or a balanced decision; it represents a win for politics over policy and it is a total capitulation to the logging industry. It is a victory for vested interest over public interest; a victory for those people profiting from the destruction of our public forests.

The bill cannot be seen as the end of the process of forest protection. The outcomes for Eden and the north-east do not represent the outcomes of the scientific studies or the broad range of community opinion. This bill has almost nothing to do with the long period of scientific research and discussions between key stakeholders. There is now a need to continue discussions again to achieve an outcome for the long term that will ensure the future of Australia's native plants and wildlife. The bill is that important, yet honourable members are talking about it at 12.40 a.m. after most started their day at 8.00 a.m. yesterday.

The Environmental Defenders Office has identified that the bill dramatically erodes protection for the environment and that that sets a dangerous precedent. The bill exempts forest agreements and integrated forest approvals from normal environmental impact assessment procedures which apply to other government agencies and private land-holders. The bill removes important parts of the public's right to participate in those key decisions. The bill allows for forest agreements to be varied in secret and integrated forestry approvals to be made and varied in secret.

The bill removes the public's right to appeal improper decisions and enforce the law, and it strips away the right to prevent breaches of environmental law. The bill will require substantial amendment if these problems are to be resolved. If I support the bill it will only be for the sole benefit provided by the protection of an additional minimal new national park—380,000 hectares in the north-east and the additional 37,000 hectares in Eden—which I fear will be permanently lost and decimated by logging unless secured now, given the record of the Government and the coalition.

I have real concerns not only about the content of the bill but about the process. The bill, arguably the most significant environmental bill introduced in this House in the whole term of this Government, was read a first time after private members' statements on Thursday evening, after the House had been told that after 4.15 p.m. there would be no quorums or divisions. At the time there was hardly anyone in the House.

Mr Smith: You should have been here.

Ms MOORE: I was here. I saw the honourable member for Bega in the Chamber while I was watching the proceedings in my room. The aim of that late introduction of the bill was to ensure that it missed the Thursday evening television news. The debate is now proceeding on the following sitting day as a result of a suspension of the normal rule requiring an adjournment for five days. In fact, I would go so far as to say that because this is an important landmark bill, it should lay upon the table for at least 28 days to allow adequate scrutiny and discussion, which has not occurred up until today, tonight or this morning. There has been inadequate time to be fully briefed on the impact and content of the bill. No time has been allowed to permit me to discuss this bill with my constituents who are deeply concerned about this issue. Interestingly and unusually, the Government did not provide the crossbench briefing that it provides on all other legislation.

Mr Windsor: Speak for yourself.

Ms MOORE: Certainly there was not a crossbench briefing, as is normal with legislation. The contents of the bill have produced shock and dismay among State forest campaigners and environmentalists. The bill paves the way for the horrifying likelihood of an increase in species extinction and the destruction of native forests. The identified scientific requirements have not been met, with inadequate land being protected and a failure to link forest reserves. There are 218 forest ecosystems, out of a total of 360, that are not adequately reserved in formal reserves and do not meet the targets set under the process of the National Forest Policy Statement. The 228 old-growth ecosystems, out of a total of 315, that are not adequately reserved in formal reserves do not meet targets. There are 123 flora and fauna species, out of a total of 1,377, that are not adequately reserved in formal reserves and do not meet conservation targets.

The bill will entrench the timber industry, which grows rich by profiting on public assets and public subsidies. With 20 years worth of resource security and no shift from old-growth forest to plantation and regrowth logging, the industry is laughing all the way to the bank. The industry still has an old-growth quota log size of 40 centimetres rather than a specification of 25 centimetres comparable with all other States based on regrowth logs. There will be a substantially diminished trust in the process for community non-government organisation stakeholders.

The outcome of the bill does not match the expectation of participants in the process, nor the advice of government agencies as to what the

process would address. The duty to consult the community is further diminished since Ministers approving integrated forestry operations may amend their approvals at any time without public consultation.

Environmental controls have been significantly weakened and third-party appeal rights abolished. The community's confidence in talking to government has suffered a serious setback. It is difficult to describe how deeply the disillusionment is felt among environmental groups. To describe the Government's decision as a betrayal is no exaggeration, and many people who abandoned protest actions to come to peace talks now believe they have been hoodwinked, misled and used by a cynical political machine. It is unlikely that governments will again win the confidence of non-government organisations, given the depth of betrayal perpetrated on them. The Government and the Premier have broken written pre-election Australian Labor Party forestry policy promises.

This decision also has a major negative impact on the Carr Government's credibility with the scientific community. The 50-plus signatures of world scientists, including David Suzuki, on the letter of 11 November support what I say. The Government should have a significant political concern about the Greens preference decisions in March 1999, particularly in the marginal seat of Clarence. More importantly, there are possible health implications for catchments, for example the Lismore water supply catchment area, that will be logged. The Minister said in his second reading speech:

The bill represents the culmination of the forestry reform process that the Government embarked upon almost four years ago.

The bill is not a culmination of forestry reform. It is a new bill that does not reflect, and is not in good faith with the people involved in the four-year process of forest assessment. Participants did not expect to find that third-party rights would be lost and that authority to grant approvals would be grasped by the Minister. The Minister said "the forest industry has been placed on a sustainable footing now and into the future . . ." The outcome is not based on principles of ecological sustainability. The environment movement has identified many areas, such as the northern rivers region, where there are not sustainable timber yields. The industry has not been forced to look beyond native forests to ensure sustainable plantations are established, and the plantations which have been established have not been paid for by the forest industry to secure their future resources.

The Minister stated that the Government has also ensured the adoption of ecologically sustainable forest management practices by improving environmental safeguards. Environmental safeguards have been reduced to ministerial discretion and part 5 of the Environmental Planning and Assessment Act has been overturned to remove the need for an environmental impact statement for integrated forestry operations. No evidence is available to support the claim that the operations of the timber industry are ecologically sustainable.

Numerous fines and prosecutions provide ample evidence that State Forests and the timber industry cannot and will not comply with law and have no credibility as an ecologically sustainable manager of our public assets. That sets up a double standard where State Forests will be exempt from the requirements of environmental impact statements and species impact statements, whilst all other New South Wales government bodies and private developers and land-holders will have to produce them.

The Minister said that the Government has done that with the active involvement of the community and stakeholders. The community, while significantly involved until mid-October, was specifically shut out of the decisions on supply commitments. The outcome and the scope of this bill do not reflect the involvement of the community and stakeholders but, rather, the demands of the timber industry and the Construction, Forestry, Mining and Energy Union, forestry division.

The Minister said that the provisions of the bill represent a fair compromise between the differing positions and one that is scientifically and objectively based. That is the big lie in the Government's propaganda. The bill is a major capitulation to the logging industry that does not reflect the scientific studies undertaken, which identified that an additional one million-plus hectares would be required to achieve a comprehensive, adequate and representative reserve system. The final outcome for the north-east region provides only 380,000 hectares and reflects the timber industry's wishes. Compromise offers by environment groups were ignored. The scientific and objective information clearly shows that protection of a much greater area is needed to prevent the extinction of species.

The Minister stated that the bill represents the culmination of key elements of the Government's forest policy and forestry reform agenda. That is not the case. The bill represents a hidden agenda and the

policy of the vested interests that continue to profit from environmental destruction. The Carr Government committed itself to shifting the basis of the State's timber industry from logging old-growth and wilderness forests towards a reliance on plantation and regrowth logging. Instead, 40,000 hectares of old-growth forest and 56,000 hectares of wilderness areas will be logged, despite conservationist proposals that did not need the logging of wilderness and old-growth forests to meet timber commitments. [*Extension of time agreed to.*]

The Carr Government promised that an environmental regulation would implement and enforce existing provisions of the Environmental Planning and Assessment Act. Instead, forestry operations will be exempted from the provisions of parts 4 and 5 of the Act. No further environmental impact assessments will be undertaken. The Carr Government promised that statutory appeal rights, including third-party rights, would be provided in respect of the implementation and operation of forest management plans. Instead, third-party rights will be stripped away. No member of the public may bring proceedings to enforce a law, agreement, approval, licence or condition.

The Minister claimed that the Government not only has delivered on but has exceeded its election commitments. In addition to the failures of policy, the Carr Government has not delivered on a comprehensive, adequate and representative reserve system in New South Wales or the one million hectares that have been identified as being required. The Minister claimed that the Government has now established a world-class reserve system in all of the three regions which have been resolved to date. In the upper north-east region 60 per cent of ecosystem targets were met and in the lower north-east 67 per cent were met. In comparison, and this is an interesting comparison, Jeff Kennett has done a better job in Victoria. In East Gippsland 99.9 per cent of conservation targets for ecosystems were met and in the central highlands 80 per cent were met. In the Western Australian south-west region 91 per cent were met and in Tasmania 81 per cent were met. What a record for New South Wales!

Mr Yeadon: What a laugh!

Ms MOORE: That is nothing to laugh about; we are all crying about it. The Minister claims that a massive 151 new national parks and nature reserves have been created. The creation of new parks and reserves is nothing to brag about when the total area of those reserves falls far short of the amount needed. The new areas are isolated and are unable to contribute to ecological diversity or to ensure viable

populations. The Minister stated that further job growth is expected from new investment in the timber industry. Environmental groups have expressed concern that job growth is not sustainable from the logging of native forests, as there is significant evidence that State Forests timber resource assessments are greatly exaggerated. There is an urgent need to move the timber industry toward plantations and sustainable wood supply and to retrain timber industry workers for alternative work in the industry. Does the Minister remember the work we did when we visited the south-east forests? It related to exactly that.

The Minister stated that the regulatory framework proposed in the bill retains the existing powers of the regulatory agencies. New authority is given to the Minister. Rather than government agencies deciding whether to issue licenses for forestry operations, government Ministers will take over the licence issuing role, bringing a new level of political interference into previously independent regulatory mechanisms. On the other hand, the truth comes out. The Minister stated that the Government has clearly demonstrated its ongoing commitment to timber industry workers, regional communities and the future direction of the timber industry. Rather than being a fair compromise, the bill delivers in full on the demands of the timber industry for resource security and of the unions for no job losses.

In addition to 20 years of resource security, an additional \$53 million is given to the timber industry for log haulage subsidies, the purchase of private land for timber and the purchase and establishment of hardwood plantations. That is in addition to an existing \$120 million forest industries structural adjustment package. Jobs are guaranteed for displaced timber workers, with an overall net increase in jobs. Hardwood woodchipping licences will be granted for 180,000 tonnes of pulp per annum from north-east New South Wales. The regional community will be negatively affected by the long-term effects of poor environmental management, soil erosion, polluted water supplies, destroyed fishing industry nurseries and the loss of nature-based tourism.

Urgent changes are required to this bill. Substantial representations have been received from the North East Forest Alliance, the New South Wales Forest Alliance, the National Parks Association of New South Wales, the Total Environment Centre, the Colong Foundation for Wilderness Ltd and the Conservation Ecologists Association. As a minimum requirement those associations call for the bill to be amended to include environmental assessments. That is not a big

ask. Any variation to an existing agreement or approval, or to a new agreement or approval subsequent to termination or suspension, must be subject to all of the provisions of part 5 of the Environmental Planning and Assessment Act and the eight-point test under the Threatened Species Conservation Act.

The associations have also called for public participation and consultation. Again, that is not a big ask. Any proposed variation, termination or suspension of agreements should be notified to and be available for inspection by the public, and comment must be sought from individuals and interest groups. Conventional public consultation should be a part of any review of agreements or related approvals. The associations also call for third-party rights. The public must have access to enforce its rights, particularly given the history of illegality in State forests and the underresourcing of State agencies. All lost third-party rights must be reinstated.

The associations have also called for an increase in national parks with the provision of a comprehensive, adequate and representative system as defined in the National Forest Policy Statement and identified through genuine objective and scientific research. They are all fair and reasonable requests. I conclude by reiterating my earlier comments. In its current form this bill is a massive setback to environmental protection and destroys any remaining environmental credibility of the Government. I am depressed and disillusioned and I am shocked by what is happening in this House tonight.

Mr HAZZARD (Wakehurst) [12.56 a.m.]: I oppose the Forestry and National Park Estate Bill. For a host of reasons this bill is a giant let-down to the community. Unfortunately, in its effort to please everyone the Government has pleased no-one. In its efforts to achieve a successful political outcome in the electorate of Clarence and in some other electorates, the Government has sacrificed itself on the altar of expediency. A number of processes have been put in place since the National Forest Policy Statement was signed off in 1992. I remind the Minister that the policy was signed off with good intentions by a coalition Government in this State and a Federal Labor Government. A fair and bipartisan approach was taken to the process. There was a recognition that the process required scientific evidence, a sound approach to the needs of biodiversity and an examination of the social and economic issues to determine reasonable impacts on jobs and the economy. The Minister has not done that. The Government has sought to avoid that

process. In a headlong rush of expediency it has simply tossed aside the regional forest assessment [RFA] process.

Mr Yeadon: All that work has been done over the past three years.

Mr HAZZARD: It is delightful to know that the Minister is awake at this late hour. The Opposition wishes he had been awake earlier and had realised the importance of scientific data during the process. Unfortunately, the Minister is in the business of playing games. Earlier the Minister for the Environment made it very clear that the Government believes it has a mortgage on the green vote and on people who are concerned about the environment. She spoke as if the environmental movement was a lackey of the Government. I have news for this Minister and for the Minister for the Environment: People cannot be treated with contempt. They cannot be treated with disdain and arrogance, particularly when it comes to a cause they are fighting for, a cause that all of us should fight for: the maintenance of biodiversity and ecological sustainability.

That simple process was discussed and was ready to be undertaken in the RFA. We now have RFA by ministerial fiat. The simple fact is that the Government is not trusted. I shall not take much more time of the House other than to say that the environment movement and the broader community no longer believe that the Government has any commitment to the environment: It is simply prepared to use and abuse the environment movement.

During my 2½ years as shadow minister for the environment I worked closely with many members of the environment movement, some from the North East Forest Alliance—Susie Russell, Dailan Pugh, and John Corkhill—and Jeff Angel, John Connor and others. They have a real commitment to and understanding of the environment. After tonight they will not believe that this Government has other than an attitude of expediency towards the environment.

I oppose the proposed legislation, principally because of the Minister's trivialisation of the environment. He has no concern for or understanding of the essential requirements for biodiversity. Someone referred to these areas as confetti parks. That is an adequate description of a proposal which comes from a bunch of airheads, one of whom sits at the table of the House. The Minister has let down people who have lost their jobs; they were attempting to find the right balance. That is

what the environment movement should be about. The Minister has blown it. I oppose the proposed legislation. As a long-term and committed environmentalist I believe that what the Government and the Minister are doing to the community and the environment stinks.

Mr GAUDRY (Newcastle) [1.02 a.m.]: I had not intended to contribute to this debate but felt compelled to do so after listening to an enormous amount of hypocrisy. The proposed legislation is critical and has been brought forward after comprehensive discussion and consultation with all players—industry, unions, the conservation movement, departments, the Environment Protection Authority, the National Parks and Wildlife Service, the forest services and all other interested parties. They want to introduce into the State a representative reserve system of forest types and a sustainable forest industry. That is an extremely difficult formula to achieve after 200 years of land exploitation in New South Wales.

I come from a family that was involved in exploitation of the forest resources, including by way of timber production. Generations of my family have been involved in the forest service. I acknowledge that the hardwood forest reserves of this State have been overexploited. The Government has taken a responsible approach to the process by involving all players. It signed the national forest policy in good faith. All players were included in the negotiations. As the honourable member for Cessnock said, the negotiations were comprehensive but tortuous.

Unquestionably it is extremely difficult to arrive at a comprehensive and representative reserve system and to have a sustainable forest industry based on value adding, hardwood plantation expansion and improvements in the industry, recognising that there will be losses of employment—and undoubtedly that has occurred—and cutting back of the supply to the industry. I do not have the figures in front of me but I understand that the reduction in production has been between 50 per cent and 60 per cent in some areas. The target has been difficult to achieve. All of those who worked to achieve the system did so with great commitment.

As has been said by members from both sides of the House, the outcomes are not ideal. Nevertheless they will come under scrutiny, as they should. The responsible Ministers—the Minister for Forestry, the Minister for the Environment and the Minister for Urban Affairs and Planning—gave a commitment to undertake that scrutiny now and

during the five-year period of the hardwood agreements. They will ensure that the forest services and logging contracts are upheld. I am concerned that members from both sides have spoken about the scientific process. At best that process is problematic. I do not believe that the level of scientific expertise will give an outcome that will be absolute. No-one believes that to be the case. The process requires ongoing scrutiny.

Mr D. L. Page: Of course there is a diversity of scientific views.

Mr GAUDRY: That is so. The member for Bligh said that the announcement has delivered 380,000 hectares into the reserve system. During the negotiations concerns were expressed about additional areas. This morning the green groups provided me with a map showing the areas that they considered should be added and become part of the reserve system. The map was provided because all sides of the discussion have had access to the scientific data. The scrutiny of the Government's actions has been far greater than the scrutiny of the actions of governments in other States that have put forward proposals for a reserve system or for sustainable logging. If this system does not work, all sides of the equation—the conservationists, forest interests and the industry—will have had the benefit of the statistics and will have the capacity to call the Government to account.

There is no doubt that this is a painful decision. It is a decision that has been reached by everyone involved. There was reference to people walking away from agreements; to my understanding the process involved all of the players up until the eleventh hour. The Government then made a decision, one that it stands by, but a decision that the Opposition does not support. The Opposition has also said that the bill does not have the support of the timber unions or the green groups. We have heard tonight from the honourable member for Bligh that it creates a reserve system of 380,000 hectares in the north. That is an absolute commitment. Obviously, in respect of some areas the green groups will keep the Government to account regarding whether or not we are upholding conservation values.

The honourable member for Bligh also referred to an additional 37,000 hectares in the south-east forest. The Government has committed itself to a massive expansion in conservation areas; it recognises that there is a need for a sustainable forest industry; it recognises the difficulty of achieving that, given the difficulties particularly in the northern part of the State; and it is committed to

producing timber resources for that area while bearing in mind the competing need to sustain conservation values. It is easy to criticise and it is certainly easy to attack. It is easy to say this is not the ideal, but at this stage we do not have an ideal. The system we have delivers a very strong conservation outcome.

That system delivers the capacity for a forest industry to survive. In conjunction with the investment from the Government, it provides the capacity to expand the hardwood plantations; and it will enable us to purchase from the private estate forest to add to that reserve for productive forest areas. That is where we are at the moment. To me that is a move in the direction of bringing together reserves and sustaining forestry. It is not an ideal, but it is certainly an important issue.

An issue of great concern that has been raised relates to the removal of third party appeal rights. That does concern honourable members. I am sure the Minister for Forestry, the Minister for the Environment and the Minister for Urban Affairs and Planning have a responsibility to ensure that forest actions and forest activities do not impinge in any way on the environmental values or water quality values in any forest operations. That is a very large responsibility. It is important that those particular aspects of the Minister's responsibility, and those of the other Ministers, be carried through. I am sure that the Minister will ensure that that occurs.

This issue has obviously incited strong political response and in many ways I do not think that response has been based on members carefully examining what has occurred and taking into account the negotiations that have taken place. I pay tribute to the members of the environmental groups who entered into and certainly participated in those discussions with goodwill, as I am sure the representatives of the trade union movement did. There is no doubt that at the conclusion of that period neither group was satisfied with the outcome. That is where the Minister for Forestry and the other two Ministers are placed in the critical situation of making decisions that will impact on both of those groups. They have responsibility for making those decisions in Parliament—and in caucus where the decision originates—and for carrying them through.

Mr WINDSOR (Tamworth) [1.16 a.m.]: Given the hour, I will speak as clearly and as briefly as I can to the legislation. I am pleased to speak to the Forestry and National Parks Estate Bill. This has always been a difficult issue. In the seven years I have been in the Chamber the issue has been debated on many occasions. There have always been

arguments in relation to sustainability. There have always been arguments in relation to the scientific explanations of what is and is not happening, what old-growth forests are and are not doing, and what they should be and should not be doing with carbon. There has always been argument about the management of systems, whether we have inherited an aboriginal system of patchwork burning with regard to the sustainability of these environments that we are talking about, but at the end of the day the decisions have always been political.

I have heard many people tonight talk about the environment and their great concern for it, but most of them happen to live in electorates in which no trees are left. I happen to live in an electorate that does have some trees. I am concerned because I live amongst people who want to work in the environment in which they live and who want their children to be educated in the area in which they live. As I have said time and again, the decisions that have been made in relation to the forestry issue—and to a lesser extent the water issue—will encounter a lot of the same challenges. The issue has been based on politics, not environmentalism; not scientific theory or history, but on politics. I think a fair degree of hypocrisy has been exhibited by members on both sides of the House. Accusations have passed from one member to another about how one side or the other would have handled this issue.

The electorate of Tamworth contains the township of Walcha. The timber industry is important to that community and the council and the community have been very involved, as the Minister for Forestry and others in the Chamber would be aware. The community has always been willing to participate in debate on forests, wilderness and national parks. On a number of occasions they have been duded by the process, but have always been willing to come back again and participate in the process. Tonight there has been criticism of that process. At the end of the day the process has been almost irrelevant, because decisions in the environmental area have been made on political grounds—because of preferences and other matters—rather than any other agenda.

I pay tribute to the Mayor of Walcha, Len Woods, and to the General Manager of the council, Rob Callaghan, for the work they have done over many years in the natural resource debate, and for the logical way in which they have attempted to approach the question of resource security in their area. At the end of the day they are the people who will guide me on the way in which I will vote on this bill. Jobs in Walcha have reached the critical

stage. As honourable members would realise the agricultural industries in that area are depressed because of commodity prices, the cost price squeeze and other matters. The timber mill at Walcha is one of the most efficient in the State, if not the most efficient. It has been granted various safety and other awards for the efficient way in which it has operated. The mill is absolutely crucial to the community.

Over the past few years great concern has been expressed that the mill would be at risk. If it were, obviously the Walcha community would suffer as a consequence. In the industry generally there has been a degree of uncertainty, which I have seen in my community. Documents have been written and so-called scientific work has been undertaken to examine the impacts on the industry of uncertainty—depression, mental illness, relationship between spouses, family relationships, relationships within the community, the level of indebtedness or otherwise, the inability to make decisions about one's future, occasionally suicide and, above all, the need for security for not only the people who own and run the industry but for those who work within it.

For the seven years that I have been a member of Parliament, and long before I was elected, there has been a deliberate process of uncertainty to undermine the sense of security in those who work within the industry. I am sure this proposed legislation has some problems, as does all legislation. However, it attempts to draw a line in relation to that uncertainty and the need for a form of security not only for those who want 20-year resource security for their ability to make profits, but for those who live and work within the industry. I have some concerns about the process, I think it has been politically driven. I do not have any sympathy for the Greens. I am not after their preferences. I believe they have an agenda that is insatiable.

The Greens' rhetoric gives country people what they like to hear about the future, especially the way in which the Greens believe their lives have to change. Most Greens do not live in those areas and do not understand the people; more importantly, they do not care. In my electorate the foolish, stupid statement was made that the film industry would lead to recovery once the Walcha mill was closed and that everyone would make money from the film industry because people would come to see the trees. I will not crawl to the Greens as did the honourable member for Ermington and others. I do not need their preferences, I am quite happy to be at the bottom of their how-to-vote card.

The Greens have created a great deal of stress and uncertainty for people who deserve better—people who work for a living, live in small communities, become involved in the process thinking that they can make some difference, are encouraged to take part in the political process and have been delivered time and again a political answer that takes no cognisance of their involvement in the process. That is one reason why I will probably support the bill. I ask the Minister for Forestry, in his reply, to answer a couple of questions about the proposed legislation. Minister, there are concerns about how binding the contracts are, what form of compensation will be available if the contracts cannot be delivered upon. Will that be in a form of compensation to the mill owners or to the community generally? How will that work and how can that be altered by a change of government or a change of Minister?

One positive employment result for the electorate of Tamworth is the possible establishment of a biomass energy plant in the Walcha area. I encourage the Minister to look very closely at this, because I am somewhat cynical about commitments given for possible outcomes for a community. I encourage the Minister and the department to work closely with the community in regard to that plant, which would have some real benefits. This debate has highlighted some underlying problems regarding jobs in country areas. I listened with interest to almost all of the speakers, but particularly to the honourable member for Bligh, the honourable member for Manly and the honourable member for Ermington in relation to their fears about the application of the proposed legislation and the backdown by the Government. The contribution by the honourable member for Ermington was most interesting, it gave an indication of the choices that are available to country people. [*Extension of time agreed to.*]

Many honourable members representing country electorates have genuine concerns about job opportunities and resource availability in their electorates. I have great sympathy for and align myself with those members. However, the contribution of the honourable member for Ermington should be viewed by some of those members with great concern, because it highlighted a problem within the coalition regarding the environmental debate. The honourable member for Ermington almost begged the Greens for their preferences at the next election, indicating to me that country people are uncertain about what the coalition would do in relation to this issue.

The contribution of the honourable member for Ermington in no small measure has determined the way that I will vote on this bill, because I am not

happy with the totality of it. I know that it represents a compromise, and I know that many people are not happy with it, but some choices have been identified tonight. However, as to the contribution of the honourable member for Ermington—which may or may not represent the view of the Liberal Party on this particular issue—I personally have great concern about it.

I note that certain clauses of the bill exempt the provisions of the bill from the Environmental Planning and Assessment Act. I suggest that the Minister for Forestry consider the native vegetation conservation legislation and the possibility of exempting some of its provisions from the Environmental Planning and Assessment Act. All who have spoken in the debate tonight, whether members representing electorates with timber constituents, or a member representing a city electorate who needed Green preferences to gain ascendancy in this House, have essentially gone their own way and presented their own arguments as they have gone along.

Honourable members argued against the bill on two fronts: first, that it has gone too far in pursuit of the environmental agenda; and, second, that it has gone too far in pursuit of the forestry agenda and the granting of resource security to the forestry industry. I will be no different from the honourable member for Bligh, the honourable member for Manly, the honourable member for Ermington or any other member: I will be supporting the people of my electorate. My conversations with constituents in the Walcha area in particular, including the mayor, the general manager of the council, councillors and the mill, suggest that the bill is satisfactory to them, and as such I will be supporting it.

Mr YEADON (Granville—Minister for Information Technology, Minister for Forestry, Minister for Ports, and Minister Assisting the Premier on Western Sydney) [1.32 a.m.], in reply: We have heard a most interesting debate, firstly, because of the level of hypocrisy in the contributions made by a number of honourable members and, secondly, because of the rhetoric rather than substance that was the mainstay of contributions, particularly emanating from the Opposition benches. Of course, it is easy to engage in rhetoric. One can take any position when using rhetoric.

It was interesting to watch as first a member of the coalition ran the rhetoric for the forestry industry and timber industry, saying how those industries needed to be looked after and protected. Then followed another member, the honourable member for Ermington who, as the honourable

member for Tamworth pointed out, delivered his rhetoric on the need for absolute and total preservation and on conservation needs. Most amusing were the contributions of some honourable members for they contained rhetoric supporting argument for both sides of the coin: they were all for the industry and all for the environment. The rhetoric is easy. When it comes to dealing with the issues and real-world outcomes, one cannot use rhetoric; one has to make decisions with appropriate outcomes.

It is a fact of life that on the eastern seaboard of New South Wales, which this bill particularly addresses, especially in the upper and lower north east and south east, but particularly in the upper and lower north east, there has been human activity for 150 to 200 years. That has not been overwhelmingly State forest activity but primary production activities such as agriculture, grazing and the associated activities of human settlement and development. The consequence of that activity is that large areas of forest have been removed, particularly in the most important and good growing areas in the valleys.

No-one inside this Chamber or outside of it can restore that resource. The native forests cannot be returned. They are simply gone. I made that clear to the stakeholders and key negotiators in this process just prior to them going in to commence their final negotiations. I told them that the Government cannot put trees back in the ground in 10 minutes; nor could anyone else. So how do we go about looking at this issue? I told the stakeholders and negotiators that one way of doing that is to be creative and innovative, not just simply to rely on old approaches but to really apply themselves and try to come up with some radical initiatives.

I quite rightly said to the stakeholders and negotiators that New South Wales qualitatively is different in its approach compared with the approach taken by every other State in this country in relation to the implementation of the National Forest Policy Statement in that this Government had made stakeholders a fundamental part of the process. All information and data was made available. The participants put most of that together in conjunction with State Forests, the National Parks and Wildlife Service and the Environment Protection Authority. I commend all of them for the outstanding job that they did.

The Government allowed the investigation to be as wide, thorough and penetrating as it could possibly be. We had 1,100 targets in our investigation by the conclusion of the process. Some honourable members, particularly the honourable member for Bligh, raised the outcomes of other States and lauded those outcomes. I remind the

honourable member for Bligh that none of those outcomes were accepted by the environmental movement; those outcomes were condemned, and in my view rightly so, because they did not use a large number of targets or qualitative targets; they simply used ecosystems. One can identify a bit of bush as an ecosystem, draw a line around it and say, "We will make that national park."

One gains some understanding of the comparison between the two approaches—that in New South Wales and those in other States—by examining the East Gippsland approach of using ecosystems. But, to get down to the closest comparison with what we did in New South Wales, Victoria used about 61 or 62 forest types as its total target; we had 1,100 targets. The reality is that this Government would never create a reserve system on the basis of each and every one of those targets. We certainly wanted those targets used so that, when we did create a reserve system, it was top shelf; it identified areas that were of the highest conservation value. So we created parks and reserves and protected those areas, protecting the areas of highest value. That was then translated into a claim for 1.2 million hectares. The total area of State forest in the upper and lower north-east is 1.4 hectares. What government with any pretension to office would get into office or remain in office with such an outcome? None.

What we have created is top class. We have used qualitative targets and ensured that we have reserved the best areas possible. All the stakeholders were involved. That was the qualitative difference in New South Wales. A handful of people had it within their capacity to negotiate an outcome. The Government said, "If you return with a consensus position we will embrace that position because all we want is an honourable outcome." Unfortunately, that could not be achieved. But it demonstrates the difficulty of dealing with this issue.

I gave the players suggestions. I said that it was a renewable resource and the one way to look for a radical approach is time. It is fundamental. With enough flexibility in dealing with time a lot more could have been delivered to both sides. But the stakeholders could not come up with a solution. I said that if the matter came back to the Government we would make a decision on the basis of the outstanding work that had been done by all the stakeholders and by the government agencies that were involved. At the end of the day the Government would have to make the decision on the land base that existed in the upper and lower north-east. That is what the Government has done.

We have put aside 380,000 hectares of protection in the upper and lower north-east. People here tonight have called that a setback for the

environment. It is the first time I have heard the preservation of 380,000 hectares in the upper and lower north-east and a park of nearly 140,000 hectares in the south-east described as a major setback for the environment. This Government has created nearly a million hectares of national park. If that is a setback for the environment then let us have more of them. Another factor that should be taken into account is that the Government did not articulate into a hectareage area of protection that area that will remain on the State forest estate that will never be disturbed, as a result of the world-class management practices that State Forests is putting in place. It is about a third of the State forest estate.

I recall that back in the interim assessment process [IAP], as we were on the verge of making the decision and all stakeholder groups and representatives were giving their final submissions, I asked each of the eight environmental representatives, "Do you accept the fact that State forest areas that will not be logged and that will be permanently protected—whether that be high conservation value old growth because the stand of old growth is not large enough to be contained in a park and will therefore be protected within State forests, watercourse buffer zones, prescriptions, protocols and the like—would be a legitimate contribution to a comprehensive, adequate and representative reserve system?" Each of those representatives—all the major environmental groups were present—indicated that that was the case. That has not been put down as a hectareage level for protection but in the forest reserve in the north-east one-third of the area under State Forests will also contribute to the comprehensive, adequate and representative [CAR] reserve system because it will never be disturbed.

Another important point to remember is that we are deliberating over the State forest estate. In relative terms that is not an enormously large area across New South Wales. There are very large tracts of private property and other tenure land that have very high environmental values—often higher than can be found in State forests. What has the Government done about that land? It has done a lot. It is the first government in this State to introduce land clearing legislation. In case anyone has not noticed, the Government has taken some political heat over that. That put in place major protection for the environment—not only trees but also flora and fauna. Prior to the Government introducing those measures there was basically unfettered land clearing.

The Government has also put in place threatened species legislation so that even where there is not proposed land clearing but very high environmental values they will be taken into account

and protected. We have also introduced major water and river reform with the healthy rivers program and the water reform program in rural New South Wales. They are measures that people on the other side of the House could not bring themselves to deal with when they were in government for seven years. But some of them tonight have said how good they are, how green and environmentally oriented they are.

Mr D. L. Page: Point of order: The Minister is straying from the leave of the bill. He is talking about water reform and all sorts of other things when this bill is quite specific in that it deals with forestry and national parks. I ask that he return to the leave of the bill.

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

Mr YEADON: This Government's environmental record in total is outstanding. It is unsurpassed by the record of any other government in the history of this State. Members on the opposite side of the Chamber cannot have it both ways. They chide us for not delivering a CAR reserve. There is no doubt that they would deliver less. They say that they support the industry but they are not prepared to vote for this legislation to provide the jobs and security that the industry begged for in the seven years the coalition was in office. Honourable members opposite are big on rhetoric but when it gets down to doing the job they do not get there. That is why the Forest Products Association supports the Government. It is not because of the outcome of this decision, it is because it knows that we are doing the job and will continue to do the job.

The Government has given it the security it needs. Many coalition members have said that there was always value adding in the timber industry. That shows that either they are deliberately misleading the House or they have no idea about the industry that is operating in their own electorates, because there was no value adding at all. In forestry debates I remember members opposite constantly asking how the timber industry could go forward when it could not get financial support from banks because the industry had no wood security. But that has changed now. Members opposite said that there has always been value adding in the timber industry. They are simply rhetorical hypocrites. They always have been rhetorical hypocrites, and I tell the constituents in their electorates that they always will be rhetorical hypocrites.

The constituents in their electorates will remember them forever for their lack of conviction on this issue. I often talk to constituents in those electorates. They would love to have a good old slap at members opposite because they know that the

former Government gave them nothing but rhetoric. There are plenty of lines about the Deputy Leader of the National Party, who never had the guts to introduce water reform when he was Minister. Constituents in the upper Hunter have told me that they wanted something done about water reform. The Government's achievements are many and qualitative. It has provided resource security which is generating more than \$22 million in new investment. It has delivered to the industry, and that is why the industry supports it.

The Government's forest industry structural adjustment package is the best in the country, providing \$30 million to help workers and their businesses. No other State Government provides such assistance. The honourable member for Ballina said that he is a big plantation man, that he is plantation man. The coalition did not get too far with plantation expansion when it was in office. Since Labor has been in government, which is only 3¾ years, more than 13,000 hectares have been planted with hardwood.

Mr Rixon: What percentage of the trees planted have survived?

Mr YEADON: We have put in 13,000 hectares of new plantation. The coalition Government put in 2,000 hectares and tried to rack it up to 5,000 hectares. Those 13,000 hectares represent an increase of 45 per cent.

Mr Rixon: Only 45 per cent of the trees survived? I doubt whether it is that much in some places.

Mr YEADON: The honourable member's hostility indicates that he is hurting. The Government has increased the hardwood estate by 45 per cent in only three years, and better-managed forests are open to the community. We are taking the hard decisions because members opposite would not and did not when in government. We are delivering new national parks, resource security and regulatory reform, which is providing up-front certainty and predicability to everyone. This bill modifies the regulatory regime.

Mr Photios: The Government is abolishing environmental impact statements that have been in place for 20 years.

Mr YEADON: Why would the Government not abolish environmental impact statements? That is what this is all about. That is the national forest policy statement. Everyone in the industry and the environment movement supports the national forest policy statement. This is the national forest policy statement in action because it is giving certainty to people on both sides of the equation. The

Government has not undertaken four years of exhaustive examination and investigation simply to be stuck with the same regime. Under the approach now in place, forestry work is undertaken during the three-year life of an environmental impact statement, and a new EIS must start as soon as the old EIS is finished. That costs the State a fortune. It is inefficient and it is no good for either side of the debate—the environment or the timber industry.

A thorough investigation was conducted to create a comprehensive, adequate and representative reserve system, and that is what the Government has done. This proposed legislation will put the necessary changes in place. The honourable member for Manly tried to mislead the House with a document that he described as a presentation to the Labor caucus. That led to the view that the document had been prepared by someone in the Government or a Minister, whereas it was drafted or prepared by the National Parks Association. The honourable member criticised the Government for what he called its dishonour, whereas he undertook a dishonourable act in the Chamber tonight.

The honourable member for Bligh said that this bill is a sell-out and it is a dark day for the environment. She referred to the work carried out by the joint committee in south-east New South Wales some years ago, in 1991-92 or 1992-93. I recall that well. I recall that the honourable member introduced a bill drafted by Mr Jeff Angel of the Total Environment Centre which provided for about 70,000 hectares as the total park in the south-east. The figure increased over the years and I think it ended up at 156,000 hectares. This Government has provided 140,000 hectares which is pretty close—and the honourable member said that this bill was a sell-out and it was a dark day for the environment!

The honourable member for Bligh has sponsored numerous bills with variations; she started with 74,000 hectares, increased the figure to about 84,000 hectares and, as I said, ended up with 156,000 hectares. When the South East Forests Protection Bill was introduced the House was told that that was it, it was all finished. The Carr Government has gone way beyond that and reached 140,000 hectares, yet the honourable member for Bligh said that it is a sell-out. She said that there had been no community involvement. I have already addressed that aspect. The level of community involvement is unprecedented, because there is no community involvement in other States. The State and Federal Governments work it out and give a decision. No-one gets a contribution in terms of decisions by those respective governments.

Members opposite suggested that the Federal Government is not part of this outcome and, therefore, the outcome is not legitimate. I simply

point out that the Federal Government walked out of the process. The Government has indicated to the Federal Government that it can rejoin the process at any time. The Federal Government walked out not simply because it was the eve of the Federal election but because it had failed to collect its data and used that as a device to leave the process. This Government has done the job on the basis of the national forest policy statement with the full investigation of environmental values and, on the other side, the development of socioeconomic considerations. That work is being done by agencies and stakeholders. This Government has taken that valuable work and used it as the basis of its decision.

Members opposite suggested that Aboriginal communities on the north coast had not participated in the process. That is absolutely incorrect. Aboriginal communities have fully participated in the process and the provisions of the bill, especially those relating to native title, fully protect their interests. The honourable member for Tamworth talked about contracts. No doubt the wording of the contracts is strong, and that is deliberate. The honourable member asked what compensation measures would be in place if contracts were not fulfilled. That will not be the case, but if a contract is not fulfilled compensation will be determined on the individual circumstances surrounding that contract, such as how long the contract had to run, the amount of timber involved and so on.

The honourable member for Tamworth also mentioned the bio-energy plant at Walcha. I am extremely keen to see that facility up and running. The Government is committed to the facility for a range of sound environmental reasons and for job creation. I conclude by reiterating the remarks made by the Premier made at the announcement of this decision, that is, that it is an honourable decision. It takes account of all the interests and takes a balanced approach, which is what the Government has always said it would do. The Government has created a first-class reserve system that, together with other initiatives of the Government, has seen one million hectares of park created in this State in the past 3¼ years. The timber industry in New South Wales has been supported and assisted so that it can utilise modern plant and equipment to ensure first-class value-adding facilities to maximise return to rural economies and maintain necessary jobs in rural communities. The timber industry will be an industry for now and for the future. I commend the bill to the House.

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

The House divided.

Ayes, 47

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

Noes, 40

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

Pairs

Mr Carr	Mr Collins
Mr Clough	Mr Peacocke

Question so resolved in the affirmative.

Motion agreed to.

Bill read a second time and passed through remaining stages.

House adjourned at 2.12 a.m., Wednesday.