

**PROOF**



**New South Wales**

*Legislative Assembly*

**PARLIAMENTARY  
DEBATES  
(HANSARD)**

FIFTY-SECOND PARLIAMENT  
SECOND SESSION

TUESDAY 4 APRIL 2000

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Authorised by the  
Parliament of New South Wales

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## ***PARLIMENTARY DEBATES***

### **Corrections to Daily Proof**

To ensure the early publication of the *Hansard* pamphlet, members' suggested corrections to debate held on Monday, Tuesday, Wednesday and Thursday will be accepted only until 2 p.m. on the day following the debate; and to debate on Friday, only until 2 p.m. on the following Monday.

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Amendments cannot be accepted over the telephone.

Corrections should relate only to inaccuracies. New matter may not be introduced.

Mark Faulkner  
Acting Editor of Debates

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## LEGISLATIVE ASSEMBLY

Tuesday 4 April 2000

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

**Mr Speaker** offered the Prayer.

### ASSENT TO BILLS

Assent to the following bills of the previous session reported:

Environmental Planning and Assessment Amendment Bill  
 Police Service Amendment Bill  
 Strata Schemes Legislation Amendment (Strata Approvals) Bill  
 Education Amendment (Special Courses of Study) Bill  
 Health Legislation Amendment Bill  
 Homebush Bay Operations Bill  
 Irrigation Corporations Amendment Bill  
 Law Enforcement (Controlled Operations) Amendment Bill  
 Pesticides Bill  
 Retirement Villages Bill  
 Road Transport (Safety and Traffic Management) Amendment (Camera Devices) Bill  
 Roads Amendment (Tolls) Bill  
 Shop Trading (Special Provisions) Bill  
 Statute Law (Miscellaneous Provisions) Bill  
 Superannuation Legislation Further Amendment Bill  
 Water Amendment (Flood Control Works) Bill  
 Crimes Amendment (Apprehended Violence) Bill  
 Parliamentary Contributory Superannuation Amendment Bill  
 Security Industry (Olympic and Paralympic Games) Bill  
 Crimes and Courts Legislation Amendment Bill  
 Crimes (Sentencing Procedure) Bill  
 Crimes (Administration of Sentences) Bill  
 Crimes Legislation Amendment (Sentencing) Bill  
 Liquor and Registered Clubs (Olympic and Paralympic Games) Bill  
 Natural Resources Legislation Amendment (Rural Environmental Services) Bill  
 Plantations and Reafforestation Bill  
 Water Legislation Amendment Bill

### VISITORS

**Mr SPEAKER:** I take this opportunity of welcoming students from the Cherrybrook Technology High School to Parliament.

### MINISTRY

**Mr CARR:** In the absence of the Minister for Information and Technology, the Deputy Premier will take questions on his behalf.

### ABORIGINAL RECONCILIATION

#### Ministerial Statement

**Mr CARR** (Maroubra-Premier, Minister for the Arts, and Minister for Citizenship) [2.16 p.m.]: A terrible thing has happened in Australia in the last two days. The great process of reconciliation has been stopped dead in its tracks because of the ineptitude of the Federal Minister of Aboriginal Affairs and the insensitivity of the Prime Minister. Reconciliation was within our grasp. Throughout the nation, at almost every level—above all, the trust and forbearance granted to our efforts by the leadership of the Aboriginal people themselves—reconciliation and the expectation of reconciliation was at hand. Yet all this now is set back, needlessly undermined. Why this appalling

outcome, this shameful disruption of the best hopes of a great nation? It is for one reason and one reason alone: the self-serving determination of the present Prime Minister of Australia to deny the truth of one aspect of Australian history. Let us be very clear about this whole business of denying what has happened to the Aboriginal people in the last 200 years.

Why should a great democracy like ours seek to hide the truth? Surely it is the measure of our greatness as a nation that we have had the courage to overcome these old and fundamental mistakes and prejudices. Under this Federal Government we have support for mandatory sentencing in the Northern Territory. We have a flouting of our solemn obligations to the United Nations. We have an orchestrated government campaign against United Nations covenants, the very key to Australia's once honoured and unique place of prestige and leadership within the United Nations, and now we have the wilful destruction of reconciliation.

So we have the obscenity of Dr Herron saying in the Senate yesterday that while 22 per cent of children were forcibly removed in the Pilbara district of Western Australia only 2 per cent suffered that fate in central Australia. He claims that his statistics outweigh the living witness of thousands of our fellow Australians who, Dr Herron said last night on the ABC, had something wrong with their memory. The truth about these policies has been recorded. It is here in this document: the New South Wales Government's submission to the stolen generations inquiry. We have the equal obscenity of these great personages, the Prime Minister of Australia and the Australian Minister for Aboriginal Affairs, arguing the toss about the meaning of the word "generation" as if they were writing a dictionary not leading a democracy. Underlying everything is the invincible denial of the truth—the truth that was universally accepted throughout the nineteenth century and only denied in the first half of the twentieth century—the truth that we dispossessed the original inhabitants of this continent; that we took their land.

Only now, in the last decade of the twentieth century, have we come to acknowledge these truths. That is the splendour of being an Australian living in the threshold of the twenty-first century—the first generation of Australians with the courage to admit the truth and accept its consequences. The Prime Minister states like a mantra that Australians of this generation are not responsible for the actions of previous generations, but all of us are the heirs and the beneficiaries of all that has gone before. If we claim the inheritance, are we not all bound to acknowledge the obligation?

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I use the word "obscene" to describe the Federal Government's quibble over the meaning of "stolen generations". But even more offensive to the Aboriginal people is the use of the word "benign". Dr Herron's report says that not only is the stolen generation a myth but, anyway, what did happen—if it happened—was benign. This is the whole point at issue. What was the objective? What was the basic motivation? It was the official objective of these policies pursued by State governments throughout Australia, including New South Wales, to absorb the Aboriginal race and destroy it; to destroy its identity. That was the declared, avowed purpose of child removal on the grounds of Aboriginality. This is why the Aboriginal people of Australia are so angry and affronted by the new assertions by Mr Howard and Dr Herron that child removal over generations, if it existed, was in any case benign. According to the *Oxford Dictionary* "benign" means, "1. Showing kindness, genial; 2. Mild, gentle; 3. Favourable, propitious; 4. Not threatening to life or health; 5. Kind, gracious as a king to his subjects." The Prime Minister and Dr Herron say the policies deliberately designed to make Aboriginality worthless, to destroy a people's identity, were benign.

I repeat: for the Prime Minister or Dr Herron to tell the Aboriginal people of Australia that our treatment of them was benign is simply obscene. It is an appalling thing, it is a shameful thing, and never in my long career have I had such a sense of the sheer unfitness of our national leadership. I take this opportunity to say to all decent and fair-minded Australians, and I believe they are the great majority—and they include my opponents on the other side of the House, the Leader of the Liberal party and the Leader of the National Party, who, I hope, will now speak—that the statements by Dr Herron and the Prime Minister are an invitation to all of us to work even harder in the cause of reconciliation. In fact, I invite the Leader of the Opposition and the Leader of the National Party to join me and the many thousands who will walk across the Harbour Bridge on 28 May. Let us all join together in a spirit of bipartisanship, the same spirit that saw this Parliament make a formal apology to the stolen generations in 1997. It was a unanimous vote by every member of this Parliament—all the

members of the Labor Party, and to their great credit all the members of the Liberal Party and the National Party, the crossbenches, the smaller parties in the upper House—to make that formal and solemn apology. Making Corroboree 2000 a huge success is part of the way forward for us as Australians after this devastating setback of the past two days. Let us demonstrate to the world that Australians support reconciliation, that we recognise the injustices suffered by its Aboriginal people and that we want to move forward together.

**Ms CHIKAROVSKI** (Lane Cove-Leader of the Opposition) [2.25 p.m.]: Nobody who was in this House the day that Nancy de Vries addressed us and spoke of her pain at being separated from her family could be anything other than sympathetic to those who are desperately trying to achieve reconciliation in this country. Nobody who heard that speech could fail to understand the pain that was experienced by those involved in that process, and nobody who was here that day could have been anything but moved by the personal nature of Mrs de Vries' speech. So, I am a little sad and disappointed that the Premier has taken the course he has taken today, because this Parliament and members on both sides of the House have taken a bipartisan approach to reconciliation. This House has been prepared to take that bipartisan approach. We have dealt with developments as they have arisen and we have done so in a considered, thoughtful and consistent way. It is against that history that I am sad that the Premier has chosen to make the statement he has made today, which is intended to inflame rather than calm the situation.

**Mr SPEAKER:** Order! The honourable member for Swansea listened to the Premier in silence. I suggest he extends the same courtesy to the Leader of the Opposition.

**Ms CHIKAROVSKI:** My attitude to reconciliation has been a matter of public record for some time. As early as January 1999, as the new Leader of the Opposition I confirmed my support for an apology to the indigenous people of this country, and I said it was an important part of the reconciliation process. I said at that time also that there was unfinished business, and I have not moved from that position. Today I reaffirm the Coalition's commitment to Aboriginal reconciliation and, as previously stated, acknowledge the very good work being done by the Council for Aboriginal Reconciliation. The Coalition has proudly supported motions moved in this Parliament confirming the reconciliation process. Indeed, as the Premier has said, the New South Wales Parliament was the first Parliament in this country to tender an apology to Aboriginal people for the suffering that too many Aboriginal people have experienced through the policy of the separation of families. I said at the Wollongong reconciliation conference, which as members will recall was called "Talking up Reconciliation", that reconciliation is an integral step towards the future national identity of Australia. I have a vision that one day all Australians will understand the significance of indigenous Australians, their spiritual relationship with this land and that, in understanding that, we will all go down the path to a truly reconciled Australia.

As a Coalition it is our objective to see true reconciliation translated into outcomes for indigenous and non-indigenous Australians. We want to see all the energy and all the resources directed to improving health, education and job outcomes for Aboriginal people. I expect the Government to put greater emphasis on improving the quality of life of Aboriginal people, not indulging in the pointless and divisive behaviour that we have seen from the Premier today. Among the benchmarks that the Coalition is interested in improving are health outcomes, so that there are fewer incidents of stillbirths in the Aboriginal community. At present there are 14.7 stillbirths per 1,000 births in the Aboriginal community compared with 7.5 stillbirths per 1,000 births for the normal Australian community.

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The incidence of asthma in males under 15 years of age is 13 per cent for the non-indigenous community and 15 per cent for the indigenous community. The incidence of diabetes in women over the age of 35 is 2 per cent for the non-indigenous community and 11 per cent for the indigenous community. They are the issues we need to be addressing. And what about law and justice. It is still the case that 12.5 per cent of those incarcerated in gaol are from the Aboriginal community. The outcomes we need to address are improved health services, better educational opportunities, greater job opportunities leading to economic independence, improved housing options and more equitable justice outcomes for Aboriginal people. This Parliament has affirmed on a number of occasions and in a bipartisan way, without seeking to score political points from our position, its support for the victims of the forced separations, which were so clearly and vividly detailed in the report on the stolen generation.

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

**Ms CHIKAROVSKI:** The Coalition in New South Wales wants Aboriginal Australians to understand that we are desperately trying to understand the pain they feel. We want to be part of the process because the Liberal Party, the National Party, the Labor Party and everyone in the community needs to understand that pain so that we can move forward with the process of reconciliation. The people of New South Wales should be united in their concerns for indigenous Australians and their hopes for reconciliation. There is no place for political oneupmanship in this Parliament on the issue of reconciliation. There is no excuse for trying to damage the reconciliation process by making inflammatory statements, as the Premiere is seeking to do today.

**Mr Ashton:** The Kirribilli groper.

**Ms CHIKAROVSKI:** It is incredibly disappointing that the honourable member for East Hills seeks to trivialise the debate by such interjections. He is a disgrace. He pretends to care but obviously he has no real concern at all. The Coalition stands proudly on its record relating to the reconciliation process. It stands proudly on its record of support for that process and its commitment to ensuring that all people in New South Wales are committed to it, from the grassroots level through the reconciliation committees that exist across the State to the formal process of consultation and, indeed, to the processes within this Parliament of bipartisan support for motions acknowledging the importance of reconciliation. We are committed to the process. We will not be distracted by any cheap political trick.

**Mr Whelan:** In view of the importance of the ministerial statement, I indicate that the Government is prepared to extend an invitation to the Leader of the National Party to reply to the ministerial statement.

**Mr Hartcher:** He has been given lots of warning. What a good example of bipartisanship!

**Mr SPEAKER:** Order! The honourable member for Gosford may respond to the suggestion of the Leader of the House but he should seek the call and not attempt to do so from where he is sitting.

**Mr Whelan:** The Leader of the National Party has indicated that he is happy to make a statement. The Premier extended the invitation for him to reply, and it would be wrong if the House did not permit him to do so.

**Mr SPEAKER:** Order! Unless the honourable member for Gosford wishes to respond to the suggestion of the Leader of the House, I shall invite the Leader of the National Party to reply to the ministerial statement.

**Mr Hartcher:** No, Mr Speaker.

**Mr SOURIS** (Upper Hunter-Leader of the National Party) [2.34 p.m.]: I am pleased to have this opportunity to express my support for the comments of the Leader of the Opposition.. Once again I reaffirm my commitment to reconciliation. When a similar debate took place in the Parliament last year or the year before I genuinely expressed sorrow, and I reaffirm that expression today. I am certainly not in any form of denial. I understand what went on. I understand the hurt and feeling that exists in the Aboriginal community. As a boy growing up in the country town of Gunnedah in New South Wales I knew people in that category. Admittedly, my involvement was perhaps less than that of others, nonetheless it was exposure, and I have an understanding of the situation..

What I will not and cannot accept is the way in which Charles Perkins has used this debate once again to inflame our Aboriginal community, to restart his addiction to old-style radicalism and to put back the cause of Aboriginal reconciliation.. I prefer to take my lead in this debate from the many Aboriginal sportsmen and sportswomen, whose main objective is to let their sporting prowess do the talking. Let the Olympic Games be about athleticism and culture. Let us keep politics away from the Olympic Games.



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**OFFICE OF THE OMBUDSMAN****Report**

**Mr Speaker** announced, pursuant to the section 31 of the Ombudsman Act 1974, receipt of the following reports:

Investigation into Kariong Juvenile Justice Centre, dated March 2000  
The Policing of Domestic Violence in New South Wales, dated December 1999

**Ordered to be printed.**

**AUDITOR-GENERAL****Reports**

**The Clerk** announced, pursuant to the Public Finance and Audit Act 1983, receipt of the following reports:

New South Wales Auditor-General's Report to Parliament for 1999—Volume Three, Part 2:  
New South Wales Auditor-General's Report to Parliament for 1999—Volume Three, Part 3:  
Auditor-General's Report 2000—Volume 1

**AUDIT OFFICE****Reports**

**The Clerk** announced, pursuant to the Public Finance and Audit Act 1983, receipt of the following performance audit reports:

Academics' Paid Outside Work, dated February 2000:  
Hospital Emergency Departments-- Delivering Services to Patients, dated March 2000:  
NSW Police Service—Staff Rostering, Tasking and Allocation, dated January 2000

**STATE CORONER****Report**

**The Clerk** announced, pursuant to the Coroners Act 1980, receipt of the report entitled "Report by the NSW Coroner into deaths in custody/police operations 1999."

**COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION****Report**

**The Clerk** announced receipt of the report entitled "General Meeting with the Commissioner of the ICAC, 24 September and 12 November 1999."

**COMMITTEE OF THE OFFICE OF THE OMBUDSMAN AND  
THE POLICE INTEGRITY COMMISSION****Reports**

**The Clerk** announced receipt of the following reports:

Third General Meeting with the Inspector of the Police Integrity Commission, dated December 1999:  
Fourth General Meeting with the Commissioner of the Policing Integrity Commission, dated December 1999:  
Eighth General Meeting with the New South Wales Ombudsman, dated December 1999

**PUBLIC ACCOUNTS COMMITTEE**

### Reports

**The Clerk** announced receipt of the following reports:

Report for the year ended 30 June 1999, dated December 1999:

Review of the Audit Office of New South Wales under section 48A of the Public Finance and Audit Act 1983, dated February 2000:

Problems in the Administration of the Public Finance and Audit Act 1983 During the Review of the Audit Office of New South Wales, dated February 2000

### STANDING COMMITTEE ON PUBLIC WORKS

#### Report

**The Clerk** announced receipt of the report entitled "The National Conference of Parliamentary Public Works and Environment Committees 1999 Hobart, Tasmania," dated March 2000

### JOINT STANDING COMMITTEE UPON ROAD SAFETY

#### Report

**The Clerk** announced receipt of the report entitled "Local Government and Road Safety—Speech of Grant McBride MP, STAYSAFE Chairman, in opening the 4th Local Government Road Safety Conference, Millennium Hotel, Kings Cross, 11 to 13 August 1999," dated February 2000.

### JOINT SELECT COMMITTEE ON VICTIMS COMPENSATION

#### Report

**The Clerk** announced receipt of the report entitled "Ongoing Issues Concerning the NSW Victims Compensation Scheme," dated February 2000.

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### PETITIONS

#### Drug Reform

Petitions praying that the establishment of heroin shooting galleries be opposed and that consideration be given to the introduction of legislation for drug reform, received from **Ms Meagher, Mr Price, Mr Stoner** and **Mr Windsor**.

#### Willoughby Paddocks Residential Zoning

Petition praying that the Legislative Assembly will advocate for the retention of all vacant land in the area historically known as the Willoughby Paddocks and its development as public parkland for the enjoyment of the community, received from **Mr Collins**.

#### North Head Quarantine Station

Petition praying that the head lease proposal for North Head Quarantine Station be opposed, received from **Mr Barr**.

#### Manly Hospital Paediatrics Services

Petition expressing concern at the decision of the Northern Sydney Area Health Service to discontinue paediatric services at Manly Hospital and praying that full services at Manly Hospital will be maintained, received from **Mr Barr**.

#### McDonald's Moore Park Restaurant

Petition praying for opposition to the construction of a McDonald's restaurant on Moore Park, received from **Ms Moore**.

#### **Aboriginal Housing Office Allocation of Vacant Housing**

Petition Praying that the Aboriginal Housing Office will enforce the payment of rent and the allocation of Vacant Housing, received from **Mr Stoner**.

#### **Firearms Legislation**

Petitions praying that a committee be established to review the Firearms Act, received from **Mr George, Mr Slack-Smith** and **Mr Souris**.

#### **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**.

#### **Bondi Pavilion Olympic Stadium Proposal**

Petition praying for opposition to the construction of a stadium at Bondi Pavilion for the volleyball event during the 2000 Olympic Games, received from **Ms Moore**.

#### **Broken Hill Base Hospital Demolition Proposal**

Petition praying that a better alternative than demolition of the Broken Hill Base Hospital will be considered, received from **Mr Black**

#### **Belmont Hospital Services**

Petition opposing any downgrading of existing services at Belmont District Hospital, and praying that consideration be given to refurbishment of the hospital and the provision of additional services, received from **Mr Orkopoulos**.

#### **Genetically Modified Food**

Petition praying that the House take action to prohibit the sale and distribution of food containing genetically modified organisms, received from **Mr Slack-Smith**.

#### **Bellinger River District Hospital Services**

Petition expressing concern about the possible downgrading of services at Bellinger River District Hospital to multipurpose service status, and praying that the House will intervene to cause the Government to forthwith rescind any such decision, received from **Mr Fraser**.

#### **Junee Public School Principal**

Petition praying that the Acting Principal of Junee Public School, Mr Greg Smith, be appointed to the position of principal, received from **Mr Armstrong**.

#### **Seaforth TAFE Closure**

Petition praying for opposition to the closure of Seaforth TAFE, received from **Mr Barr**.

### **Orana Heights Public School Demountable Classroom**

Petition expressing concern that the Department of Education and Training proposes to remove the demountable classroom used by Orana Heights after school care group, and praying that the House will ensure that it remains at that school, received from **Mr McGrane**.

### **TAFE Funding**

Petitions praying for opposition to any funding cuts to TAFE, received from **Ms Moore, Mr Oakeshott and Mr J. H. Turner**.

### **Murrumbidgee Teachers Salaries and Conditions**

Petitions praying that the Premier and the Minister for Education and Training will ensure that the Department of Education and Training will withdraw its Salaries and Conditions Award, make an interim payment to teachers and related employees in the Electorate of Murrumbidgee, and undertake genuine negotiations with the New South Wales Teachers Federation, received from **Mr Piccoli and Mr Woods**.

### **Toukley Pedestrian Safety Arrangements**

Petition praying the consideration be given to the installation of a pedestrian crossing or traffic lights between Toukley shops and the Toukley bridge, received from **Mr Crittenden**.

### **Forest Way Pedestrian Crossing**

Petition praying that consideration will be given to the installation of a pedestrian crossing on Forest Way between Dawes and Perentie Roads, received from **Mr Humpherson**.

### **Main Road 354**

Petition praying that Main Road 354 will be bitumen sealed between the townships of Tullamore and Narromine, received from **Mr McGrane**.

### **Cardiff Railway Station Disabled Access**

Petition expressing concern at the difficulties experienced by disabled and elderly patrons in accessing Cardiff railway station platform, and praying that Cardiff railway station will be included on the Easy Access program and a lift or ramp installed, received from **Mr Mills**.

### **Woolloomooloo Wharf Redevelopment**

Petition praying that the Woolloomooloo wharf redevelopment project include provision for a ferry wharf, received from **Ms Moore**.

### **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**

Petition praying that consideration be given to the construction of a light rail transport system for Moore Park, received from **Ms Moore**.

### **Windsor Road Upgrading**

Petition praying that Windsor Road be upgraded and widened within the next two financial years, received from **Mr Richardson**.

**Countrylink Staffing Arrangements**

Petition praying for the reinstatement of staff at Countrylink stations and travel centres on North Coast rail services, received from **Mr Stoner**.

**Export of Puppies to Asia**

Petition praying for opposition to the export of puppies to Asia, received from **Mr Amery**.

**Code of Practice to Protect Pigs**

Petition praying for the introduction of a code of practice to protect intensively farmed pigs, received from **Mr Amery**.

**Phasing Out of Battery Cages for Laying Hens**

Petition praying for support to phase out battery cages for laying hens, received from **Mr Amery**.

**Animal Experimentation**

Petition praying that the practice of supplying stray animals to universities and research institutions for experimentation be opposed, received from **Ms Moore**.

**Animal Vivisection**

Petition praying that the House totally and unconditionally abolish animal vivisection on scientific, medical and ethical grounds and that a new system be introduced whereby veterinary students are apprenticed to practising veterinary surgeons, received from **Ms Moore**.

**Clarence Regional Water Supply Scheme**

Petition praying for a reassessment of the Clarence regional water supply scheme to protect the health of the Clarence River system, received from **Mr Woods**.

**National Park Entry Fees**

Petition praying that the proposal to introduce a \$5 entry fee per car per day into national parks will be rejected, received from **Mr Stoner**.

**Septic Tank Inspection Fees**

Petitions praying that septic tank owners be exempted from inspection and registration fees, received from **Mr George, Ms Hodgkinson, Mr Oakeshott and Mr Souris**.

**White City Site Rezoning Proposal**

Petition praying that any rezoning of the White City site be opposed, received from **Ms Moore**.

**Compulsory Competitive Tendering**

Petition praying that the introduction of compulsory competitive tendering for roadworks in regional and rural areas be opposed, received from **Mr Webb**.

**Commonwealth Bank Kirrawee Branch Closure**

Petition praying that the House will condemn the Commonwealth Bank for its decision to close the Kirrawee branch and urge all banks to maintain their current level of services and branches in the Sutherland shire, received from **Mr Collier**.

### **Mortdale Bank Branch Closures**

Petition praying that major banks will discontinue their plans to shed jobs and close branches in suburban metropolitan areas such as Mortdale and will maintain their current level of services, received from **Mr Greene**.

### **QUESTIONS WITHOUT NOTICE**

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#### **RAILWAY STATION STAFFING**

**Ms CHIKAROVSKI:** My question is directed to the Minister for Transport. In the light of his view that the State's train system is "pretty darn good", how can he justify his plans to cut station staff when 87 per cent of metropolitan stations surveyed during the afternoon peak period last Thursday had no staff on the platforms to ensure the safety of passengers or to stop fare cheats, who cost taxpayers up to \$50 million a year in lost revenue?

**Mr SCULLY:** Revenue protection personnel currently number 123 and they are—

**Mr SPEAKER:** Order! Members will listen to the Minister's reply in silence.

**Mr SCULLY:** As I said, revenue protection personnel currently number approximately 123 and they are randomly mobile across the system. The Opposition would not be aware that the Auditor-General's office is currently conducting an audit on revenue protection. I expect some recommendations to flow from that inquiry.

#### **POLICE USE OF DNA TECHNOLOGY**

**Mr COLLIER:** My question without notice is directed to the Premier. What are the Government's plans to use DNA technology to fight crime?

**Mr CARR:** Science and the law are rapidly catching up with criminals. DNA technology is the fingerprint of the twenty-first century. The Government intends to introduce laws enabling police to collect DNA samples

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

**Mr CARR:** The police will be able to match the DNA samples against those from crime scenes and set up a DNA database. The legislation will commence on 1 January 2001. This proposal is the most advanced and effective crime-fighting tool ever provided to police and forms part of Commissioner Ryan's plan to make the New South Wales Police Service the smartest and most intelligence-driven police service in the world. The presence of an eyelash or a tiny graft of skin at a crime scene can be all that police need. The police collect the sample and match the sample with the criminal in one of two ways: either by taking a sample from the suspect and comparing it with that from the crime scene, or by checking the crime scene sample against DNA samples contained in a DNA database. This evidence forms a part of the police case with other evidence. Arrest and the relevant court procedures follow.

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The British experience cannot be ignored. Put simply, the results are staggering. From April 1997 to February 2000 police have identified offenders in 92 per cent of cases.

**Mr SPEAKER:** Order! Ministers will resume their seats.

**Mr CARR:** Ten thousand crime scenes have been linked; suspects have been matched to 212 murder and manslaughter cases, 868 sexual assaults; and 34 unsolved murders have been solved. Today in the United Kingdom, crime scene DNA samples and the DNA database are matching at more than 400 matches every week. The key elements of the Government's plan are, first, police will

be given the power to DNA test persons arrested in connection with a crime or persons suspected of committing a crime. Second, the crime must be an indictable offence; murder or sexual assault are examples. There will be an 18-month review of the legislation, at which point the Attorney General, in consultation with the Minister for Police, will have the power to add more serious summary offences. Third, police will test in circumstances where they have a reasonable suspicion that a crime has been committed and where the test is relevant. Fourth, DNA data that has been collected will be matched against all other crimes on the DNA database. I repeat that the DNA data that is collected can be matched against all other crimes.

Fifth, when a person is charged, the bill will allow police to take a saliva swab and/or hair. Police will have power to obtain a court order if suspects do not provide consent to the saliva swab. Sixth, the bill will allow police to take saliva or hair from volunteers who may wish to provide DNA samples. For example, a story in Monday's *Daily Telegraph* featured a man who wanted to be tested in relation to the Wanda beach murders. Seventh, prisoners will be DNA tested. At first that testing will be restricted to prisoners serving sentences for offences carrying terms of five years or longer. In New South Wales that will be approximately 5,400 prisoners and it may be extended to all prisoners pending the 18-month review. There will be a staged implementation of the use of DNA testing, starting with the most serious offences. Many concerns have been expressed in civil libertarian quarters about the use of DNA technology.

**Mr SPEAKER:** Order! For the greater part of the past five minutes members of the Opposition front bench have been conferring among themselves. The standing orders provide that if they wish to discuss matters they should do so outside the Chamber. I appeal to them to remain silent.

**Mr CARR:** That means that they should conduct their lobbying for the leadership outside and the House and not inside it. Such activity is beneath the dignity of this great Chamber, as I am sure all honourable members agree. We do not want to see that kind of activity. As part of the Government's plan there will be an independent oversight of the legislation by the Ombudsman and a review of the operation of the Act after 18 months. There will be an independent non-police custodian—

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

**Mr CARR:** It goes on! An independent non-police custodian will be in possession and in charge of the DNA database, and criminal offences for anyone who misuses the database will be introduced. The Government proposes a penalty of two years' imprisonment. It must be remembered that DNA technology has been used to free innocent prisoners as well as to convict the guilty. Indeed, the first ever use of DNA in the United Kingdom found a man convicted of a murder in 1986 innocent. The true criminal was later convicted in 1987. In the United States of America 88 people on death row have been cleared as a result of the use of DNA technology. We believe the proposing approach is balanced and fair. The revolution represented by the use of DNA technology in criminal investigations is upon us. As I said today, it means more certain and more scientific policing. That will mean more convictions of the guilty and a safer community for all of us. In short, we plan to use this technology to make the community safer. It will solve more crime; it will deter more crime; it will save more lives; and it will see that justice is done.

### RAIL PASSENGER AMENITIES

**Mr SOURIS:** My question without notice is directed to the Minister for Transport, and Minister for Roads. Can the Minister explain why 200 pensioners from the Hunter region on their way to the Premier's senior citizens' concert were forced into an overcrowded train where many had to stand up or sit in stairwells or on armrests, while one of the four carriages was empty and locked? Is that what the Minister means by a darn good service?

**Mr SCULLY:** Unlike the Opposition, the Government actually has a transport plan. I am glad that the Opposition has talked about the Central Coast because when it went to the people at the last election it did not have a transport plan. The Opposition has one thing in common with the Federal Government: the Federal Government has no Australian transport plan.

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

**Mr SCULLY:** The State Opposition has no transport plan. In fact, since its defeat in March last year it has not had one constructive idea about public transport, except to talking it down.

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

**Mr SCULLY:** Anyone with any experience in planning on the Central Coast will tell honourable members that the populations in areas around Warnervale have grown. The population is growing and people are choosing to take the lifestyle advantage of living on the Central Coast.

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

**Mr O'Farrell:** Point of order: The question was why 200 pensioners had to stand on a train from Newcastle while a carriage was locked and empty.

**Mr SPEAKER:** Order! The Deputy Leader of the Opposition will resume his seat. There is no point of order.

**Mr SCULLY:** Unlike the Opposition the Government actually has a transport plan for the Central Coast.

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

**Mr SCULLY:** In relation to public transport the Opposition is a policy-free zone. No wonder its performance is free falling into the black hole of oblivion at 15 per cent. The Government plans to upgrade the track on the Central Coast, to improve the quality of rolling stock and to expand the capacity so that some of the congestion problems that are experienced from time to time will be substantially dealt with. The Government has allocated half a billion dollars to that upgrade.

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

**Mr SCULLY:** The Government has a number of carriages in the CityRail and the inner-city service that are currently being rebuilt.

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

**Mr SCULLY:** The honourable member for Pittwater laughs. The Government is refurbishing those carriages so that our rolling stock will be reliable and available for the Olympics, a big transport event that is coming up.

**Mr SPEAKER:** Order! I call the honourable member for Southern Highlands to order.

**Mr SCULLY:** I am advised that most of the congestion problems will be substantially resolved. I am happy to seek advice from CityRail on the detail of the question.

#### **DENTAL SERVICE PROVISION**

**Mr NEWELL:** My question without notice is to the Minister for Health. How is the Government providing dental services following the abolition of the Commonwealth dental health service?

**Mr KNOWLES:** Honourable members will recall that three years ago John Howard abolished the Commonwealth dental program.

**Mr SPEAKER:** Order! The honourable member for Gosford is entitled to interject by seeking the attention of the Chair. He is not entitled to interject from where he is sitting. I place him on two calls to order.



**Mr KNOWLES:** As I said, everyone will recall that three years ago John Howard cut the Commonwealth dental program. During the past three years in New South Wales that has meant a loss of \$95 million and 300 dental jobs, particularly in rural and regional New South Wales, which is better understood by National Party members than most others..

**Mr SPEAKER:** Order! I place the honourable member for Oxley on two calls to order.

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**Mr KNOWLES:** Of course, in human terms, it has put 270,000 people on the never-never.

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

**Mr KNOWLES:** There was a direct abolition of a Commonwealth program the minute John Howard walked in the door. In the context of the Commonwealth cuts, the State has maintained its allocation to dental programs. In fact, it has increased its funding from \$72.5 million across the years, which means extra care for dental and paediatric services. We fund two teaching hospitals, and we provide training, research, specialist care and clinical practice development. Nonetheless, given the demand, the Commonwealth cuts make it impossible to meet the ongoing and ever-increasing demand. That is why today I advised key stakeholders in the dental industry of changes to the State dental program.

Over the next three years funding to the dental program will increase with a new cash injection of \$33 million. As a result, recurrent spending on health programs will increase from \$72.5 million per annum to approximately \$92 million by 2002-03. These are real increases; they do not include wages or inflation. That is \$4 million extra next financial year, \$9 million the year after, and \$20 million the year after that. That represents a 27 per cent increase in recurrent outlays over the next three years. Funding will, of course, be allocated, in accordance with government policy, to ensure a fair a distribution of oral health dollars right around the State.

I am sure that honourable members who represent rural electorates will be interested to know that whilst all areas will receive a funding increase, the areas that will receive most attention are the Northern Rivers, the Mid North Coast, the Central Coast, the Hunter and the Illawarra, and western and south-western Sydney. For example, south-western Sydney will receive a 75 per cent increase in funding, the mid North Coast 48 per cent, the Hunter 43 per cent, Northern Rivers 28 per cent, and the Central Coast 27 per cent. The distribution of dental dollars on an equity basis is only fair and reasonable, and long overdue. Combined with three years of forward financial certainty, real growth and a fair go for rural and regional New South Wales, the Government is providing the opportunity for long-term policy implementation to improve access to dental programs.

As a start, we will introduce a new information technology system to improve efficiency and allow for a greater networking of services between regions. This will allow patient demand to be monitored and better managed. Over time we will establish a statewide call centre to improve access to appointments and information. We will introduce a Priority Access program to ensure that people in greatest need receive the earliest attention. The Save Our Kids' Smiles and Dentures for Pensioners programs will be reinforced. The dental care regions will be reduced from 17 areas, each currently with an individual oral health administration, to six oral health networks. That will mean that instead of spending unnecessary funds on administration we will target the dollars to fixing people's teeth. The networks have been designed to link geographic areas with typical flow patterns.

The real benefits, however, lie in the delivery of additional services to thousands of patients throughout New South Wales. Within the first year, it is anticipated that the money will enable an additional 30,000 patients to receive dental care. This will rise to an additional 200,000 patients being seen each year by the end of the three-year program—more than double the number of people currently treated under the program. Rural areas will receive guaranteed growth funding. The additional funds for rural communities will develop rural oral health centres to promote recruitment and retention of oral health care providers, improve access to dental services, and provide an additional \$100,000 for the Royal Flying Doctor Service dental program for isolated and remote parts of the State.

The Government's plan has received the clear endorsement of organisations like the State and Federal divisions of the Australian Dental Association, the Council of Social Service of New South Wales and the Combined Pensioners and Superannuants Association, which regard it as a substantial move forward in dental care in New South Wales. They regard this to be in stark contrast to John Howard's cuts to the Federal program. The Carr Government's plan provides certainty and fairness, less administration and more services. This is a long-term policy approach, matched with real dollars. It sends a clear message to John Howard to reinstate his proportion of the program that he gutted three years ago.

### OLYMPIC GAMES RAIL TRANSPORT ARRANGEMENTS

**Mr McGRANE:** My question without notice is addressed to the Minister for Transport, and Minister for Roads. Will the Minister assure the House that the rail transport arrangements proposed to be put in place for the Olympic Games will not disrupt the flow of export materials from central and western New South Wales, especially Fletchers meat exports from Dubbo and Manildra flour mill to Port Botany?

**Mr SCULLY:** As honourable members would be aware, the primary task of the Olympic Roads and Transport Authority is the delivery of passengers to Olympic sites during the 16-odd days of the Olympic Games. I have had contact with the Chamber of Commerce and other interested players and stakeholders who have concerns about the movement of freight during the Olympic Games. We have indicated to them that there is a window from about 1.00 a.m. to 5.00 a.m. each day in which they will be able to move about 50 per cent of available carriages. We have indicated to them that over the next month we expect to have more certainty, and that by July we will be able to indicate to the freight industry the actual times that they will be able to take train paths in that 1.00 a.m. to 5.00 a.m. timeframe. It is very important that we do what we can to facilitate the movement of freight, but I must say that that is in an environment in which the movement of public passengers is most important.

### ROAD SAFETY COMMISSION AUDIT

**Ms BURTON:** I address my question without notice to the Minister for Transport, and Minister for Roads. What is the Minister's response to the independent audit of the New South Wales Road Safety Commission last year?

**Mr SCULLY:** Honourable members would be well aware that late last year there were a series of incidents on our railways. By far the most serious and tragic of those was the Glenbrook disaster, in which seven people lost their lives. That accident occurred on 2 December, when a CityRail commuter train collided with the *Indian Pacific*. I know that the House would join me in expressing deepest sympathy to the families of the victims. It was a terrible tragedy. The Government set up an independent inquiry into the accident the same day. I was able to arrange for the independent inquiry chief, Justice Peter McInerney, to inspect the site on the day of the accident.

I made two trips to the accident scene. The Premier; the Minister for the Environment, Minister for Emergency Services, and Minister for Corrective Services; and the Minister for Community Services, Minister for Ageing, Minister for Disability Services, and Minister for Women also attended the scene. I had never in my public life been touched by an event as I was that day and subsequently when I spoke to the families of the victims stop I attended the memorial service for the local community

I have spoken on a number of occasions to the honourable member for Blue Mountains. I know that the Blue Mountains community is closely knit, private and caring. This event touched all mountain towns quite deeply. We might have forgotten that these events reverberate through people's lives for many years after the event. The families of victims want to know how this tragedy occurred. So does the Government. We want to learn from the tragedy, to prevent history from repeating itself. Whatever our political differences, I believe all members of this House would share that view.

The Government set up an independent inquiry so that the families of the victims and the community could be confident that a thorough inquiry would seek to find some answers to what went wrong on that day. Justice McInerney has clear terms of reference. The first is to determine the causes

of the Glenbrook accident. The second is to assess the adequacy of the emergency response, and to make recommendations on any safety measures that could be adopted. I advise the House that Justice McInerney has indicated his intention to report on the causes of the accident by 30 April this year. Obviously, I have been following the evidence before the inquiry very closely. However, I do not believe it is appropriate to comment on the causes of the Glenbrook accident before Justice McInerney delivers his report.

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Justice McInerney must be allowed to form his own opinions independently. Safety is paramount on our railways—paramount to the Government and to the rail agencies. The key areas of safety in relation to rail operations are passenger safety, the safety of rail maintenance workers, the operation of trains around the network and safety systems generally. In respect of passenger safety, most honourable members would be fully familiar with our ambitious and comprehensive upgrade of security, the likes of which no other rail authority around the country is doing—two security guards on every night train, cameras on every station and help points. The program, which is well under way, will cost about \$100 million.

What is the Coalition's record on security guards? What was its policy on security? It had none. When it came to security guards and a comprehensive security-operated railway, it was a policy-free zone—a couple of old, cronky cameras on a few stations, no security guards and no policies. What do members of the Opposition do when we undertake a comprehensive upgrade of security? They just talk down public transport. I can tell honourable members that the reporting of incidents on trains has increased, but the number of incidents has not, despite the spin that the Opposition is trying to put on it. The records of incidents on trains were reasonably static until June 1998, and from August 1998 until the present time they were reasonably static.

Statisticians asked: What is the explanation for this one-off jump in July 1998? Incidents were reasonably static, then there was a jump, then they were static again. Statisticians said that there must have been an unusual occurrence on the railways in July 1998. Yes, there was—there were 300 pairs of eyes and ears to report breakdowns in communications to police. People were roaming the network, detecting crime, dealing with incidents, resolving them, contacting police and prosecuting offenders. Many incidents occurred on the railways that were never dealt with when the Coalition was in government. Yet Opposition members now have the gall to try to put a spin on this and to say that this project is not a good thing.

Opposition members have not said that they will remove security guards from trains; they have never said that. They just talk down public transport. Let me put the number of incidents in perspective. Any incident is unacceptable, but incidents are very rare and unusual: in fact, one incident for every 580,000 passenger journeys. There have been other incidents concerning rail safety. Six track maintenance workers were killed on our railways between 1998 and 1999. Such a tragedy should not have occurred. Rail agencies were required to take decisive action to ensure that no more railway maintenance workers were killed while they were working on our tracks. A number of inquiries and investigations were carried out and a number of safety initiatives were put in place to increase the safety of our track maintenance workers.

Today I want to leave with honourable members one initiative known as Safe Working Order 470. For those honourable members who are not familiar with the safe working of trains, it was found that it was unsafe for people to wander around the track with moving trains. So the rail agencies changed the way in which track maintenance workers inspected the track. When the track was closed no trains could run while maintenance workers were inspecting it. That meant that 40 per cent of our track along the CityRail network was closed at any particular time to the movement of trains. Since that time no track workers have been killed and no track workers have had serious injuries.

But what has been the impact on on-time running? There has been quite a dramatic impact. If we close 40 per cent of the CityRail network during the day between 10.00 a.m. and 2.00 p.m., it is not surprising that a number of trains will not be in position at 3.00 p.m. for the evening peak. A number of commuters have been quite disappointed because their trains have not been on time—because we have endeavoured to make the system as safe as possible. That demonstrates the balance between ensuring that we have a safer environment for our workers and also ensuring reliability. I told the rail agencies that many commuters were disappointed at the impact on on-time running, but that we have to maintain a safe system of work for our workers. We must continue to provide that

environment. The rail agencies believe that they can finetune the system to lower the amount of track maintenance and improve on-time running.

Today I released the findings of the Oliver report, an audit into safety systems across the rail network. A number of initiatives have been taken as a result of the incident at Glenbrook and other incidents, and the Oliver inquiry. Most of the CityRail network currently has implemented collision avoidance systems. Many signals have automatic train-stop facilities. The Rail Access Corporation proposes to extend collision avoidance systems out to Newcastle and Lithgow and down to Wollongong and Picton. That project, which will cost \$15 million and will be implemented over the next 18 months to two years, will also concentrate on the Blue Mountains.

Another issue that has arisen is signal box dark spots. When a signal operator is in a signal box and has the board up on the wall, he or she cannot see some trains as they move across the network in certain spots. I am pleased to announce that the Rail Access Corporation is allocating \$8 million to ensure that all those dark zones are removed, concentrating on the Blue Mountains. By about November of this year, from Lithgow to Penrith, those dark spots will be removed. So a signaller in a Blacktown signal box will be able to see all those trains moving in that system.

Rail agencies have undertaken a number of other initiatives. Driver training is an issue of concern. Hacro Rail, an internationally recognised firm, expert in the selection, training and ongoing management of train drivers, is currently being engaged to supervise and advise on that review. The safe working rules that authorise the movement of trains are being reviewed. The language that is used on telephones and radios has now been changed and, from today, is being implemented over a six-month period. That regulates the words that can or cannot be used in communications between signallers and drivers. A number of other initiatives will be implemented over the next few months as a result of the Oliver inquiry. I expect that a number of recommendations will flow from the Glenbrook inquiry. I await its outcome.

#### **TRAIN COMMUTER SAFETY**

**Mr O'FARRELL:** My question is directed to the Minister for Transport. At a time when the Minister wants train commuters to pay 13 per cent more for their tickets, can he explain why country schoolgirls and their parents, returning home on an afternoon train from a school excursion, were intimidated by drunken hoodlums and threatened with violence and indecent exposure? Is this what the Minister means by "darned good service"?

**Mr SCULLY:** I do not think the Opposition was listening when I announced in detail—

*[Interruption]*

I will not take up the time of the House, but I think it is important to recap on the security initiatives that this Government has undertaken. When members of the Opposition were in Government—

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

**Mr SCULLY:** Incidents do occur from time to time. I am happy to seek advice in respect of those incidents. Occasionally, commuters get disappointed because incidents occur.

**Mr SPEAKER:** Order! I call the honourable member for Southern Highlands to order.

**Mr SCULLY:** When the Deputy Leader of the Opposition was the chief of staff—

*[Interjection]*

Opposition members do not like that. They do not want to hear about this bit.

**Mr O'Farrell:** On a point of order. Because of the noise on the Opposition benches I cannot hear these lies.

**Mr SCULLY:** When the Deputy Leader of the Opposition was the chief of staff the Minister for Transport said, "It gives me a great deal of displeasure to inform the House that incidents do occur." I have said on many occasions that we cannot guarantee that incidents—

**Mr SPEAKER:** Order! The Minister will be brief in his answer.

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**Mr SCULLY:** I have said on many occasions that the Government, the railways, or the Opposition can never guarantee that incidents will not happen on our railways or public transport, but I guarantee we will continue to do all we can to minimise the likelihood and maximise the deterrents, and I ask the public to compare what this Government has done with what was done by the previous Government.

### MILK IN SCHOOLS PROGRAM

**Mr BLACK:** My question without notice is to the Minister for Agriculture. How will the Federal Government's dairy regulation affect milk supply to 2,000 New South Wales primary schools?

**Mr AMERY:** The deregulation of the dairy industry has focused on a number of issues: the price of milk, the impact on regional communities, the farm gate price paid to farmers, and so on. But many of the other benefits that came out of a regulated system are also in question. The honourable member for Murray-Darling has asked me to tell the House what will happen to the Milk in Schools program. I suppose at this stage it is fair to say it may be too early to tell. The Milk in Schools program has been a great success, unlike the program in the 1950s and 1960s. Most people of my generation were turned off milk because when it was delivered to schools it was left in hot playgrounds. As a result, there was a drop in milk consumption.

Until recently the program was co-ordinated through Milk Marketing, a division of the Dairy Corporation. It has now been transferred to Food Safe New South Wales. Although the issue may be seen with some lack of interest by the Opposition, it is important to realise how successful the Milk in Schools program was. The industry obviously wanted to increase milk consumption and make an investment for the future. Let us consider some statistics to back up the program. Since its launch six years ago 2,000 of the 2,200 schools in the State have implemented the program. As a result milk consumption among schoolchildren has increased by up to 50 per cent. The program really did work. Independent research also shows that before the introduction of the Milk in Schools program, milk represented less than 4 per cent of beverages consumed in primary schools. That figure has increased to 23 per cent.

**Mr Piccoli:** Point of order: I believe the question was how the State Government's deregulation affected milk consumption in schools.

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

**Mr AMERY:** I reiterate that milk consumption previously represented less than 4 per cent of the beverages consumed in primary schools. I would have thought that all honourable members who have an interest in the nutrition of our children would be interested. As a result of that program, initiated by the dairy industry, that figure is now 23 per cent. Research has also shown that schoolchildren in the program drink 13 per cent more milk a week than those who are not in the program. The aim of the Milk in Schools program was to promote longer-term milk drinking habits and therefore longer-term improved nutrition for our schoolchildren. Milk is an excellent source of calcium and can help deter osteoporosis later in life. The program is simple and effective: subsidised white and flavoured milk to schoolchildren, and free refrigerators to all those primary school canteens which choose to take part in the program. Unlike in years gone by, the consumption of milk at school was attractive to children because it was cold and it was flavoured. Interesting characters printed on cartons, promotional events, educational resource kits and a fun and colourful web site were also part of the package.

Milk Marketing was charged with co-ordinating and promoting the Milk in Schools program to ensure ongoing interest in this naturally healthy product and to ensure all parties involved in the program were kept informed of its development. Schools and parents also receive promotional material about the program, including health and nutritional data. A free call response number was also established to answer queries and solve any problems which arose during the program's operation. Funding for the Milk in Schools program came from dairy farmers and processing companies. A dairy farmer levy was introduced at 0.1 cents per litre on all fresh milk sold in New South Wales. This increased to 0.3 cents a litre in the lead-up to the program launch and then dropped to 0.2 cents a litre in July 1998. This totals about \$1.1 million a year from dairy farmers alone. The funds were used to pay for the free refrigeration units as well as other media and promotional activities. Also, milk processing companies contributed about 10.67 cents per litre on milk used in production of school milk, to top up the farmer contribution, which amounted to about \$270,000 a year.

We all know that deregulation of the dairy industry in the marketplace has taken its toll in a variety of ways. The theory is that the Milk in Schools program will also be a victim. Milk Marketing is being forced to close down in June this year due to a lack of funds. It was previously funded by a 1.1 cent per litre levy on dairy farmers who supported its excellent marketing and promotional work. That dropped to 0.25 cents per litre in September 1999 as marketplace deregulation squeezed the margins of New South Wales dairy farmers.

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

**Mr AMERY:** With farm gate deregulation likely to occur in July this year farmers will need every cent they can get from their product. Milk Marketing has therefore been forced to hand over control of the Milk in Schools program to the processors. Most of that handover took place in the past two months. People are now nervous that the Milk in Schools program could come to an end. Without the \$1.1 million annual input from dairy farmers the processors will have to spend more of their own money on the program. The regulation has meant that processing companies are currently focused on chasing the retail dollar rather than the subsidised school market. I am also informed that there is no evidence as yet that the processors have established dedicated marketing and promotional teams to highlight awareness of the program in schools. We shall watch with interest how the Milk in Schools program progresses over the next few months. I call on the processors to do the right thing and make sure the program keeps going, in the interests of our schoolchildren drinking healthy, fresh milk as they grow.

#### PERMANENT CRISIS ACCOMMODATION

**Mr O'DOHERTY:** My question without notice is to the Minister for Community Services, Minister for Ageing, Minister for Disability Services, and Minister for Women. Despite daily requests to the Minister's office, why was permanent accommodation never found for John Scott, the 13-year-old with profound disabilities, who died last week after 327 days in so-called temporary crisis accommodation in the Stockton Centre, an institution for adults?

**Mrs LO PO':** It constantly amazes me that while I have all over my documents "name is confidential", people like the honourable member blurt it out. I am aware of the death of this young man, and I extend my sympathy to his parents and family. I am advised that the Coroner has been informed and details of his death have been reported to the Child Death Review Unit within the Community Services Commission, which will also liaise with the Disability Death Review Team. I await that report.

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**Mr O'DOHERTY:** I ask a supplementary question. Will the Minister now admit that she failed to find permanent accommodation for this boy, in the same way as her office failed baby Sheyanne last week?

**Mr SPEAKER:** Order! That is not a supplementary question; it is the same as the original question.

## FUEL SUBSTITUTION

**Mr W. D. SMITH:** My question without notice is addressed to the Minister for Fair Trading. What is the latest information on fuel substitution?

**Mr WATKINS:** The blending of fuel substitutes with petrol and diesel to avoid the payment of excise has been a scam of mammoth proportions. The Commonwealth alone collects fuel excise, and it is the Commonwealth's job to ensure that the proper levy is paid. More importantly, in my capacity as Minister for Fair Trading, these scams mean that New South Wales motorists are not getting what they pay for—they are being ripped off. The recent adulteration problem is not surprising when one considers reports about what has happened to testing for fuel substitution by the Australian Customs Service.

It seems that testing was dropped when the administrative responsibility for excise enforcement was transferred to the Australian Tax Office [ATO] at the end of 1998. The seven Nissan Navarra trucks specially fitted with fuel substitute detection technology went unused after their transfer from customs to the ATO. It is just another example of the decimation of the Australian Customs Service by John Howard's Government. However, even without the trucks, the Commonwealth had plenty of warning about the need to act on the problem.

In June last year I wrote to the Commonwealth Minister for Justice and Customs forwarding allegations about the illegal blending of diesel fuel for her investigation. I do not know what action, if any, she took because she did not reply. Then in November last year I forwarded further allegations made by Liberty Oil to the Commonwealth Treasurer for his investigation. In hindsight it is clear that he took no action on Liberty's claims; he did not reply either. Liberty claimed that an estimated \$500 million in Commonwealth excise revenue was being lost each year through fuel substitution. Liberty had raised these allegations directly with the Commonwealth but to little avail.

Earlier this year specific new allegations were drawn to the attention of my department. As the Commonwealth had previously failed to act and, if true, the allegations meant that the interests of New South Wales motorists were being compromised, I was compelled to act. It was alleged that petrol supplied from a number of Sydney service stations contained high levels of toluene, which is a chemical solvent often found in petrol but in relatively small proportions quantities. It was further alleged that excise-free toluene was being added at the wholesale and retail levels in order to extend the fuel and reduce the overall cost of supply. Toluene did not attract excise at that stage.

My department's initial investigation involved obtaining petrol samples from service stations in Sydney. After independent testing, six stations were found to have unleaded petrol with toluene levels significantly above what was considered normal. On being advised of these results, I acted swiftly to warn the public about the problem. After months of inaction from the Federal Government, my department advised me that this was the best way to ensure that New South Wales consumers were aware of the problem and how it could be fixed. This decisive action by the New South Wales Government forced the Commonwealth to do its job.

Our action meant that the Commonwealth finally closed the legal loophole which was being exploited by some within the industry. Our action saw an excise imposed from 10 March on all imported benzene, toluene, and xylenes and mixed alkylbenzenes—substances that can be used as fuel substitutes. But the Commonwealth has done only half the job. The Commonwealth must provide sufficient resources to enforce the new requirements, and this includes resuming the fuel testing which was previously undertaken by the Australian Customs Service. As I said earlier, customs has the equipment, it has the authority, and it certainly has the responsibility to ensure that it backs up the law changes with enforcement action.

My department will continue to conduct random tests and forward any positive results to the Commonwealth authorities. In the meantime, I am pleased to report to the House that the widespread publicity given to my department's actions appears to have had an immediate impact. Since the initial testing program, unleaded petrol samples have been taken from a further 67 service stations involving a range of branded and independent sites in Sydney, on the Central Coast and in the Illawarra, Hunter and Central West regions. The six operators that were originally tested were revisited, and I am pleased to advise that these test results showed significantly lower toluene levels.

Because of the continuing possibility of adulteration occurring, and the likelihood that the Commonwealth will continue to shirk its duty, I have sought further advice to ascertain how we in New South Wales can take prosecution action against those who continue to flout the law. This follows my concern that stronger enforcement action than naming be taken if the problem continues. I am pleased to advise the House that the Crown Solicitor has now provided legal advice to guide the department's continuing investigations. The Crown Solicitor has advised that action can be taken under the Fair Trading Act against operators found to be supplying petrol with a high level of toluene.

Three of the new sites recently tested were marginally above expected levels of toluene and a fourth site was relatively high. The department's investigations into these results are continuing. Honourable members will appreciate that I do not intend to reveal specific details as I do not wish to jeopardise any future prosecutions. However, I can assure the House that the investigations are ongoing, and my department will prosecute should the necessary evidence be forthcoming.

**Questions without notice concluded.**

**BUSINESS OF THE HOUSE**

**Consideration of Urgent Motions**

**Mr WHELAN** (Strathfield-Minister for Police) [3.45 p.m.]: I move:

That standing and sessional orders be suspended to permit the House to deal with both notices of motion for urgent consideration given this day in the order in which the notices were given.

I indicate that, subject to divisions, private member's statements will commence at 5.15 p.m. or 5.30 p.m. That is the intention. At the conclusion of debate on the motions for urgent consideration the House will commence private member's statements. The Minister for Agriculture, and Minister for Land and Water Conservation has agreed to defer his matter of public importance, of which he has given notice. I remind honourable members that condolence motions for the late Mr Caterson and the late Mr Petersen will commence at 7.30 p.m. By arrangement, only Ministers' second reading speeches will commence at the conclusion of the condolence motions.

**Motion agreed to.**

**TELSTRA PRIVATISATION**

**Urgent Motion**

**Mr CARR** (Maroubra-Premier, Minister for the Arts, and Minister for Citizenship) [3.47 p.m.]: I move:

That this House:

1. Notes Telstra's record profit of \$2.1 billion in the last six months;
2. Expresses its concern at Telstra's decision to cut 10,000 jobs over the next two years, resulting in reductions in services and employment in rural and regional New South Wales; and
3. Opposes the Federal Government's plan to completely privatise Telstra.

I will confine myself to stating facts—facts that tell the Telstra story. Fact one: on 8 March 2000 Telstra announced a half-yearly profit of a record \$2.1 billion. Fact two: on the same day Telstra revealed plans to slash 10,000 jobs over the next two years. Telstra's chief executive, Dr Ziggy Switkowski, said that the aim of the job cuts was to boost profits by a further \$650 million a year. Fact three: in February the Prime Minister, Mr Howard, made his now notorious Nyngan declaration. He gave rural and regional Australia a solemn undertaking that there would be no more cuts to services in the bush.

Fact four: on 9 March Mr Howard admitted in Federal Parliament that he could not guarantee against job and service cuts in country regions if Telstra was fully privatised. Fact five: the Federal Government—the Liberal-National Coalition Government—has failed utterly to use its clout as the



majority shareholder in Telstra to deliver the service guarantees it promised the bush. Those promises, those guarantees, were given as part of the deal when 49 per cent of Telstra was privatised. The guarantees were given to the people who owned 51 per cent of Telstra. They were given to Federal Parliament, and they were given in the prospectus. Those facts have been set aside by the Federal Government and by Telstra.

&lt;11&gt;

Loq:Carr

I have been seeing a lot of country New South Wales. Last week I visited Cabonne shire to open the new Cabonne Limited winery. That is a multimillion-dollar company. It needs access to faxes, the Internet and phone lines. But there are no underground lines there. They have been trying to get them for six months. They cannot even get Telstra to give an approximate time when the problem will be rectified. Telstra came last week to install one satellite phone, but the company is still waiting for a phone line.

I also inspected the Manildra flour mill, which is undergoing a \$14 million expansion. Engineers, consultants, concreters and other staff are working out of the one office. They have one phone line. They need six more, but, so far, Telstra has undertaken to install just one satellite phone. They have been waiting for that since Christmas.

Another fact: Last year the local Catholic school at Cabonne received a Federal Government grant to assist the school's Internet connection. The school received a letter from Telstra that said the telephone line would be operative on 14 December. They returned to school on 28 January to find tradesmen connecting the line. They rang Telstra to inquire. Telstra said the line was already connected. Cabonne Shire Council has waited for two years to get one line installed for its decentralised office system. People in the city take these things for granted.

Last month I attended the western division of the Shires Association Annual Conference in Menindee, along with the Minister for the Environment and the Minister for Local Government. The people of Menindee receive a terrific level of service from a Labor Government.

**[Interruption]**

One might call this the Country Party. We are not ashamed of that name. The conference was sponsored by Telstra. Delegates benefited from a mobile phone tower erected for the conference. The week after the conference closed, so did the tower. In fact, Telstra technicians drove all the way to Menindee from Broken Hill to dig the tower and cart it away on the back of a truck.

In the Central Darling area there is now no mobile phone service. Indeed, a local government representative told me he drove from Lightning Ridge to Broken Hill to attend the conference. He said that that is 700 kilometres without code division multiple access [CDMA]. That is 700 kilometres of highway without connection. Jenny McClellan, a councillor from Brewarrina, said that in the country areas around Brewarrina one cannot get an Internet connection or mobile service.

Last week I met with mayors from south-western and central western New South Wales. I met a total of 20 mayors as I travelled through Orange, Cowra and Young. That is another measure of how Labor is keeping in touch with the bush. I am sure the honourable member for Dubbo appreciates that. Those mayors raised a number of issues, but the number one issue was the cut-backs to Telstra services in their shires. The Mayor of Cabonne, Councillor John Farr, said that the last round of Telstra sackings had already led to a massive backlog in services and infrastructure. He said, "The next round will be devastating." The Mayor of Tumut, Councillor Geoff Pritchard, has been inundated with concerns from local families about the high cost of Internet access to regional New South Wales—which is up to \$7 an hour, if one can connect at all. And to get a mobile phone tower built in Tumut, the local community was forced to cough up a \$10,000 shortfall from a one-off Federal grant.

The Mayor of Leeton, Joe Burns, when describing mobile phone reception in his region, said, "No service. No access." Mayors and councillors across the State are being bombarded with calls from people who are angry about their level of service and fearful of the resulting job losses.

*[Interruption]*

Let it be recorded that it is a joke to the honourable member for Wagga Wagga. Joy Mathews, a councillor from Maclean, said, "Our small communities cannot take any more job losses and this will be an enormous blow for families on the north coast." She said that in response to a staff member of mine who made contact with these councillors to get their views, because at all times we must move in consultation with country people.

Glenn Taylor, the Deputy Mayor of Orange, said, "The people of country New South Wales do not need an inquiry to tell them services to the bush are lousy. We know this already. No-one can convince me that you can remove 10,000 jobs from Telstra—and make it more efficient." What a representative for Orange he would be! On 14 December 1999 all phone lines at Armidale and New England Hospital went down at 10.40 p.m.. A patient was in labour at the time and in need of urgent assistance. Doctors needed to make an emergency call.

**/[Interruption]/**

The honourable member for Gosford thinks it is a joke. Doctors needed to make an emergency call and they were unable to call out. The doctors had to borrow a mobile phone from the patient's husband to make the vital call. And of course we know what happened at Mudgee District Hospital on 30 March. That even provoked the Leader of the National Party to say something in the media. I am sure the honourable member for Cessnock was instrumental in finally getting a comment from that gadfly. The honourable member for Cessnock finally got the leader of the National Party to say:

I can't see how the inquiry could declare that Telstra has delivered .

I know they haven't and I have plenty of war stories.

As far as I am concerned, it is the whole National Party who are opposed to future privatisation.

It should be off the agenda until they deliver services.

The Leader of the National party went on to say:

We will kill 10,000 employees and by the way , would you mind privatising us?

Well, Telstra can get—

Propriety prohibits me from completing the sentence. It was immediately contradicted by the Leader of the Liberal Party, who said:

What George means is that he will not support the full sale of Telstra until such time as all those obligations that I've just mentioned are met. And that's the position that we agreed on.

That makes it unanimous. My motion merely puts it in parliamentary language. It expresses the anger and concerns of the people of rural and regional New South Wales and, I believe, the feelings of the majority of Australians everywhere.

**Mr SOURIS** (Upper Hunter-Leader of the National Party) [3.57 p.m.]: I move:

That paragraph 3 of the motion be deleted and that new paragraphs 3 and 4 be inserted:

3. Supports the right of country people to have significantly upgraded telecommunications; and

4. That the further privatisation of Telstra be deferred until the foregoing is achieved.

I thank the Premier for quoting from my press releases, referring to the comments I have already made and the press clippings that of recent days have been here in large number in relation to Telstra. In fact, I campaigned on this issue long before the Premier had any idea about it. Indeed, on the day that Mr Switkowski announced the \$2.1 billion half-year profit and the 10,000 job losses—masking the additional 6,000 job losses that would be attached to an associated entity, and in the same breath advancing the cause by Telstra to be privatised—I made specific reference to that aspect. I indicated that it was an appalling approach that Telstra had adopted on that day, asking to be privatised on the very day that it announced the proposed job losses. As far as I am concerned the answer would be no.

The Coalition does not have any philosophical objection to privatisation per se, and that goes for the Australian Labor Party. There is certainly no philosophical objection to privatisation, yet the Labor Party has privatised everything, left, right and centre, since it came to office. It started off by privatising the TAB. It has privatised rail maintenance and rail security. It has privatised the Mt Piper Power Station by mortgaging the Mt Piper Power Station—

[*Interruption*]

The honourable member for Bathurst endorses the action of the Carr Labor Government in mortgaging the Mt Piper Power Station, undervaluing its mortgage to three unregistered banks in the central west of the United States of America.

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The Opposition's current objections to the privatisation of Telstra relate to the following issues. First, the first and second tranche delivery of \$670 million in infrastructure improvements has not yet been completed so it is premature to talk about a third tranche. Second, the mobile phone coverage that the CDMA network promised is not yet complete and will not be adequate in the initial stage. Third, the premature closure of the analog phone system means that many country areas now receive lower levels of mobile phone coverage than they were receiving previously. CDMA would be completely inadequate anyway.

I remind members of the Telstra board that they have already made a promise to extend CDMA coverage well beyond the analog footprint to include areas where there is currently an existing global system for mobile communications [GSM] digital coverage. I say that that, too, is not adequate. For example, the golden highway between Dubbo and Newcastle—as far as Singleton at least—is essentially in mobile phone darkness. There is a brief interval at Denman and at Merriwa of GSM operation, but there is no CDMA until one finally reaches Dubbo. Under the previous arrangement, the golden highway would not be covered as I believe that it ought to be.

Members of the Opposition have been told many, many times about the failure in timely service delivery of Telstra's performance of its maintenance obligations. I was told personally only a week ago of an example of a subscriber at Bowman Creek who had to wait 20 days for repair of a landline to his home near Singleton. Mudgee District Hospital, as all honourable members would know from newspaper reports, had to wait for days for repair of a front-line primary emergency service. Telstra's obligation to such institutions is one of providing an immediate response. After a lengthy period had elapsed, it transpired that a board had overheated in the meter at Telstra. In those circumstances, surely the response time for the request for service should have been only a matter of hours. There should have been significant spare parts carrying capacity at Telstra and there should have been transport for a replacement part by road or helicopter from whichever nearby depot had the relevant spare part. It was unacceptable for the hospital to have to wait for days for restoration of service.

As recently as yesterday, Mudgee again suffered a loss of telecommunications when Mudgee Shire Council's phone service was out of order for most of the day. In a period following the Mudgee District Hospital incident, there were two other complaints of a loss of service caused by an accidental cut in a fibreoptic cable in the Lithgow area. As a result, the Rylstone District Hospital and Community Health Service's communications network was inoperable for quite a period, along with the services of a number of other users. If Mudgee is chosen as an example, it represents four incidents in the past two and a half weeks, which is certainly not an enviable record of maintenance.

Employment levels have already been cut in the Telstra network, particularly in maintenance depots throughout country New South Wales. With a contemplated further reduction of 10,000 staff members in already-diminished employment levels of Telstra, it is no wonder that the employees who are still manning the Telstra maintenance depots are frustrated by the lack of resources confronting them in their attempts to deliver a service. Those employees do a magnificent job and respond to requests as fast as they possibly can, given the limitations that have been placed on them. My criticisms are not aimed at any individuals whatsoever who serve in Telstra depots and maintenance facilities in country New South Wales. I give all credit to them and acknowledge that they are hamstrung by a Telstra bureaucracy and by the savage costs cutting that has already been undertaken.

I believe that data-carrying capacity and speed and Internet access and speed are two areas that demand an upgrade of facilities to bring country services into some semblance of equality with more populated areas. After all, the provision of those facilities lies at the heart of the Government's ability to deliver regional development, regional growth and sustained economic activity in country areas and make them attractive, decentralised alternatives, not only for government departments but also for organisations in the private sector.

Subscriber trunk dialing [STD] charges remain high. I would have thought that on a day when a record half-year profit was announced the time would have been ripe to alleviate STD charges with which country people are faced. After all, it is the STD component in the phone bills of people who live in country areas that is the biggest component of Telstra charges that country people have to meet. That cost component represents the greatest impediment to country lifestyle and business activity. I provide honourable members with an example to illustrate the difference between country and city areas in the utilisation of this level of service. In my electorate, 90 per cent of my constituents have to pay STD rates to reach me, and many of those rates are quite high. In a metropolitan electorate, however, 100 per cent of constituents would not contemplate paying anything other than the local call rate and are able to stay on line all day if necessary, without incurring extra charges. I am sure honourable members will agree that a comparison of the two examples illustrates that the delivery of parliamentary representation across the board is hardly equitable, and that is only one example.

I believe that Telstra is short of general compliance with its universal service delivery obligation. Telstra should be providing general assistance and support for regional businesses, development and decentralisation and should be doing so in an efficient and cost-wise manner. The position of Opposition members is that the Telstra privatisation should be deferred until its current obligations are met. The present inquiry has exposed a shortfall in service delivery in rural and regional New South Wales. Telstra should address these issues of maintenance and inoperable service periods as well as the other complaints I have mentioned. Telstra should get on with the job of fulfilling its obligations which arise from its monopoly position in the telecommunications industry.

In outlining the views of the Opposition, I believe I have said nothing that is different from what I have already said many times on the public record in press releases and newspaper articles. For example, the *Sydney Morning Herald* correctly quoted me on 2 February and 31 March among other occasions. I continually maintain that until the service delivery obligations of Telstra are met, privatisation should be deferred. Until that happens, the Opposition will not support the third or the subsequent tranches of Telstra privatisation.

**Mr BLACK** (Murray-Darling) [4.07 p.m.]: At the outset, let me say that Country Labor is yet again very proud to support the Premier of New South Wales who is, I believe, the Premier of all Premiers from several past decades most favourably disposed towards regional and rural New South Wales. I will follow up some of the remarks made by the Premier in relation to western New South Wales while I describe some of his more recent visits to Western New South Wales. I hasten to add that my remarks may cause some embarrassment for members opposite who have been unable to get either coalition Premier to visit the bush.

On three occasions during the past four weeks, the Premier of New South Wales has visited the Murray-Darling electorate in western New South Wales. There was not one occasion during that period when he was left alone in relation to the Telstra debate. Last year members of Parliament attended a briefing in the Jubilee Room at Parliament House. My colleague opposite the member for Murrumbidgee will recall that the brief covered among other matters the pager service which western areas subsequently lost. The fact is that country members of Parliament last year were told that we were going to lose the pager service in the bush and it is equally true to say that, fundamentally, emergency services in the bush are still operated through a pager service. That is how it has to be because there is no alternative. There is no satisfactory mobile phone service in country areas.

Last year in this Parliament, honourable members were told very clearly that the CDMA network would provide superior service to people who live in the bush. Let me examine what has occurred. The analog service in southern New South Wales has been progressively closed down and allegedly has been replaced by the CDMA. The facts will be touched on when, on Thursday next,

Country Labor meets Telstra in this Parliament.

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I assure the honourable member for Murrumbidgee that mayors from the area I represent have a stack of complaints about Telstra. Some areas, for example those in the western Windouran shire, are totally without any mobile phone service and those in the east, which were formerly serviced by analogue, are now without any service whatsoever. People travelling through western New South Wales who expect to get a CDMA service in the north take their CDMA mobile phones with them. When they get to Bourke, Nyngan or Cobar there is no mobile phone service on CDMA. We were told at the conference at Menindee, which was attended by the Premier, that we would not be taking part in the highway roll-out program for Telstra in western New South Wales because we did not have the requisite traffic density on our highways. It is disgraceful that in the 466 kilometres from Cobar to Broken Hill there is no mobile phone service whatsoever.

How would members of the coalition feel if they lived at Menindee? It is no wonder that people are coming across to Country Labor in hordes. The Coalition should look at its most recent polling to see how badly the National Party is going. People are leaving the National Party in droves because, irrespective of what the Prime Minister has said about drawing lines in the sand, the Federal National Party has said that 10,000 jobs will go and it will get on with the job of selling off the rest of Telstra. I challenge the members of the National Party in this place to take on their Federal colleagues even without another split between the State and Federal Nationals. The bottom line is that they are the people who represent those want to sack our workers, want to take the payroll away from our bush families and want to ensure that the standard of service and repair of mobile phone services is steadily reduced. They are the people who say, "No mobile phone services on our highways".

**Mr PICCOLI** (Murrumbidgee) [4.12 p.m.]: The State Government offends and disgusts me. Honourable members have been away from Parliament for more than four months. I have been a member of Parliament for a little over one year and I have not spent one-third of that year in Parliament. In those four months many issues have arisen which we have not had the opportunity to address or debate in this House. Finally, today, the first thing to be debated is the Federal issue of Telstra. It is, admittedly, a very important issue but it is a Federal issue. Some of points made by the Premier illustrate his actual lack of knowledge about what is happening in rural areas. I agree with the honourable member for Murray-Darling that telecommunications are absolutely essential. The sooner there is 100 per cent coverage across Australia the better. Telecommunications are particularly important along the Cobb Highway and other highways in isolated areas of the west. The Premier virtually said that so far as he is aware the sale of Telstra is the most important issue in the country. I grant that it is important but it is certainly not the most important issue. The Federal Government, the Coalition and the Federal Parliament is spending a lot of time debating this issue. The point I want to make is that there are a number of State matters that are of enormous importance and they need to be debated in this House. Health is the number one issue in this State by a mile.

**Mr Black:** Talk about water.

**Mr PICCOLI:** I will come to water. Education is another important issue. At the moment the Government has not managed to solve the teachers' dispute. Parents come to my electorate office all the time and ask me why teachers keep going on strike and disrupting their family lives, et cetera. Many issues concerning the Department of Community Services have arisen over the past few weeks and also need to be sorted out. In recent months and years more than 70 children have died because of a lack of action by the Department of Community Services. The issue of water in the west of New South Wales is absolutely critical. Representatives of almost every local government area have said how important that issue is. Farming and commodity groups are united in their position on the water reforms and the white paper. The dairy industry deregulation, which was discussed earlier in question time, is another important issue. This House Parliament needs to deal with those issues and not the issue of the sale of Telstra. We are being forced to spend an hour of our very limited time in State Parliament debating Federal issues.

**Mr Martin:** You are wasting time, get to the issue.

**Mr PICCOLI:** I am talking about issues that are important to this State, and it is the role of this House to debate those issues. I will now move onto the Telstra issue because I am forced to debate it. CDMA has been referred to. If John Howard had not won the 1966 Federal election there would be digital and nothing else. CDMA is certainly not the perfect replacement for analogue, but I assure the honourable member for Murray-Darling that if John Howard and Tim Fischer had not won that election there would be only digital. Five kilometres outside every country town one would not get any mobile phone reception and that is much worse than now. I do not think that the State or Federal Labor Party is in a position to argue against CDMA. I hope that Telstra and the Federal Government get it right and it becomes an appropriate replacement for analogue. We are certainly far better off than we would have been under a Keating government. In the Keating-Hawke years, the Commonwealth Bank, Qantas and whatever else one wants to name were privatised. As a result thousands and thousands of people lost their jobs. It is hypocritical in the extreme for the State Labor Government to be critical of the Federal Coalition Government over its privatisation policies.

**Mr MARTIN** (Bathurst) [4.17 p.m.]: I question the commitment of Telstra to regional Australia. I support the motion moved by the Premier. The honourable member for Murrumbidgee had five minutes to speak to the motion and dodged the issue, and that gets to the heart of where the National Party stands. My colleague the honourable member for Murray-Darling spoke about the issue earlier. One should never forget that the honourable member for Murrumbidgee bravely defended the Telstra cuts to country paging services when Country Labor put the blowtorch to the issue. He said:

Through correspondence Telstra has assured people that there will be no significant impact following the removal of the pager service. Perhaps it is a little unfortunate that some restructuring will have to be done but that is the nature of many services that have declined in the past few years.

In other words, the National Party solution it is to grin and bear it. That is typical of its attitude to this issue throughout. The honourable member for Murrumbidgee spoke about hypocrisy, but he should have looked in the mirror. The recent Telstra cuts were announced only weeks after the Prime Minister's now infamous Nyngan declaration that he would put a floor under regional services, whatever that means. The Federal Government thought it was a great idea and defended it. First, on 9 March the Minister for Communications, Senator Alston, said on *ABC Online*:

It is absolutely important that the company is able to move jobs around, that is, able to rationalise its services . . .

The Prime Minister then added his weight to the debate. On 13 March on Radio 6PR in Perth, when asked about the relationship between the number of employees and service delivery, he said, "In some areas, particularly in communications, there is no link".

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What rank hypocrisy and ignorance on the part of the Prime Minister! He went up on to say:

Because of information technology, because of the nature of the industry, you can do the same job or better job with fewer people.

Tell that to the people in regional and country New South Wales! Today we heard the Leader of the National Party say—and I agree with him on this issue—that it is the cut in the number of workers on the ground that is causing the problem. That was one of the rare occasions on which we have heard a National Party member say anything good about the workers. What the Prime Minister said is fantasy stuff. If losing 10,000 jobs will not affect service delivery, what will? And maybe it is more than 10,000.

Finally, we heard from the National Party of Australia. The Federal member, Bob Katter, who is well-known from television appearances, let us know what he thought of the Telstra plan. In doing so, he was labelled a national disgrace by his coalition colleague Senator Alston. That shows the regard in which Nationals are held by their Liberal colleagues. Katter's is merely a voice in the wilderness, as is the National Party at both State and Federal level, on this issue. The truth is that they dance to the tune of the Liberal Party. From time to time they may threaten to cross the floor, but that never happens. In fact, the Nationals do not want that to happen. It is the same in this House. They lack not only the courage but also the belief that you need to make such a decision.

The current philosophy of the National Party shows that it stands for nothing except pie in the sky. In fact, it has become the silent faction of the Liberal Party. This issue underlies that fact. The Liberal Party cannot believe it. The Nationals do not even give their Liberal colleagues a hard time

any more. Honourable members should not take my word for that. The honourable member for Tamworth is quoted in the *Sydney Morning Herald* of 31 March as saying:

The Federal and State leaderships of the National Party might as well join the Liberals — that's what they are, for all intents and purposes. Costello tells Anderson what to do. George Souris is essentially a Liberal.

After all, George Souris, the Leader of the National Party, is an accountant. Do members remember him when he was in government? Do they remember Luna Park? Do they remember Eastern Creek?

**Mr Fraser:** You were not even here.

**Mr MARTIN:** But we were taking great interest in what was going on. The modern-day National Party is a silent faction of the Liberal Party. This was made as clear as day when the Federal Government announced a telecommunications service inquiry. The National Party rejoiced. It saw this as a get-out-of-gaol-free card. Now members of that party quite happily tell everyone that they will only agree to the full sale of Telstra if the Government-appointed inquiry tells us that service levels in the bush are adequate. That is very much the same as the stance taken by the honourable member for Murrumbidgee on the pager: they will write back and say, "Well, if they say nationalisation has to take place, we will take their word for it." Already the dogs are barking that the inquiry is a put-up job. There are serious questions about the impartiality of the chairman. National Party members should get out there, like their Country Labor colleagues, defend the people of the bush, and make sure that they get the services that they deserve.

**Mr SPEAKER:** Order! The amendment moved by the honourable member for Upper Hunter seeks to delete paragraph 3 from the motion with a view to inserting "supports the right of country people to have significantly upgraded telecommunications, and that the further privatisation of Telstra be deferred until the foregoing is achieved." The question before the House is that those words be deleted.

**Mr Fraser:** Mr Speaker, what is the question?

**Mr SPEAKER:** That the amendment be left out, so that in effect the question will be that the House votes for the motion.

**The House divided.**

#### Ayes, 56

Ms Allan	Mr McGrane
Mr Amery	Mr McManus
Ms Andrews	Ms Meagher
Mr Aquilina	Ms Megarrity
Mr Ashton	Mr Mills
Mr Barr	Ms Moore
Mr Bartlett	Mr Moss
Ms Beamer	Mr Nagle
Mr Black	Mr Newell
Mr Brown	Ms Nori
Miss Burton	Mr Orkopoulos
Mr Campbell	Mr E. T. Page
Mr Carr	Mr Price
Mr Collier	Dr Refshauge
Mr Crittenden	Ms Saliba
Mr Debus	Mr Scully
Mr Face	Mr W. D. Smith
Mr Gaudry	Mr Stewart
Mr Gibson	Mr Torbay
Mr Greene	Mr Tripodi
Mrs Grusovin	Mr Watkins
Ms Harrison	Mr Whelan
Mr Hickey	Mr Windsor

Mr Hunter	Mr Woods
Mr Iemma	
Mrs Lo Po'	
Mr Lynch	
Mr Markham	<i>Tellers,</i>
Mr Martin	Mr Anderson
Mr McBride	Mr Thompson

**Noes, 32**

Ms Allan	Mr Gaudry
Mr Amery	Mr Gibson
Ms Andrews	Mr Greene
Mr Aquilina	Mrs Grusovin
Mr Ashton	Ms Harrison
Mr Barr	Mr Hickey
Mr Bartlett	Mr Hunter
Ms Beamer	Mr Iemma
Mr Black	Mrs Lo Po'
Mr Brown	Mr Lynch
Miss Burton	Mr Markham
Mr Campbell	Mr Martin
Mr Carr	Mr McBride
Mr Collier	
Mr Crittenden	<i>Tellers,</i>
Mr Debus	Mr Fraser
Mr Face	Mr R. H. L. Smith

**Pair**

Mr Knowles	Mr Glachan
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**Question resolved in the negative.****Amendment negatived.**

&lt;15&gt;

**Mr Rozzoli:** On a point of order: As I understand it, the question that was put to the House was that the words proposed to be deleted be deleted.

**Mr SPEAKER:** The question was: That the words included in the amendment be deleted.

**Mr Rozzoli:** Would you explain that again? The normal process is to put the question, That the words proposed to be deleted stand part of the motion. That is the normal form, in which case the Government has just voted to delete the words.

**Mr SPEAKER:** Order! The member was not here. I read out the amendment as moved by the Leader of the National Party.

**Motion agreed to.****DISABILITY SERVICES**



**Urgent Motion**

**Mr O'DOHERTY** (Hornsby) [4.34 p.m.]: I move:

That this House:

- (1) recognises the unique importance of members of the New South Wales community with disabilities.
- (2) implores the Carr Government to make take more seriously their diverse and genuine needs in health, accommodation, education and training and access to services, and in particular
  - (a) condemns the Minister for Community Services and the Premier for refusing to provide any response to the Social Issues Committee's report critical of the Government's tendering out of group homes, and
  - (b) demands the Government speed up the 12 year devolution process, noting that by year 5 of the Government's 12 year plan fewer than one in 30 people in institutions will have been moved into permanent community accommodation.

I thank the Leader of the House for allowing us to debate today this urgent and important motion. It is an opportunity for all honourable members to join with the Liberal and National parties in expressing a deep sense of the importance of people with disabilities as members of the New South Wales community. A Liberal-National Government passed the Act which contains the disability principles to which this Government now pays lip service but which, every day of the week, come under stress and pressure. That is the opinion of members of the disability communities. The opportunity has now been afforded to all honourable members to join with the Liberal and National parties in saying that we regard the principles contained in the Act as being paramount for the self-determination and for the quality of life that members of our community with disabilities should enjoy. Those qualities of life are under great threat by a government which continues to cut back on its commitments to people with disabilities.

The most recent State budget was a good example of millions of dollars being cut out of the effective budget for people with disabilities. To quote the Western Sydney Intellectual Disability Support Group, "There is less money being spent on disability services in the current year than there was last year." A very clear and simple reading of the New South Wales State budget, comparing the money that is being spent this year with the money that was spent in the previous financial year, provides the analysis that the Government is spending less money in actual terms than it was spending in the previous year. No doubt the Minister in her contribution will say that the Government is increasing the budget.

Honourable members must understand that each year the department overspends the budget that it is allocated by Treasury. In the current financial year Treasury said, "We will not top you up again; we will make you find savings within your own budget." The money that the department has been given to spend in the current financial year is much less than the money that it actually spent last year, with Treasury demanding further cuts. That is why we have the policy—if it is a policy—of the Government tendering out group homes; something which has rightly enraged disabled people in the community because it was done without consultation, without discussion and without any regard for the individual need of people with disabilities to be accommodated in settings appropriate to their needs.

The Minister spoke about disability services and so on in the budget debate. We never knew that this was what the Government was proposing. In fact, during the whole of the election campaign in 1999 the Government never addressed disabilities, let alone disability accommodation. There was that famous occasion when the Premier actually had to leave a fund-raising function for the honourable member for Strathfield through a backdoor—through the kitchen—because he was too afraid or too ashamed to face people with disabilities who were waiting in wheelchairs at the front of the function and who wanted to ask him reasonable questions about why he was refusing to address their needs. Shame on the Premier for that! That betrays the real level of interest that the Premier has in people with disabilities in New South Wales.

As the group homes decision was a controversial one the Liberal-National Coalition referred it to the Legislative Council Standing Committee on Social Issues. I am pleased to say that the upper House agreed that the matter should be referred to the Standing Committee on Social Issues. That bipartisan committee of this Parliament brought down a report which condemned the Government's

process and many aspects of the process that led to the decision being made to tender out group homes. In particular, the committee noted the Treasury-driven reasons for moving to a significant change in policy. There has been no policy discussion and there is no accommodation plan for New South Wales. But the Government suddenly decided, because Treasury was forcing it to make cuts in its budget, to tender out the group homes.

I commend the report of the Standing Committee on Social Issues to all honourable members. That report expressed the dismay of all people in New South Wales about the process which had taken place. That committee recommended significant changes, significant improvements, to the process the Government is now going through to tender out these group homes. The Coalition endorses the changes recommended by the Standing Committee on Social Issues and calls on the Government to implement those changes.

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Not only is the Government not implementing changes; it is not responding to the report of the Standing Committee on Social Issues. This is an act of absolute arrogance by a government that thinks it can ignore the wishes of people with disabilities and the New South Wales Parliament, which, in a bipartisan committee, has recommended significant changes to the process that the Government is embarking on. People with disabilities in New South Wales, individually and in groups, have written to the Minister: no response. They have written to the Premier: no response. This is the same Premier who walked out of the back door rather than face people with disabilities during the election campaign. I read from a letter which was sent by Philip French to me and no doubt to other honourable members. He describes as overwhelming brutality the factors which motivate the Government's policy. He says it is cost cutting and cost shifting to the non-government sector. He has called for a five-year plan—a policy—to be put in place, with which I agree. That is the least we can expect from the Minister for Disability Services: a policy for the accommodation of people with disabilities in New South Wales. Let us look at the Minister's policy. The Minister has said that as part of her policy she will devolve people out of the large institutions within 12 years. In 1997 the performance audit report of the Auditor-General of New South Wales stated:

The report indicates that practices in both government and non-government centres fail to protect adequately the human and legal rights, safety and dignity of residents.

The Auditor-General's report continues:

The findings of this audit make it clear that the safety of people with an intellectual disability is jeopardised when living in institutions.

It states that the Government recognises that fact, that the Government should act urgently on its own plan to implement a 12-year devolution process. The Government is on the record as saying that it wants to close down the institutions because they are not appropriate to ensure a quality of life for people with disabilities. The 12-year plan is about 18 months through and not one person has been devolved to community care. It gets worse. Recently the Government introduced a three-year plan—first a 12-year plan and now a three-year plan. To take the two together, in the fifth year of the Government's 12-year plan 83 of the 2,500 people living in large institutions were being moved into community settings. That is one in 30. That is not only a disgrace, it represents a blight on the record of any government. A 12-year plan that is almost halfway through will see only one in 30 of the people needing to be moved into community accommodation actually moved. It has been described by the Community Services Commissioner as a process that probably amounts to devolution by death.

It is with great regret that we report the death of a boy last week in such an institution, a boy who should not have been there. In question time today I asked the Minister a question about that boy. His mother said she wants change to come out of the situation in which John Scott found himself. In the past few weeks on a daily basis the Minister's office has received faxes from the Hunter Disability Support Group begging her to find accommodation for that 13 year old boy. He was living in an institution with 400 adults, sharing a room with six to eight male and female adults, for 327 days. This was supposed to be emergency crisis accommodation. Twice during those 327 days the Department of Community Services [DOCS] asked the Government for money to accommodate this teenage Australian in an appropriate setting that would meet his needs. That young man with profound

disabilities, who was sharing a room with six to eight adults in an institution that housed 400 other adults, received only four hours per week. That is a disgrace. The Minister must now admit she is failing and she must expedite up the devolution process.

**Mrs LO PO'** (Penrith-Minister for Community Services, Minister for Ageing, Minister for Disability Services, and Minister for Women) [4.44 p.m.]: Talk about a disgrace! To get ready for this debate the Government visited the web site: Stephen O'Doherty, shadow community—that is all it says. There is only one mention of disabilities on his web site. Is it dated today or yesterday? No, it is dated 31 July 1999. To add insult to injury, it is so out of date it states, "Minister Faye Lo Po' is not attending the meeting." I was there. Do not tell me the honourable member has amnesia. He saw me there. Why does he not change his web site? He has so little interest in disabilities he has not visited the web site for almost a year. I move the following amendment to the motion:

That this House recognises the unique importance of members of the New South Wales community with disabilities; congratulates the Carr Government on its massive injection of funding since coming to government; censures the mean-spirited Howard Government for its failure to meet its responsibility for people with disabilities under the Commonwealth-State Disability Agreement; and calls upon the Opposition to release its policy on devolution immediately.

The Carr Government has an unprecedented commitment to people with a disability. Disability funding in New South Wales has increased 91 per cent in the past five years. Funding for the Ageing and Disability Department has increased by \$36 million this year alone, taking the total funding for dedicated disability services in New South Wales to a record \$741.6 million within the community services portfolio. Of course, other agencies receive funding as well. In fact, according to figures from the Australian Institute of Health and Welfare the rate of disability growth funding in New South Wales since 1995 has been 40 per cent higher than the average of all the other States and Territories. The Government has a serious commitment to devolution and expects the process, realistically, to take 12 years from when it was announced. I ask the honourable member what is the Opposition's policy—is it five years, five minutes? The honourable member does not know, because he does not have one.

Responsiveness and flexibility are the key components of devolution. The residents in DOCS centres, their families, guardians and personal advocates will be consulted first and their views about alternative accommodation arrangements will be considered first. This has to be, and will be, an incremental process which respects the unique needs of individuals, and those needs will be appraised before any decisions are made on the most appropriate form of accommodation and support. The department's Community Living Development Unit now has eight people dedicated to this work alone, and they are working in close co-operation with existing service providers. Despite assertions by some so-called advocacy groups, recurrent and capital funding is available for devolution, including some Commonwealth funds provided to the State Government under the Commonwealth-State Disability Agreement. Devolution projects have already begun this year with a mixture of DOCS and non-government facilities, including DOCS' Marsden Rehabilitation Centre and Gower Street Annex at the Grosvenor Centre, and the non-government sector's Cram House at Wollongong and Whitehall at Revesby.

We will continue to consult parents and carers on the best support options for their loved ones. As the advocates well know, in spite of their strident support for the closure of large residential institutions, there is a considerable degree of parental resistance to devolution. The parents are saying they do not want their children to go; the advocates are saying they know best. The Government has to work its way through that. It is a very heavy negotiation. The process of working through new, community-inclusive accommodation and support for people has to be very delicate and carried out with the utmost sensitivity. The Government has acknowledged the benefits of devolution and has committed itself to a program for change, but we want to take the families with us. The Coalition, in its election statement on disabilities, said:

The Coalition is committed to the devolution of institutions.

No timeframe is given. Is it three months, two days? The honourable member for Hornsby should just pick a number, because he has nothing going for him now. The election statement continued:

However the relocation of residents will involve the families and guardians of residents and will only occur when a guarantee of appropriate levels of care can be given to the families.

The Coalition committed words only—no real action plan and no real timetable. The honourable member for Hornsby should not give me grief about 12 years: He has not proposed any years, only a half-baked pledge to complete transition plans for children's services over a full term of four years, but no commitment to relocate. The devolution process is about remaining open-minded about the best models. Many advocates are blindly demanding the group home model over the heads of the people.

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The group home model is appropriate for some individuals but not for others. We need to be flexible to maximise opportunities for community inclusion and to satisfy the preferences of individuals. No one way is the right way or the wrong way. We must look at the support needs of every individual in the system, and in consultation with their families. This is this step that the advocates are missing. The honourable member for Hornsby has been seduced by the advocates. He is their captive. Every time he does something it is at the behest of the advocates. We must take into account family consultation, which the honourable member has not done.

**Mr O'Doherty:** Tell us about the family of John Scott.

**Mrs LO PO':** I can tell honourable members about the seduction of the honourable member for Hornsby. Our critics perhaps forget that since 1995 more than 500 people with disabilities have left institutional care arrangements. The 83 people due to move into community living by 2003 is a minimum figure, but we will be flexible enough to accommodate any acceleration of the process as more and more parents learn from the experience of those who have gone before them. This is not about the pace of change; it is about commitment to change. No-one can seriously question the Government's determination to ensure that people with disabilities are living in the best possible environments.

The pace of change is being deliberately set by the very people who are directly involved in the process. The Government does not agree with the advocates, but I know that they will be the first people to accuse the Government of not being flexible enough if it accommodates their demands for a detailed 12-year plan. Some people in the disability sector have criticised the Government over the process of calling for EIOs for the operation of group homes for people with disabilities. The upper House inquiry into the Government's commitment to improve services for Department of Community Services group homes residents has acknowledged the potential value of the Government's plans.

**Mr O'Doherty:** What is the Minister's response to the report?

**Mrs LO PO':** I turn now to the Federal Government.

**Mr Ashton:** It would be helpful if the Federal Government gave us some money.

**Mrs LO PO':** As the honourable member for East Hills says, it would be helpful if the Federal Government gave us some money. In short, the Carr Government has spent, and will continue to spend, larger amounts of money on disability services than any New South Wales government has ever invested before. In 1997 the Australian Institute of Health and Welfare estimated that addressing the unmet need for disability services would require recurrent funding of \$293.8 million across the country, \$100 million of which would be for New South Wales. After vigorously pursuing negotiations with the Commonwealth in relation to our shared responsibility for addressing this need, I can advise honourable members that in late December I accepted the Commonwealth offer to provide an extra \$50 million over two years. This new allocation of Commonwealth funds will be used to provide additional services to people with long-term disabilities and their carers who are aged. It will be used to purchase respite and in-homes support services from 1 July this year — a date that has been set by the Commonwealth Government.

Work will also start on the new Commonwealth-State Disability Agreement in the middle of this year so that a genuinely joint approach to funding can be bedded down after the expiry of the current agreement in 2002. The honourable member for Hornsby said with great pride that the Coalition Government had sorted this out. He got rolled. His government was so dumb it got rolled by a too-clever Labor Government in Canberra. He got duded. The Federal Government underfunded the Coalition Government and it is underfunding me. If the honourable member had been half smart—not even totally smart; just half smart—the government of the day would have said that if the Federal

Government was palming off its responsibilities to the States it must provide proper funding. The Coalition Government was sold a pup, and I am still paying for it.

The Government is not simply spending more money; it is spending money more creatively in ways that will make a difference to the lives of people with disabilities and their families and carers. An example of such innovation is our local co-ordination teams. We are not walking away from our responsibilities. It is hypocritical for the honourable member for Hornsby to suggest that we are not doing anything when he has not visited his own web site for six months. It is appalling.

**Ms SEATON** (Southern Highlands) [4.54 p.m.]: I commend the honourable member for Hornsby for raising this important issue. One issue in my electorate has received no attention from the Minister for three years. I am glad to have the chance to speak on behalf of people with disabilities in my community, particularly the young children who have been without a physiotherapist for three years. I am disappointed that the Minister has mouthed words of support but refused to put words into action in the case of children and adults with disabilities in my area who depend on the services of a Department of Community Services physiotherapist. We have had no physiotherapist for three years.

I refer to Tangara Public School at Mittagong, which relies on the services of a physiotherapist provided by DOCS for its 26 students and various other people in the community. At Tangara Public School there are 26 children whose disabilities range from cerebral palsy to Down syndrome, and some of them have multiple disabilities. Three years ago Tangara Public School had a full-time physiotherapist employed by DOCS. One child whose family is happy that I raise his case is Michael Sewell, because it is important, firstly, to focus the Minister's attention on this case and, secondly, to get her to do what she has failed to do for the past three years, which is to act in this case.

Three years ago Michael was making great progress. As a young child he was just managing with the help of physiotherapy to get out of a wheelchair. For the first time in his life he was mobile in a walker. Imagine the optimism of Michael and his family when he made that great step. For the first time he and his family could see that he had a future out of a wheelchair. People with disabilities and their families know that mobility is one of the most important and precious steps that can be gained. The prospect of mobility for a lifetime was a real possibility for Michael.

However, three years ago the full-time physiotherapist retired and DOCS was unable to provide a permanent replacement. We then had the services of a physiotherapist hired on contract. The woman was employed as a physiotherapist at Bowral hospital and in her spare time was providing contracted services to Tangara school. Apparently, according to DOCS, the cost of that contract ate up all of the full-time salary equivalent in about six months. However, after speaking to people about the actual money paid for the contracted services, it was found that the amount was nowhere near the full-time equivalent salary.

I have been told—and I have raised it in this place—that the money would still be available for physiotherapy services. I would like to know where that excess has gone. We then made inquiries to local DOCS staff, who told us that they could not find anyone willing to apply for and take on the job. About October last year I was told that someone from Malaysia had applied for the job but that there were visa difficulties which DOCS was unable to resolve or unwilling to put the effort into resolving. So that prospect disappeared.

Around this time Michael's mother told me some very concerning news, that is, as a result of the lack of full-time physiotherapy Michael was going backwards; he was regressing and his muscles were freezing up. I then wrote to the Minister for Community Services asking her to give urgent attention to this issue. On 19 November last year I wrote to the Minister saying that we had been without physiotherapy services for two years. I received more responses from DOCS stating how hard it was to find a physiotherapist. I am afraid that I am not interested in excuses. Physiotherapy services from either the private sector or the health sector need to be made available to these children.

I was also told that apparently someone was interested in an interdepartmental transfer out of DOCS and into this position, but the person withdrew his candidacy as a result of frustration with the system and with the prospect of DOCS as a potential employer. The person threw up his hands and walked away. So after three years we still for not have a full-time physiotherapist for the 26 children with disabilities at Tangara Public School. Jeannie Sewell has put up with this situation for three

years. She has taken her child, at her own expense, to private services, but she cannot continue to do that forever. Nor can other families continue to do it forever. As Jeannie says, parents desperately need a resolution to the problem. They need a full-time physiotherapist at Tangara Public School. I call on the Minister to resolve the matter now.

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**Mrs BEAMER** (Mulgoa) [4.59 p.m.]: I am intrigued and amazed that this sort of motion would be brought before the House on the first day of the resumption of Parliament. The Carr Labor Government is the only government in Australia that has increased funding for this department by 40 per cent. In the last year alone it allocated an additional \$36.4 million to a program in the ageing and disability portfolio, which now receives more than \$741 million in government funding. Slamming this Government for its lack of resources is probably one of the strangest things that the Coalition has done.

I would take the Minister to task on one thing. She said that she could not find a Liberal Party policy on disabilities. Just recently one such policy was announced by the Federal Government, and that is that people with disabilities should find jobs and work. That is the policy that the Federal Government has come up with and the one that the Federal Government thinks will work—that is, "We will make them go out to work." If that is an illustration of the kind of policy that the Liberal Party has, I hope it never has the opportunity to implement a policy in New South Wales as the government. I am sure people with disabilities would agree that the Liberal Party's lack of policies in this area is appalling.

I should like to refer to two issues concerning this Government and the way in which it deals with disabilities. One of the issues that was brought to my attention early in my career as a member of Parliament was respite care. Respite care is probably one of the best things we can do for people with disabilities. It means that they are able to remain in a home environment but that carers are provided with the kind of break they need.

In this budget alone the Labor Government is injecting an additional \$3.5 million in recurrent funding into new respite services. That means we will have more troops on the ground and more offers of respite. Respite will be offered in a flexible way, so that it is a mixture of in-home and out-of-home respite and weekends away; and centre-based respite, including 24-hour out-of-home care and overnight stays. Above all, the services will provide support that is tailored to the needs of the person with a disability and his or her family or carer, and will help to support and maintain the relationship. This respite will be planned support and one part of a total, co-ordinated range of support for people with disabilities.

As we have said, respite is probably one part of a very important cog of helping people with disabilities. An additional \$3.5 million in recurrent funding for this budget means that we will allow more people to have access to respite care. The Ageing and Disability Department has advertised in local areas that funds are available for increased respite services. The Government is calling on interested service providers to come forward and lodge expressions of interest to provide those services. The need for increased respite throughout New South Wales has been identified by the Ageing and Disability Department as part of its planning process. The Ageing and Disability Department has responded well to service provision issues arising for people with longstanding disabilities as they become older.

Another issue I would like to refer to is carers and the way in which they receive additional support from the Carr Labor Government. One in eight people in New South Wales, or about 800,000 people, are carers. To enhance our support, the Government is providing an additional \$12.9 million over four years for carers. This money will be used to provide additional services for carers, strengthen existing measures to support carers, and promote the broader community's support for carers. Let us contrast that with a Liberal Party that has that one policy: Let us put people with disabilities out to work. That contrast is very clear. It is a policy of a government that cares—not of an Opposition that might have just stumbled on people with disabilities and decided that it will take up the issue. [Time expired]

**Mr ROZZOLI** (Hawkesbury) [5.04 p.m.]: I would be the first to admit that traditionally New South Wales governments have not treated people with disabilities very well. That is an indictment I would place on both sides of politics. I admit that the catch-up time to a point where there

is a correct balance in the budgetary amount for people with disabilities as against other government services is a long haul. The theoretical claptrap that has come from the Minister for Community Services, Minister for Ageing, Minister for Disability Services, and Minister for Women and the honourable member for Mulgoa today is incredible. I do not think they ever go out and mix with people who have disabilities or their carers.

**Mrs Beamer:** You have not gone outside your electoral office.

**Mr ROZZOLI:** Not only do I as a member of Parliament support disability groups by representations but I also work at the coalface with a number of organisations that deliver care to people with disabilities. I can assure the Minister that her name, the name of her department and the name of her departmental head are muddled by most people in the disability area. I separate the people at the top of the department from the poor beggars, like me, who are down at the coalface trying to work for people with disabilities. However, the people at the top are completely out of touch with the reality of what is happening with people with disabilities. Many of the Minister's senior officers tell lies to people in disability services. They say one thing, and they do the opposite. The Minister's department at its head has no credibility. Those who are at the coalface working for people with disabilities have no confidence that the Minister is capable of delivering anything. If there is this money floating around in the Minister's budget, I can assure her it is not getting to the people who need it.

Before I came into the Chamber I was writing a letter to the Premier, on behalf of the Australian Services Union of Australia, imploring him to recognise that when the Industrial Relations Commission hands down its award—which will hopefully be fairly soon—granting an increase in wages to people who work in the disability area for non-government organisations, the Government will automatically fund the necessary amount to cover those wage increases. If the Minister does not do that, she will further cut services in areas that are now desperately on their knees in relation to the provision of services for people with disabilities. The Minister's department is a disgrace. It is an absolute disgrace for the Minister's once-proud Labor Party, with a so-called social conscience, to say in this Parliament that they are interested in, they cared for and they recognise the unique importance of members of the New South Wales community with disabilities. The Minister does not get out there and listen to the people with disabilities, their carers and the organisations that support them

**Mrs Lo Po':** Why don't you tell them that?

**Mr ROZZOLI:** I do mix with them, and they tell me that time and again the Minister or her departmental officers in senior positions promise to turn up but never do. If they do turn up, they talk platitudes that are fraught with absolute nonsense. They are so far divorced from reality that the people have absolutely no confidence in the Minister's department to deliver anything. If the Minister is to make one gesture today in this debate that she cares about people with disabilities, she will give a guarantee that when the award is handed down by the Industrial Relations Commission granting a very justified increase in the wages of people who work in that area, it will be at least one gesture that will help to support the level of services which is already desperately low. If the Minister does not do that, she will be visiting upon those services an immediate cut in those services

**Mrs Lo Po':** They have not even been to the courts yet.

**Mr ROZZOLI:** They are at the courts now. I am responding to correspondence from the Australian Services Union imploring me to take up the matter with the Government on its behalf and to seek a guarantee. All the Minister needs to say is, "Yes, we will meet the matters set out in the award."

**Mrs Lo Po':** That would be smart.

**Mr ROZZOLI:** You must do it; otherwise you would be cutting services.

[*Interruption*]

I ask the Minister not to interrupt; she will have her chance to contribute to the debate. If the Minister does not give that guarantee she will be cutting services and will be sending a message to the

people in those areas that she does not care about them, that she does not care about the workers who are already overworked and underpaid and who deserve a pay increase more than any other sector in the community because they are under stress, they are working longer hours, and they are working overtime at their own expense. The Minister is a disgrace. [*Time expired.*]

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**Mr O'DOHERTY** (Hornsby) [5.09 p.m.]: I thank all honourable members who participated in this debate, particularly the honourable member for Southern Highlands who on many occasions has raised with me and with the Minister the provision of therapy services at the Tangara Public School. The situation at Tangara Public School represents a snapshot of people who are suffering at the hands of a government that cannot provide the services that those people need just to live and learn every single day. The impact on the lives of the children who will not be able to obtain therapy services at Tangara will be immense compared with the benefit that they could derive through the immediate provision of services by the Government. I implore the Minister to take seriously the representations that have been made by my colleague and provide therapy services as a matter of absolute urgency.

I thank the honourable member for Hawkesbury for raising the issue of the award. As the honourable member rightly said, when the award is handed down in the very near future, a significant increase will be granted to the workers, which is as it should be. But because the Government will not commit to providing additional funding to the community organisations involved, inevitably a cut in services will occur. That will happen as a direct consequence of this Government never having been prepared to agree to fund an increase in the award. If the Government does not do so, then who will? Whose responsibility is it? It is the Government's responsibility and no-one else's. It is the responsibility of the Minister for Community Services to obtain additional funding if not to increase then at least to maintain the services currently provided, and to meet its responsibilities when the increase in the award is handed down.

During this debate, members of the Opposition received no answers from the Minister. There was no answer from the Minister in relation to the award, and there was no response from the Minister to the report of the Standing Committee on Social Issues. The Premier has made no statement and although the Minister had a chance to make a statement today, she has not done so, which will be a matter of profound regret to disabled people who read this debate in *Hansard* tomorrow. Moreover, there has been no commitment to change to the devolution process. I remind the House that in this, the fifth year of the Minister's 12-year plan, only 83 out of 2,500 disabled people have been moved out of institutions, which is fewer than one person in 30 almost halfway through the program. To provide for the other 2,400 people, the Minister will have to provide a very great escalation in funding. The reality is that this Government does not have the courage to make a financial commitment and to take the necessary steps necessary to hurry the process along.

I endorse the Law Reform Commission's statement about the process of implementation of the plan. The commission said that it should be a fast process; that there should be a clear set of priorities about the people who are to be devolved first; and that the first priority ought to be children. I cite the example of 13-year-old John Scott who died on the eve of his fourteenth birthday at Stockton in an adult institution where he had been living for 327 days. Because the Minister for Community Services was either unable or unwilling to advance the funds necessary for a young person to receive appropriate care in the community, every day after school that 13-year-old boy came back to a ward that he shared with six to eight men and women. His weekends were taken up in part with the four hours extra funding per week that the Government agreed to provide to Stockton to look after such a young man who had a severe disability. That was a profound tragedy, and it is not the only profound tragedy.

I highlight that case because it points out that currently other people are going through exactly the same problem. Every day they write to their local members to plead with the Minister to advance funding so that they can have the quality of life to which the New South Wales Government pays lip-service by its continued references to the Disability Services Act. The Minister has made no response to the problem of unmet need. I am indebted to people with disabilities with whom I was able to speak in the corridor outside the Chamber a short time ago. A number of disabled people are visiting the Parliament today, and I thank them for doing so. Their visit reminds the Government that,



as citizens of New South Wales, they deserve and require all the support and attention that the Government might deem to give to its more important political priorities, such as building design, which the Premier seems to think is a priority of far greater importance than speaking to people who have disabilities.

I am indebted to the disabled people who are visiting Parliament today for pointing out among other things that the New South Wales budget is in surplus. As recently as half an hour ago, someone said that if that the Government cannot now afford better services for New South Wales' citizens in most need, then when will it be able to do so? The Minister has told members of the Opposition that the people of New South Wales have never had it so good, so why are financial resources not being expended to provide services for people who require them? There is an urgent need and the Government should stop talking about the provision of services and start providing them.

**Question—That the amendment be agreed to—put.**

**The House divided.**

**Ayes, 50**

Ms Allan	Mr Markham
Mr Amery	Mr Martin
Ms Andrews	Ms Meagher
Mr Aquilina	Ms Megarrity
Mr Ashton	Mr Mills
Mr Bartlett	Mr Moss
Ms Beamer	Mr Nagle
Mr Black	Mr Newell
Mr Brown	Ms Nori
Miss Burton	Mr Orkopoulos
Mr Campbell	Mr E. T. Page
Mr Collier	Dr Refshauge
Mr Crittenden	Ms Saliba
Mr Debus	Mr Scully
Mr Face	Mr W. D. Smith
Mr Gaudry	Mr Stewart
Mr Gibson	Mr Tripodi
Mr Greene	Mr Watkins
Mrs Grusovin	Mr Whelan
Ms Harrison	Mr Woods
Mr Hickey	
Mr Hunter	<i>Tellers,</i>
Mr Iemma	Mr Anderson
Mr Knight	Mr Thompson
Mrs Lo Po'	
Mr Lynch	
Mr McBride	
Mr McManus	

**Noes, 36**

Mr Armstrong	Mr Piccoli
Mr Barr	Mr Richardson

Mr Brogden	Mr Rozzoli
Mrs Chikarovski	Ms Seaton
Mr Collins	Mrs Skinner
Mr Debnam	Mr Slack-Smith
Mr George	Mr Souris
Mr Hartcher	Mr Stoner
Ms Hodgkinson	Mr Tink
Mr Humpherson	Mr Torbay
Dr Kernohan	Mr J. H. Turner
Mr Kerr	Mr R. W. Turner
Mr McGrane	Mr Webb
Mr Maguire	Mr Windsor
Mr Merton	
Ms Moore	<i>Tellers,</i>
Mr Oakeshott	Mr Fraser
Mr O'Doherty	Mr R. H. L. Smith
Mr O'Farrell	
Mr D. L. Page	

### Pairs

Mr Knowles	Mr Glachan
Mr Murray	Mr Hazzard

**Question resolved in the affirmative.**

**Amendment agreed to.**

**Motion as amended agreed to.**

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## BUSINESS OF THE HOUSE

### Matter of Public Importance

**Mr WHELAN** (Strathfield-Minister for Police) [5.23 p.m.]: I move:

That standing and sessional orders be suspended to postpone consideration of the matter of public importance for today's sitting until 10 a.m. tomorrow.

**Mr HARTCHER** (Gosford) [5.24 p.m.]: I acknowledge the Government's new-found co-operation, and express the hope that it lasts for more than one day. I also hope that parliamentary debate will be conducted in a civilised fashion throughout the rest of this year, that Parliament will sit for the scheduled time of 61 days as promised by the Leader of the House and that the program will not be varied or cancelled during the last few sitting days for the year.

**Mr Whelan:** Just make sure your people are here.

**Mr HARTCHER:** We will make sure that all our people are here. We just wonder how many Government members will be here. We expect that there will be allowance for question time and answers to questions in that period. We are happy for the matter of public importance to be deferred until tomorrow on an undertaking from the Minister that a matter of public importance will also be debated tomorrow afternoon .

**Mr Whelan:** Yes.

**Mr HARTCHER:** On that assurance and on the assurance that Parliament will be conducted in a civilised fashion for which the honourable member for Bligh has fought for so long, the Opposition supports the motion.

**Motion agreed to.**

## PRIVATE MEMBERS' STATEMENTS

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### MAIN STREET, BLACKTOWN

**Mr GIBSON** (Blacktown) [5.26 P.M.]: Tonight I raise an issue of concern to many people living in the electorate of Blacktown. When I was elected as member for Blacktown, the behaviour of people in Main Street Blacktown was a major problem. Twelve months ago a lot of drinking took place in Main Street. In front of virtually every second shop somebody stood with a bottle in their hand, drug running occurred and drugs were being taken. The community decided to see what could be done about the problem. I pay tribute to the local police and Blacktown City Council who have done a great job in cleaning up Main Street somewhat. I am not suggesting that we have solved the problem but we have moved it away from Main Street. Now we face another problem, a proposal to build a tavern at 45 Main Street in the old medical centre, virtually next door to the railway station. If the proposal were to go ahead it would be a cause of grave concern to the residents of Blacktown. To begin with, there are no parking facilities in that area. More than 1,000 poker machines are currently available for use within a radius of one kilometre of my office at Blacktown and the proposed tavern would create utter chaos.

Mullane Planning Consultation, the applicants for the tavern, submitted an application which was quite rightly rejected by Blacktown council because the proposal, if passed, would not have provided a net gain to the community. Mullane Planning Consultation then applied to the Land and Environment Court. The Land and Environment Court delivered an extempore judgment upholding the appeal and granted conditional approval for a tavern bistro with a maximum of 30 gaming machines on the site of the former medical centre.

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Council, of course, still opposes it. I had outside my office a few weeks ago a public meeting that was attended by just about every shopkeeper in Blacktown. Local police, church leaders and citizens also attended the meeting. The voice of the meeting was unanimous: no section of the community wants this tavern built in that particular area of Blacktown. The proposed legislation announced last week by the Premier gives great heart to the people of Blacktown, particularly as that legislation, which is to come before the House later this week, will provide that an application for a new licence or transfer of a licence from the country must be the subject of a social impact assessment. The applicant will have to prove the need for such a business, such as the one proposed for Blacktown.

The legislation will be based on the premise that if no net benefit accrues to the community, then the application will be unsuccessful. I support that legislation. I look forward to it being presented in this Chamber as soon as possible. Centacare, a Catholic family services organisation, in the past six months has had to double the number of gambling councillors it has in the area. The Catholic Church, along with every other church in the area, is very concerned about the increase in the number of gaming machines being introduced in Blacktown. I repeat, more than a thousand of these machines are within a kilometre of my office.

This tavern licence is unlike most other licences. A hotel must provide a certain number of parking spaces and satisfy a number of other criteria. But the proposal for the tavern does not have to take into account any such matters. One of the main problems that Blacktown has, particularly in its central business district, relates to parking. Current parking is for only half an hour, which may be sufficient to go to a chemist, butcher, et cetera, but if the tavern were to be built not only would there be more family disruption related to gambling problems, but the available parking spaces would be taken up by those attending the tavern, and that would be detrimental to the electorate.

**Mr FACE** (Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [5.31 p.m.]: I can understand why the honourable member for Londonderry has raised the matter in the House this evening. The Government has focused on the gaming entitlements of hotels and the need for the wider social impacts to be taken into account when decisions are made whether or not to allow new developments. I can advise honourable members that hotels that wish to relocate to take advantage of gaming will no longer have the virtually automatic right that they currently have to introduce new machines. Hotels will not be allowed to operate gaming machines in retail shopping centres.

Hotel applicants will also have to pass the additional test of a social impact assessment. This will require the hotel to submit a report addressing the economic and social impact of the proposal on the wellbeing of the community in which the premises are located, and to detail the net economic and social benefit to accrue to the community. The social impact assessment report must also detail the outcome of consultation with the local council, relevant government agencies, and interested community groups. In the past, local councils tried to abrogate their responsibilities by claiming that it was all the Government's fault. The Liquor Administration Board must consider the report before a final decision on the application is made.

I have made it quite clear several times when speaking in this House, and also when amending legislation to overcome the efforts of some people to circumvent the spirit of existing laws by setting up gaming taverns, that the industry must be responsible in its approach to gambling. That is why the Government introduced harm minimisation legislation into this Parliament. This is yet another step in that direction. I remind licensees, regardless of who they are, whether they be conducting hotels, clubs, bottle shops or restaurants, that a licence is a privilege, not a right. The licensees have a lot of responsibilities attached to their licences. There will be no exception to the rule in this situation. The legislation will be introduced into this Parliament.

### **BEECROFT TELECOMMUNICATIONS TOWER**

**Mr TINK** (Epping) [5.33 p.m.]: I wish to raise a concern shared by a number of my constituents about a proposed telecommunications tower in Beecroft on land owned by the State Rail Authority. In 1997 the Federal Government passed on to the States and Territories powers to give approval for this sort of telecommunications infrastructure under their planning laws. As a result, in New South Wales, the local government authorities have primary responsibility for considering such applications.

Hornsby Council currently has before it an application for a significant telecommunications tower in The Crescent, Beecroft, on land that is owned by the State Rail Authority. The applicant, Cellsites International, already has created a great deal of interest. Three petitions, containing 441, 150 and six names respectively, have been prepared objecting to the proposal. Further, last night well over 100 people met in Beecroft to express concern about the proposal. Hornsby Council, like many other councils in this State, now has a firm policy on telecommunications tower equipment. The general rule—emerging from a Local Government Association resolution passed a couple of years ago, I believe—seems to be that such towers must be a minimum distance of 300 metres from facilities, houses, schools, places of worship and the like.

In relation to the Beecroft tower proposal, the setback to the nearest dwelling is only 80 metres, as distinct from 300 metres. Beecroft Primary School, a very large public school, also is within a 300-metre radius of the proposed tower. Further, approximately 140 residential allotments are within the 300-metre radius. Whilst 300 metres may be the council's policy, I note that the Minister for Education and Training stated in the Parliament on 22 October 1997, in response to a private member's statement by the honourable member for Liverpool, that as far as the State Government is concerned the minimum distance should be a radius of 500 metres. I will read briefly to the House from what the Minister said:

The Department of School Education objects to the installation of mobile phone towers near schools, and that normally means within a radius of 500 metres. This objection is based on a policy of prudent avoidance.

The reasons that I raise the matter tonight are twofold. I would like, to draw the attention of the Minister for Education and Training to the fact that a facility is proposed within 300 metres of one of

his schools; but, more particularly, I wish to bring this matter to the attention of the Minister for Transport. I understand that that Minister has a fair bit on his mind at the moment, but I did indicate to him that I would be making the statement tonight. I do so on the basis that the State Rail Authority, which is under the Minister's control and direction, is the owner of the subject land.

My specific request of the Minister for Transport is that he see to it that the State Rail Authority, as the owner of this land, withdraws its consent to the applicant Cellsites International to put this facility on this land. I ask the Minister for Transport, when making the decision that I would like him to make, to have full regard to the comments of his ministerial colleague the Minister for Education and Training, who has said that 500 metres should be the minimum distance of such a tower from a nearby school.

If the Minister for Education and Training has set that distance and this proposal—which, if it goes ahead, would be on land owned by the State Rail Authority—is a mere 300 metres from Beecroft Public School, I think the fair thing is to have the State Rail Authority withdraw its consent to this proposal. The policy is, as the Minister for Education and Training has said, based on prudent avoidance. The distance involved here is only slightly more than half the recommended distance. I think it is quite appropriate in the circumstances that the Minister for Transport be requested to withdraw approval for the application going ahead. As I have said, Beecroft Public School is a large public school and the issue is of great concern to the school community. It is also of concern to the wider community that under council's policy 140 residences are clearly affected. We all believe that this application should be withdrawn and that the Ministers should address it. [*Time expired.*]

**Ms NORI** (Port Jackson—Minister for Small Business, and Minister for Tourism) [5.39 p.m.]: I undertake to bring the honourable member's speech to the attention of the Minister for Education and Training and the Minister for Transport. I am almost inclined to draw it to the attention of the Minister for Planning.

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Loq: Nori

Using my experience as a local member, I am able to say that it sometimes helps if the community and the applicant get together to explore the possibility of an alternative site. Whilst I can understand the concerns of the community, the very people who are concerned about the location of this tower will at some stage be using mobile phones and will want the benefit of this tower. So, as always, the problem is ensuring that both needs are met. I commend the honourable member for his contribution and I will ensure that the appropriate Ministers receive a copy of it.

#### **KORRONGULLA COPPER SLAG EMPLACEMENT**

**Mr MARKHAM** (Wollongong—Parliamentary Secretary) [5.40 p.m.]: I bring to the attention of the Parliament an issue concerning the Korrongulla emplacement site at Primbee. Yesterday I received a deputation from Brian Gilgannen, President, and Norm and Jean Bell, members of the Primbee Residents Committee. The community is concerned about the adverse impact that the dumping of copper slag will have on the adjacent wetland and on Lake Illawarra. There is also grave concern about the effect of numerous truck movements on residents and the subsequent noise, dust and traffic problems. For the next 10 years there will be 35 to 40 truck movements every day, which equates to one truck every 15 minutes. These truck movements will be from 7.00 a.m. to 5.00 p.m., Monday to Friday, and from 7.00 a.m. to 1.00 p.m. on Saturdays. A bulldozer and a front-end loader will also operate between those hours, so there will be considerable noise and dust from trucks and machinery over the next 10 years.

Over 540 people have signed letters addressed to Bob Carr, the Premier, and Bob Debus, the Minister for the Environment. Today I delivered those 540-odd letters to the Premier and to the Minister, which show the mounting community concern against this project. Residents are requesting that an alternative dump site be found immediately, due to the impact on the environment and their quality of life. It is not fair to residents of Port Kembla and Primbee that they should be subjected to such heavy truck movements and associated traffic problems from trucks turning off and entering Primbee bypass. The Korrongulla wetland comprises eight hectares owned by Wollongong City Council and it is classified as an annex to the Wollongong Botanic Gardens. Previous owners of the

smelter, Southern Copper, owned 21 hectares adjacent to this wetland area. In 1985 they commenced using this land as a dump and mining site.

With the recommissioning of the smelter this land has passed into the ownership of Port Kembla Copper [PKC]. The Illawarra Catchment Committee says that Southern Copper previously breached 22 conditions of consent granted by the Land and Environment Court without penalty. Those breaches included a failure to properly investigate alternative dump sites, a failure to conduct weekly monitoring of water, the dumping of materials other than copper slag, the removal of 800,000 tonnes of sand resulting in the instability of nearby land, and a lack of restitution to damaged houses and land. Water-borne heavy metals continually discharge into Lake Illawarra from the Nicolle Street drain. The council and the Lake Illawarra Authority have spent millions on lake foreshore improvements. Wollongong City Council has passed the matter on to the Environment Protection Authority [EPA] as it is responsible for issuing the licence to Port Kembla Copper.

The previous owner of the smelter, Southern Copper, committed multiple breaches of its licence conditions and residents do not believe that anything will be different with PKC, especially when one takes into consideration that the licence allows for PKC's environmental performance to be self-monitoring. The Korrongulla wetland is the last wetland on the Windang peninsula. Many rare and endangered species of wildlife live in this wetland area. In all 1.7 million tonnes of copper slag will be dumped adjacent to the wetland. It is imperative that an alternative site be found within the Port Kembla industrial area to dispose of this waste. Some weeks ago I attended a meeting on this very issue. There was and is real concern amongst the community about this proposal. The community is asking—and I think this is a reasonable request—the operators to find another site to dump this slag which is away from the residential areas of Port Kembla and Primbee, through which these trucks happen to move, and to look at an area within the Port Kembla industrial complex. In addition to the 540-odd letters I received, which were addressed to me and which went to the Premier and the Minister, I received another letter, which states in part:

Dear Mr Markham

RE—Dumping of copper slag at Korrongulla emplacement site Primbee.

The letter then states:

We reiterate that it is totally unacceptable for Port Kembla Copper to dump its copper slag at the Korrongulla site. The Environment Protection Authority are on record as saying that:-

- they agree with our concerns
- they think that the Primbee site is inappropriate
- today there is no way that approval would be given for the dumping of 1.7 million tonnes of copper slag at such an environmentally sensitive location.

Port Kembla Copper must find an alternative dump site immediately. We hope you will further support our cause by undertaking our request.

Yours sincerely,

Marina Colozzi  
Secretary

That letter was dated 31 March this year. [*Time expired.*]

**Mr DEBUS** (Blue Mountains-Minister for the Environment, Minister for Emergency Services, Minister for Corrective Services, and Minister Assisting the Premier on the Arts) [5.45 p.m.]: I commend the honourable member for Wollongong for his assiduous representations on this issue and acknowledge the fact that today he delivered to me a large number of letters from concerned citizens. Development consent for slag emplacement at Korrongulla was approved in 1985 by the Land and Environment Court. Copper slag was emplaced into the void created by sand extraction activities. In April 1995 the report of the commission of inquiry into the upgrade of the copper smelter accepted that the development consent issued by the Land and Environment Court [EPA] was still valid. In that circumstance the EPA acted to make the licence conditions as tough as possible.

These new conditions were introduced and the licence updated at the end of 1999. Port Kembla Copper must meet stringent requirements under the Protection of the Environment Operations Act to ensure that its activities on the Korrongulla site do not cause adverse environmental impacts. Under Port Kembla Copper's environment protection licence the company must not cause pollution of either surface or ground water adjacent to the site and to ensure that all slag emplaced at Korrongulla must pass a quality control program to ensure that it will not leach contaminants. As a further safety precaution the company has agreed to install a reactive limestone barrier to prevent the off-site migration of metals. A report providing details on how that will be done is to be submitted to the EPA by 30 September this year.

It is important to understand that the EPA has also placed a pollution reduction program on the company's licence requiring it to develop a strategy to minimise the copper slag going to Korrongulla and to explore alternative uses for the slag. The company must provide a report to the EPA on those alternatives by June 2001. To ensure the performance of all these controls the EPA is requiring an ongoing monitoring program for both surface and ground water. That information will be publicly available. The company is also being required to assess and review current monitoring that is under way and it must submit its assessment to the EPA by June this year. [*Time expired*].

### DEATH OF FLORIANO FRANCESCO VOLPATO

**Mr GEORGE** (Lismore) [5.48 p.m.]: Tonight I place on record that prominent and highly respected businessman Dr Floriano Volpato, who, at the age of 72, died on Thursday afternoon and was laid to rest today in Lismore. Dr Volpato was convalescing at home after surgery on his leg. He was taken by ambulance to Lismore Base Hospital, but he did not regain consciousness. Floriano was born at Arcole, Verona, on 17 September 1924. After completing high school he enrolled at the University of Venice. At this time World War II was reaching its final stages and Allied troops had started the invasion of the Italian peninsula. As a student he was recruited by the Republic of Salo to undergo an accelerated officer training course and he was sent to the front line with a special platoon. Floriano was caught by the Germans, tortured and held in gaol.

In spite of having no knowledge of English, Floriano decided to leave for the great adventure of his life in 1951, boarding the Greek ship *Cyrenia* to start a new beginning in Australia. When he arrived in Sydney he was so impressed with the city that he decided to stay here. After studying English for three months Floriano was able to speak the language well enough to make himself understood. He was able, therefore, to gain employment and he went to work in a sugar mill at Pymont. Floriano moved to Lismore and worked as a salesman for the Fiorelli company. He was very successful in Lismore and soon established his own business and assisted numerous members of the Italian community with the experience he had gained through study and as a professional man. He sat for his taxation law and practice examinations and became registered as a tax agent. Floriano conducted English classes for immigrants under the auspices of the Department of Education and Italian classes for businessmen and professionals alike.

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Floriano broadcast a radio program in Italian and English for almost 10 years in Lismore. He became an Italian consular agent, a justice of the peace, interpreter, real estate agent and travel agent. Floriano's son, Nicola, has now assumed the responsibility of consular agent. In developing his practice as a tax agent Floriano realised the opportunity to assist the Italian banana growers of the region. By preparing their tax returns he could ensure that the larger portion of the profits were retained by the middlemen such as agents, distributors, wholesalers and retailers. The consumers were paying good prices, but the returns to the growers were very poor. He finally convinced a group of growers to open their own ripening rooms in the regional centres and sell direct to retailers. Three co-operative societies were formed with groups from Lismore, Murwillumbah and Coffs Harbour. The operations were very successful and were eventually sold at a sizeable profit.

From the 1950s to the 1970s he helped set up the Continental Music, Sport and Recreation Club in Lismore and became president of the Lismore Lions Club. He also created the Summerland Travel organisation, which now has 20 offices Australia-wide. Floriano was instrumental in the creation of the Casino Hide Traders Tannery in conjunction with Northern Co-operative Meat Company. The tannery processes approximately 2,000 bovine hides per day and is considered to be most modern in Australia. The machinery and technology has been imported from Italy and most of

the hides are exported back to Italy. Floriano had a vision and a phenomenal determination. Nothing would hold him back in achieving his vision, and testimony of that is his leadership.

I believe his most satisfying achievement was the establishment of the New Italy Museum and Park of Peace Complex, which features the history of every region of Italy and incorporates his own art work. Casa Serana, a 10-unit retirement complex for Italian migrants, is further evidence of his vision. Floriano loved music and had a magnificent tenor voice. He received many awards, including the Medal of the Order of Australia in 1996, the National Australia Bank Ethnic Business Award for New South Wales and the Australian Capital Territory in 1996 and the Cavaliere Award in 1999. He leaves his wife, Flavia, and sons Luca, 36, and Nicola, 34. I say to the family that our prayers and thoughts are with you all.

**Ms NORI** (Port Jackson-Minister for Small Business, and Minister for Tourism) [5.51 p.m.]: I join the honourable member in expressing my condolences to the Volpato family. I did not have the privilege meeting Dr Volpato. However, his reputation precedes him. In many ways he symbolises the people of his generation: migrants who came out here in the 1950s. He provided many services to the community, as the honourable member mentioned. He established English classes for Italians and Italian classes for Australians; he was also a broadcaster. His generation valued being frugal and were hard-working but, more than that, they were determined to participate in, belong to and contribute to Australian society. It has been remiss of me when I have been in that part of the world that I have not yet, because of my busy schedule, been able to visit the New Italy Museum, but it will be high on my list of priorities for the next time I am there. Speaking as an Italian Australian, I know the Italian-Australian community will sorely miss the contribution made by Dr Volpato.

#### **PUBLIC SERVANTS**

**MR CAMPBELL** (Keira) [5.53 p.m.]: I take the opportunity this evening to encourage members and the community to value the role and contribution of public servants to the State. All too often public servants or bureaucrats are maligned in their efforts to implement the legislative decisions of this place and the policy position of the government. They do make mistakes and sometimes it seems to take forever to make a decision, but we should not forget we are talking about people who need to be encouraged and respected in their work. I raise this issue because of the many conversations I have had with members of the public service as I have taken up issues on behalf of individual constituents. It is an unfortunate reflection on our community that these individuals so often bear the brunt of personal verbal abuse by members of our community, often with language that would be considered unparliamentary and which I obviously will not repeat here.

I also raise the issue of respect for public servants because it has been a recurring theme in my discussions with teachers over several months. As the negotiations and industrial turmoil of the new award have unfolded over recent months I have met with many teachers, but the issue of the community value in teachers' contributions was really brought out in a meeting I had with staff of my old high school, Corrimal High School, and representatives of a number of its feeder schools on Tuesday 14 March. The frustration at barbs from the community about lazy teachers who work from 9.00 until 3.00 and have 11 weeks leave was particularly evident. I sought to reassure those teachers, as I have others—and I place it on the record in this place—that I do not subscribe to that view. I regard teachers as diligent individuals working in a difficult environment with insufficient resources and who should be valued by the community that entrusts its children to their influence, professionalism and care.

There were similar themes in discussions I had with representatives of TAFE staff from the Illawarra Institute of Technology on 24 March: concerns about the value of the individual as the institute changes its focus from some of the courses based on metal trades to many courses based on human services. Although all is not lost, I took the opportunity to inspect progress on the construction of the new \$12 million building trades complex at the Wollongong campus. Certainly our discussions were about much more than this lack of recognition, and I can say that many present did not like all that I had to say at these meetings. But I am confident that they took the view that someone was with them who supported public education, was interested in their professionalism and was prepared to be frank and honest with them as they presented their concerns and points of view. There was no glib telling them what they want to hear, a notion expressed by Ms Lee Rhiannon in a contribution in the



other place on 17 November 1999. Being part of government brings a responsibility for honesty rather than the quick political fix of Independents in the other place.

However, it was with a great deal of pride that I was able to point out in our discussion that expenditure on education in this State has increased by this Government by \$1,192 million to \$6.929 billion between 1995 and 1999-2000—a 22 per cent increase. We have also seen the recruitment of 2,205 extra teachers by the Carr Government, a fairly good recognition of public schools at a time when the Howard Federal Government is taking every opportunity to prop up expensive private schools to the detriment of public education. In my electorate there are 21 public primary and secondary schools with an enrolment of approximately 8,600 students, all of whom deserve a professional, accountable and consistent education. To ensure that that goal is achieved, I make the point now that I have made to the Minister and to many teachers and parents, both in conversation and in correspondence, individually and in groups, that there is a need for both parties to the award to negotiate in good faith. Through objective negotiation a settlement will be reached and then the challenge of building communication and confidence can follow. Through confidence and communication must come recognition of the value and status of teachers and public servants by and in our community.

### **GALSTON ROAD RUN-OFF**

**Mr O'DOHERTY** (Hornsby) [5.57 p.m.]: I take this opportunity to thank the Parliamentary Secretary for Roads, the honourable member for Cabramatta, who visited my electorate about three weeks ago at my invitation. The invitation had been extended many months earlier to the Minister for Roads for a site meeting regarding the problems of Galston Road. In the spirit of moving the issue forward I will not dwell on the length of time it took for the meeting to take place. Instead, I will thank the Parliamentary Secretary for attending, together with well in excess of 50 residents who took time out on Thursday morning to attend. The meeting was on 9 March, and I am raising the issue today as the Parliamentary Secretary undertook that within a month there would be an answer from the Minister for Roads to a request made at the meeting to have a working party established between the Roads and Traffic Authority, the local council and me representing the residents to try to move forward the issues regarding Galston Road. Those issues are complex and are well overdue to be solved. That month is up next week, and I take the opportunity to remind the Government of its undertaking to provide me with an answer for my constituents by next week.

Residents have had to put up with flooding from that road and many safety issues for a very long time. The problem is that the road is a State road and that leads to jurisdictional arguments between the council and the Government as to who is responsible for the water that flows off the road. I summed up the mood of the meeting on 9 March by saying that the responsibility for the water that falls from the sky and flows to the side of the road into the properties of my constituents—bringing with it road base, gravel, mud, and making the road unsafe—is clearly the responsibility of both the State Government and the council. It is no one else's responsibility to fix the problem, and that is the reason why we want those two authorities to work together to do so.

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Whether the funding arrangement ends up being 50:50, 60:40 or 70:30, those two bodies need to make a commitment to fix this road within a specified time frame. I urge the Government to agree to the establishment of a working party forthwith. Since that meeting residents have sent comments to me by email via my new Hornsby web site, the address of which, for the benefit of honourable members and constituents, is [stephenodoherty.net](http://stephenodoherty.net). It is an interesting web site. One resident stated:

I have to put up with a big pothole in front of my house. I have to put up with this problem for nearly 10 months and I'm just getting sick and tired of it ... [In] March ... it was raining very heavily and the road began to crack and then a big pothole was made and later on a small truck from Transfield maintenance came and patch the pothole now the hole has begun to open again ... we really are sick of shovelling mud and debris out of our properties after every rain shower.

Another resident stated:

Some of the current issues include: --

- . continuing problems with a blocked drain on Galston Road, causing water to block the shoulder...
- . water hazard for vehicles who use the shoulder of the road to negotiate vehicles turning right into Kookaburra Rd...
- . water still overflowing the bitumen ridge placed by RTA to simulate a kerb...

. shocking state of the shoulder near entrance to the properties and the general unkept condition of Galston Road.

Another resident stated:

I work on the local Safety House Committee—Galston Rd without a crossing is a problem ... yet it necessitates children crossing Galston Rd on their own—not a very safe practice...

For the benefit of honourable members, there is only one safe crossing for children in the vicinity of a significant public school. Two public schools are served by Galston road. We need more single wombat crossings, and attention must be given to that in the short term. Another resident stated:

We have been the residents of 36 Galston Road for 20 years and in that time the traffic volume has doubled.

Because of the amount of traffic, curb and guttering is long overdue. Curb and guttering will make the road much safer,

especially when turning into your driveway, but particularly in wet weather as the water rushes down the sides and onto the road making driving conditions extremely dangerous.

The rushing water also causes pot holes in our driveway making it very difficult to enter and exit the driveway. It also takes about 6 weeks to get a road crew out to repair the driveway gutter.

Many residents do not have any gutters. Another resident stated:

My predominate concern is safety due to speeding traffic. The presence of Police Radar is far too infrequent to deter speeding.

I pass on those comments to the Minister for Police. One resident wrote about suffering flooding to his property once or twice a year since moving there in January 1970. Constituents confront these genuine problems every day. I say again that State and local authorities together have a responsibility to fix the problem. I urge the Minister to give serious attention to my request for a working party and an answer by next week.

**Ms NORI** (Port Jackson-Minister for Small Business, and Minister for Tourism) [6.02 p.m.]: I commend the honourable member for Hornsby for expressing the concerns of his constituents. I will certainly convey the honourable member's gracious compliment to the Parliamentary Secretary Assisting the Minister for Transport, and Minister for Roads on matters concerning Roads. I am sure she will accept the compliment. I will also remind the parliamentary secretary of her undertaking to ensure that the constituents of Hornsby electorate receive an answer from the Minister regarding the possible establishment of a working party.

### NRMA DEMUTUALISATION

**Mr E. T. PAGE** (Coogee) [6.03 p.m.]: I raise the objections of people in my electorate to the demutualisation of the NRMA. This mutual initiated and fostered a major insurance company with Australia's largest comprehensive motor vehicle insurance cover. It started 75 years ago, in 1925. There is a belief among those who wish to flog off community or public assets that somehow or other mutualisation cannot continue. However, mutualisation formed the insurance giant that exists now, so there is no reason to believe that it could not continue to carry out the job efficiently.

We are used to conflicts on the board—these things happen reasonably regularly in public companies—but we are now seeing the splitting up of the Members First Group. First there was the Anne Keating split. Now Mr Stuart Geeson has said that he is not happy with the role the chairman has taken in terms of the board's problems. It is his role to fix the problems; it is not anyone else's role. If he has a personality problem with anyone on the board, he should meet that person separately and try to sort it out. However, there is no evidence of that happening. There are arguments at board meetings all the time. One wonders whether the inmates are running the asylum.

The chairman, contrary to his previous position, wants to sell off a community-based organisation, and we are paying more than \$500,000 a year while he is doing that. Apparently, he does not have board approval for him and his wife to attend the World Economic Forum in Davos, Switzerland. Recently, the board considered the appointment of a firm to promote the demutualisation. The firm recommended by the NRMA administration was the reputable Singleton, Ogilvy and Mather, with an offer of \$2.2 million.

The Whitlam faction, by a vote of five to four, without explanation, selected Saatchi and Saatchi, which equated to \$3.7 million—a difference on the wrong side of the ledger of \$1.5 million. It should be noted that Saatchi and Saatchi has been a contract company of the NRMA from 1998 until the present time, but that did not affect the administration's recommendation of the other company. As it turns out, Saatchi and Saatchi also undertook the public relations work for Whitlam's Members First Group in the lead-up to the last election, and the estimated cost of that was \$430,000. Apparently that money has never been paid.

There is a belief that awarding this demutualisation contract at the inflated value of \$3.7 million is a way to offset the debt of \$430,000. The Federal Corporations Law requires the disclosure of any financial dealings when major contracts are let by a company. In this case no such declaration was made to the NRMA by Nick Whitlam or any other members of the Members First Group. At the meeting last Thursday the board carried a resolution that there be no scrutineers during the counting of the ballot. As someone who has been involved in politics, I find it absolutely outrageous that someone with an interest in a ballot cannot have someone watching the count to ensure that it is carried out fairly and legally. One can only imagine why that resolution was carried.

The published information memorandum states several times that insurance premium rates will not increase as a consequence of the proposal, but an attachment by Ernst and Young Corporate Finance admits that premiums may rise to the extent of eliminating the allocated share value in some cases. There should be appropriate investigations by the Australian Securities and Investment Commission, our corporate watchdog, and the Minister for Fair Trading to assess illegal deviations from relevant Federal and State legislation.

People feel strongly about maintaining the NRMA in community hands. It should be operated for the benefit of members, not sold off so it can join the cartel which otherwise runs insurance in Australia. No doubt if the NRMA is privatised it will be sold off to a foreign insurance company and all the benefits that have been accrued by the NRMA in providing this service will be lost. In addition, there is no guarantee that the road service will be maintained under the new arrangement. It is generally predicted by people that it will fall over.

#### **GOULBURN BASE HOSPITAL ELECTIVE SURGERY WAITING LISTS**

**Ms HODGKINSON** (Burrinjuck) [6.08 p.m.]: I draw to the attention of the House the drastic situation of waiting lists for elective surgery in the Southern Area Health Service and in particular the waiting list at Goulburn Base Hospital. The people of Burrinjuck remember the election promise to halve waiting lists that was made by the Premier during the 1995 State election campaign. The latest figure of 56,485 people waiting for elective surgery in New South Wales proves that that promise was a cruel hoax.

I have received many representations from people in Goulburn who are waiting for elective surgery. They wait in pain for knee and hip replacement operations and other elective surgery. Ms Jean McCleary of Goulburn was sent by her doctor to see Dr Andrew Leicester, an orthopaedic surgeon of Bowral, and the visiting medical officer at Goulburn Base Hospital. On 1 March this year Dr Leicester examined Ms McCleary and discovered a large growth in her right knee. He also determined that her left knee was in worse condition than her right knee. However, as Ms McCleary's right knee was more painful, he recommended that he should replace it first. Dr Leicester advised Ms McCleary that surgery on her right knee was necessary within six months, but Ms McCleary has been supplied with a date not of 23 May 2000 but 23 May 2001 for knee replacement surgery at Goulburn Base Hospital. It is not within six months at all but 18 months away.

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Ms McCleary is in constant pain, despite taking painkillers, and finds it difficult to walk.

Mrs Isabella Whybrow of Goulburn is also on the waiting list at Goulburn Base Hospital. Like Ms McCleary, Mrs Whybrow is in desperate need of joint replacement surgery. Mrs Whybrow has suffered pain in her left knee for four years. Last September she was told by Dr Leicester that her left knee must be replaced but that due to the waiting list at Goulburn Base Hospital the replacement

operation cannot be performed until February 2001. Dr Leicester considers Mrs Whybrow's case to be so severe that he has placed her on the urgent list but is yet to receive a date earlier than February 2001. Mrs Whybrow is in excruciating pain and says that her condition has severely restricted her lifestyle. For example, she has to take a chair to sit on when she does her shopping.

Ms Edith Gooch of Goulburn also waits, in horrific pain, for joint replacement surgery at Goulburn Base Hospital. Ms Gooch requires hip replacement surgery for her right hip, which has a broken screw and a plate in it from a previous operation. She takes a constant stream of painkillers, spending up to \$50 a week on painkillers alone, but still cannot sleep at night because of the pain. Ms Gooch's situation is similar to that of Goulburn's Mrs Beryl Fitzgibbon. The Minister for Health will be well aware of the case of Mrs Joan Lambert of Goulburn, who wrote to him on 10 February 2000 stating:

Every minute of everyday , I am in excruciating pain .

Mrs Lambert also wrote:

Unless you have had first-hand experience with pain affecting a joint to the extent of requiring a replacement, you can't imagine the pain.

Mrs Lambert has been given a tentative date for hip replacement surgery of 21 February 2001. Just this week I received notification of the case of Mr Charles Wells of Goulburn. Mr Wells' right knee is giving way due to osteoarthritis and he has been on crutches since November last year. Like others in his desperate situation, Mr Wells is also in constant agony due to his debilitating condition. He takes powerful painkillers but with little relief, and as a result his right knee needs replacement. Despite being on crutches, despite his knee giving way and despite being in constant pain, Mr Wells has been given a tentative date of June next year for knee replacement surgery at Goulburn Base Hospital.

I could give many other examples. The cases I have referred to are just a few of many in the Southern Area Health Service. Dr Leicester is now booking joint replacement operations at Goulburn Base Hospital for June 2001—and he is just one surgeon in the State of New South Wales. The people of Burrinjuck are sick of the New South Wales Government grandstanding on health funding while decent Australians suffer in pain as they wait for elective surgery. I ask that the Minister act quickly to drastically reduce the waiting lists for elective surgery at Goulburn Base Hospital.

**Ms NORI** (Port Jackson-Minister for Small Business, and Minister for Tourism) [6.12 p.m.]: I thank the honourable member for Burrinjuck for her contribution and her concerns for her constituents in relation to Goulburn Base Hospital. I undertake to have a copy of the honourable member's contribution forwarded to the Minister for Health so that he may reply directly to the honourable member. However, I ask the honourable member to acknowledge recent announcements by the Minister that have seen an injection of \$2 billion into the health care system. Obviously that will assist with recurrent funding and current expenditure and address the issue of RDF, and it obviously means a significant contribution of funds to the country health system.

### DEATH OF PAULO PANELLA

**Mr GAUDRY** (Newcastle-Parliamentary Secretary) [6.13 p.m.]: Today it was my honour to deliver the eulogy at the funeral service held at the Sacred Heart cathedral in Hamilton for Paulo (Paul) Panella, to celebrate and remember the life of this outstanding man. Paul was a passionate man who was well respected in the Newcastle community. He was a funny man, with a loving and caring personality. He was a giver and not a taker, a man who reflected the experience of many migrant people who have come to this country.

Paul came to Australia in 1967 from Villa Valla Longa in Italy as a 19-year-old married man. For the first 10 years Paul worked as a rigger for EPT, along with many of his compatriots. During that period he was an outstanding worker for that company. Unfortunately, at the end of that period Paul had a serious accident which forced him out of that work force. He invested his money in a restaurant in Newcastle, A Rivederci's at The Junction, which became a watchword for late-night eating in the Newcastle area, an absolute family restaurant. The years that Paul was in A Riverdecì's transformed late-night eating in Newcastle. It was a place one could go to where there was always lots

of fun; a feeling of being at home. Whether it was hockey teams or football teams, or just people out for a good time, they could find that at Paul's A Rivederci's restaurant.

I noted the attendance at the funeral service today of Bib Price, the wife of the honourable member for Maitland. I first met Bib at A Rivederci's restaurant, as I did many other people in the Newcastle area. Paul then moved to Hamilton and took over the Little Swallows restaurant. It was there that he once again brought to Beaumont Street a tremendous sense of community. I remember Paul in front of his gas burners with his fine cooking skills. I also remember that every morning retired members of the Italian working community would meet at Paul's restaurant to discuss politics and have their coffee. Paul would preside, mostly just to serve the coffee, but at times in his strong and forceful way to put forward his own point of view.

I pay tribute to the impact of Paul Panella, not only in terms of the restaurant trade in Newcastle but also in bridging the two communities. In fact, today's service was conducted by Father Francesco of the Scalabrini Centre in both English and Italian. Paul moved between those two communities with great ease. He would hold a discussion in Italian with the Italian men's club, as they were called, and at the same time converse with someone else in English. He was a wonderful man. Indicative of that was the fact that Paul asked that there be no flowers at the funeral today but that donations be sent to the palliative care centre. His son Angelo clearly expressed the respect he held for his father.

On behalf of the Newcastle community I extend my condolences to Paul's wife, Philomena; to Frank, Dino, Angelo, Kirsten and Lauren; and particularly to Lefta, who in the last two years gave great love to Paul in the period when his illness made life more and more difficult for him. It was good to see that Paul's sisters, Columba, Gessida and Agnese, were able to attend the funeral in honour of their brother. Paul Panella made a significant contribution to our community, in the love he showed for people, the ease with which he mixed, and the contribution he made to both the Italian and English-speaking communities of Newcastle. We honour his name today.

**Mr FACE** (Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [6.18 p.m.]: It is true to say that one of Newcastle's great people passed away this week, culminating in a service being held for him at Hamilton Sacred Heart Catholic Cathedral this morning. Paul, as he was known to everyone, arrived in Newcastle from Italy in 1967. He, like so many people who arrived from Italy, worked as a rigger, before buying into A Rivederci's at The Junction in what was then my electorate, in 1979. He was a successful restaurateur and became quite an identity in The Junction when it was merging into what is now a very trendy suburb. This flamboyant cook then went on to buy the Little Swallows in Beaumont Street, Hamilton. Of course, that is where he really became an identity as one of the great catalysts of the Beaumont community, which is the Lygon Street of Newcastle.

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He operated a restaurant until last year, when he retired and passed over the reins to his son, Angelo.

Paul was diagnosed with cancer in 1992. He accepted his long battle with illness with great dignity. His son, Angelo, describes his father as a warm and outgoing man who believed that everyone deserves an opportunity. Angelo says that everyone loved Paul, and that is true. He was a warm and friendly person who was certainly very popular. One of his great attributes was that he always gave people an opportunity.

The remarks made by the honourable member for Newcastle about Bib Price, when she lost her first husband, Doug, reflect the type of person Paul was. Paul took meals to Bib, who lived opposite, in her time of grief. That is the type of person he was. I met him through the Highfield-Missouri Soccer Club and a recreation club that I was involved in establishing many years ago. Paul was a prominent identity in its establishment but he also put his hand in his pocket, so to speak, along with many other members. Paul was certainly a great person. I extend my heartfelt sympathy to Lefta, to Paul's sons Angelo, Frank and Dino, and to his grandchildren, Lauren and Jayden. [*Time expired.*]

#### WARRINGAH COUNCIL

**Mr BARR** (Manly) [6.20 p.m.]: I bring to the attention of this House serious matters of

concern to many people in my electorate, namely, the shameful goings-on at Warringah Council. Over the past few years the council has become notorious for its lack of transparency, abuse of due process, culture of cronyism, lack of accountability and failure to adequately consult with the local community.

In September last year four new progressive councillors were elected, tipping out some, but unfortunately not enough, of the old guard, who still hold sway by a majority of one. The new councillors have had to endure a climate of intimidation not only from other councillors but also from the General Manager, Mr Denis Smith, whose nefarious activities when he was a member of Campbelltown council were brought to the attention of the House by the Minister for the Olympics.

One recent issue that has put the spotlight on the machinations of the old guard councillors and council management is St David's Park. The matter involves the proposal to grant a right of carriageway over the park, which is community land, to an adjoining property, 701 Pittwater Road, which is owned by Songkal Pty Ltd—a family company of Councillor Darren Jones. The right of way would add considerable value to 701 Pittwater Road.

On 10 November 1998, the council resolved to grant a right-of-way, subject to a valuation, contract conditions and sale price. The general manager was given delegation to negotiate the contract which was prepared by the council's solicitors, Wiltshire Webb. The contract was made on 24 May 1999. The council entered into a contract for the sale of community land before it had gone through the due process of reclassification of the land to operational, and it did that for the benefit of Mr Jones, one of the councillors. Furthermore, the contract was entered into without a firm price being agreed, which is clearly a breach of section 45 of the Local Government Act 1993 and highly improper. The council was poorly served by its solicitors who drew up the contract.

One provision of the contract allowed Songkal to exercise an option for a six-month extension of the agreement in the event of a delay occurring in the reclassification. This was to be exercised by 8 December 1999. Songkal failed to do that. The council's Director of Public Office, Mr Ross Symons, took it upon himself on 10 December to write to Songkal and inquire whether the company intended to take up the option. The company subsequently purported to do this.

The question that arises from this set of facts is: Why was Mr Symons, acting either unilaterally or under the general manager's delegation, so keen that he apparently waived the contractual requirements placed on Songkal in relation to a controversial contract in which the benefit to the councillor was clearly more tangible than any public benefit? During 1999 the council moved to reclassify the land by embarking on a formal process that should have been undertaken at the outset. But the problems still lay with the fatally flawed contract.

During the Christmas period of 1999, the Deputy Mayor, Councillor Phil Colman—one of the new independent councillors—was Acting Mayor. Because he was concerned about the legality of what had happened, he sought independent legal advice from a firm of solicitors whom he selected from a New South Wales Law Society list of recommended and accredited specialists in local government. Upon returning, Mayor Moxham—an old guard councillor—in collusion with the general manager, purported to withdraw Councillor Colman's delegation. In the process, attempts were made to denigrate and humiliate Councillor Colman. The council then appointed an eminent Queen's Counsel to undertake a review. However, he was briefed by Wiltshire Web which had drawn up the flawed contract in the first place. There is surely an inherent conflict in that situation. The Queen's Counsel's opinion will be reported to council shortly.

On 28 March, some ten months after the contract was entered into, the council resolved in a 4/4 vote—with Mayor Moxham exercising a casting vote—to reclassify the land. A recommendation from staff to proceed with the sale is before the council meeting tonight. While the benefit to ratepayers is debatable, given the low price of \$74,000, it is clear that an enormous benefit is about to be bestowed on Councillor Jones. Warringah Council appears to have bent over backwards to give a benefit for a price which is arguably way below the value of enhancements to Mr Jones' property.

Time prohibits me from dealing with related matters, including the general manager's clear bias in favour of the old guard counsellors, his involvement in litigation with one councillor, and his threats to instruct council solicitors to begin proceedings against another. The St David's Park matter is serious. The Minister is aware of it, and his department is looking into it. In conclusion, I comment

that throughout the entire period nothing has been heard from the honourable member for Wakehurst, whose electorate covers much of the Warringah Council area. Could that be because members of the old guard who still control Warringah Council belong to the Liberal Party or are allied to the Liberal Party?

**Ms NORI** (Port Jackson—Minister for Small Business, and Minister for Tourism) [6.25 p.m.]: I have been provided with advice from the Minister for Local Government which I intend to read.

**Mr Brogden**: What a surprise! Yet again, the honourable member for Manly is in collusion with the ALP!

**Ms NORI**: I am simply the messenger, so hear me out. I am informed by the Minister for Local Government that the Department of Local Government has raised a number of concerns with the Warringah Council about the council's process concerning the reclassification of St David's Park at Dee Why. The council sought its own legal advice on the matter and will keep the department informed. The department is also conducting preliminary inquiries into allegations that a councillor has breached the pecuniary interests provisions of the Act. Should the inquiries establish a prima facie case of breach, the director-general has the option to order a formal investigation of the matter. At the end of such an investigation, a report will be received by the Local Government Pecuniary Interest Tribunal to determine whether a breach has occurred and, if so, what sanctions, if any, should be imposed.

### **BONDI JUNCTION AND BONDI BEACH POLICING**

**Mr DEBNAM** (Vaucluse) [6.26 p.m.]: During this debate, I will discuss the issue of crime, and police resources, in Bondi Junction and Bondi Beach. Both areas fall within the Waverley patrol district and I am pleased that the Minister for Police is in the Chamber. Last month I was very concerned to discover that between November 1999 and 13 March 2000, police responded to 278 incidents in Bondi Junction. I was even more concerned when I discovered that those 278 incidents occurred within 200 metres of the Bondi Junction railway station. It is worth emphasising that the incidents were not spread throughout Bondi Junction but occurred within 200 metres of the railway station.

Those incidents included not only minor traffic collisions but also 29 cases of lost property, 13 major traffic incidents, eight robberies, 20 assaults, 10 disturbances, three street offences, 19 cases of property that was found, 11 break-and-enter offences, 13 cases of fraud, three traffic offences, five arrests for stolen goods, 11 malicious damage incidents, one drug detection and 93 incidences of stealing involving shoplifting and theft from vehicles. These statistics show clearly that Bondi Junction is very much a crime hot spot. Unfortunately, the Minister for Police has left the Chamber, but the matters I have mentioned are addressed in a letter which I sent to the Minister for Police last month.

I make the point that Bondi Beach and Bondi Junction are very noticeably becoming hot spots of criminal activity and antisocial behaviour. In both locations a plague of criminal activity is occurring and the community is asking the Minister for Police to fight back. The local police are undoubtedly doing a heroic job. They have undoubtedly been keeping up the fight in all ways possible, but they are underresourced. In the provision of video technology in the Bondi Junction and Bondi Beach areas they have never had the correct resources.

Later this year a ridiculous situation will occur when video cameras are installed at Bondi Beach for the Olympics. Upon conclusion of the Olympics, those cameras will be removed because the local council—Waverley Council—is philosophically opposed to the use of video cameras at Bondi Beach. That is absurd. The cameras will be installed and will be in use at Bondi Beach during the Olympics, so the council should agree to their retention after the Olympics. The video cameras should be operated and funded by the Police Service. It is not the responsibility of councils to operate that type of surveillance.

In the case of Bondi Junction, one has only to look at the extraordinary statistics, which reveal a plague of 278 incidents over four months, to realise that video camera technology should be

installed throughout the Bondi Junction mall, especially around the railway station. The community is asking the Government to examine these matters. I know it is very difficult to get the Commissioner of Police and the Minister for Police out of their ivory towers, but perhaps they should examine these two areas, which are becoming real problems for the local community. They should examine in particular the problem that has emerged around the railway station at Bondi Junction. When one considers that 278 incidents have occurred over four months, even before the Labor Government opens its first shooting gallery in the eastern suburbs, one cannot imagine what will happen to the crime rates in the eastern suburbs, and goodness only knows how stretched police resources will be.

As I said earlier, I wrote to the Minister of Police and stated:

Bondi Junction shopping areas and the Bondi Beach tourist precinct are the focus of frequent criminal activity.

In addition, Bondi Junction and Bondi Beach suffer a high level of anti-social behaviour which intimidates the local community and is sometimes also directed at local police and other people, such as beach life-guards, when exercising their lawful authority.

Would you please urgently investigate the installation of police operated video cameras in Bondi Junction, especially in the Mall, and in the precinct around Bondi Beach.

The investigation should also include the area near the Bondi Junction railway station. This matter should be given immediate priority. The community is crying out for assistance. I hope that the Government will finally listen.

**Mr WHELAN** (Strathfield—Minister for Police) [6.31 p.m.]: The honourable member for Vacluse shows me no courtesy at all by not advising me of his intention to mention this issue during debate. Because I was in the Chamber merely by accident I did not hear everything that he said, but what I heard showed sheer arrogance and ignorance on the part of the honourable member. If he expects fully trained police officers in New South Wales to spend their time watching video cameras rather than being on the street protecting the community from crime, I would be interested in examining Liberal Party policy on policing in New South Wales.

If the honourable member for Vacluse seeks a response from me as Minister for Police, he should do what other members of the Opposition and Government do, namely, ask me for a response so that I can make arrangements to be in the Chamber if that is possible.

**Mr Debnam**: I just want you to get off your backside.

**Mr ACTING-SPEAKER (Mr Mills)**: Order! The member for Vacluse has had his say.

**Mr WHELAN**: Underpinning the honourable member's very shallow criticism is a matter that the Opposition has been engaged in throughout New South Wales, that is, a deliberate attack on the New South Wales Commissioner of Police.

**Mr Debnam**: No, it is an attack on you.

**Mr WHELAN**: Does the honourable member think that the words "get out of his ivory tower" used in relation to the commissioner are no more than a subtle attack on the New South Wales Commissioner of Police? By making such remarks, the honourable member for Vacluse does himself no credit and does his constituents a disservice. I advise the honourable member to talk to his constituents, who will tell him how proud they are, as are members of the Government, that New South Wales has Commissioner Peter Ryan in charge of the New South Wales Police Service.

## BUSINESS OF THE HOUSE

### Suspension of Standing Orders

#### Motion by Mr Whelan agreed to:

That standing orders be suspended to enable one further member to make a Private Member's Statement and for the remainder of Private Members' Statements to be resumed at a later hour.



[Mr Acting-Speaker (Mr Mills) left the chair at 6.33 p.m. The House resumed at 7.30 p.m.]

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**DEATH OF THE HON FREDERICK DOUGLAS CLAUDE CATERSON, A FORMER  
MEMBER OF THE LEGISLATIVE ASSEMBLY**

**Dr REFSHAUGE** (Marrickville-Deputy Premier, Minister for Urban Affairs and Planning, Minister for Aboriginal Affairs, and Minister for Housing) [7.30 p.m.]: I move:

That this house extends to Mrs Caterson and family the deep sympathy of members of the Legislative Assembly at the loss sustained by the death of Frederick Douglas Claude Caterson, a former member of the Legislative Assembly.

Frederick Caterson was born at Nobbys Creek on the Tweed River in 1919. He attended Sydney University between 1936 and 1938, studying in the faculty of Economics, and served in the Australian Military Force. He was the Chief Industrial Officer at Qantas from 1943 to 1959. Frederick Caterson moved to the Baulkham Hills area more than 40 years ago because he believed that it was the best place to raise a family.

Fred's desire to serve the local community led him into local government in 1956. His first period in local government was cut short when he took up a post as head of the Department of Labour in Papua New Guinea from 1959 to 1962. On his return to Australia he rejoined the Baulkham Hills shire council, where he remained until his retirement in 1991, some 29 years later. He was Deputy Shire President for about 22 of those years. During this time, Fred was the industrial advisor to the Australian Air Pilots from 1962 to 1976.

Fred was the member for The Hills for 14 years, winning five elections between 1976 and 1988. He retired in 1990 to spend more time with his family. During his parliamentary career Fred Caterson played an active role. He was Opposition Whip from 1978 to 1981 and again from 1983 to 1984. He was also Temporary Chairman of Committees, trustee of the Parliamentary Superannuation Fund, member of the Select Committee Upon Disclosures by Members and a member of the Executive of the Commonwealth Parliamentary Association. Fred Caterson will always be remembered for his hard work on behalf of the residents of Baulkham Hills. Former Baulkham Hills Shire President Bernard Mullane said of Fred:

No problem has ever been too small and no cause too trivial if it has been important to a constituent.

Fred served the people of Baulkham Hills for more than 30 years, both in and out of Parliament, and earning the love and respect of his community and his colleagues. Fred is survived by his wife, Linda, children Ian, Robyn and Glenys and six grandchildren. We honour him today.

**Ms CHIKAROVSKI** (Lane Cove-Leader of the Opposition) [7.34 p.m.]: It is with great sadness that I speak to this motion of condolence on the passing of Mr Frederick Caterson, who was well known and well regarded within this Parliament, as well as within the various communities that he served. Fred was a dedicated member of this House for 14 years. He was much loved and fondly remembered by the Liberal Party.

Frederick Caterson was a man committed to the welfare of the people in The Hills district. He moved to The Hills district over 40 years ago to raise his family. As the Deputy Premier said, Fred was born in 1919 at Nobbys Creek on the Tweed River, and he was one of 10 children. He was educated at Sydney Boys High School and served in the Australian Military Forces. He was elected with overwhelming support in five elections, winning a by-election in 1976 with a landslide majority of 78 per cent of the vote—an achievement many members in this House would like to emulate but few, I suspect, will ever accomplish.

Fred was hugely popular. He was widely admired for his capacity to relate to and empathise with people throughout the community and also for his commitment to strong family values. He was described in the *Hills News* as the “quintessential man of The Hills”. This tribute is a direct reflection of Fred Caterson's unrelenting commitment to and advocacy for the people of his electorate. Fred Caterson took pride that he was a local man representing his home area in this Parliament. He was proud to describe The Hills area as the food basket of Sydney, filled with orchards, poultry farms and

market gardens. He made it clear in his maiden speech, and often repeated, how incredibly proud he was to represent such a beautiful area.

Mr Caterson's service to the people of The Hills spanned much more than the 14 years he stood as a member. Professionally he made his mark as Chief Industrial Officer with Qantas. Privately it was his inherent desire to contribute to the district that he had grown to love that led him to successfully contest the local government elections of 1956. He resigned from council in 1959 to accept an appointment as the head of the Department of Labour in Papua New Guinea. When he returned to Australia in 1962 he again took up a seat on the local council, staying on for a remarkable 29 years until his retirement from council in 1991. Of the 32 years that Fred Caterson served on council, he was Deputy Shire President for 24—again a remarkable achievement.

In 1976 Mr Caterson was elected member for The Hills and took his seat in this House. He had been preselected from a field of 41 candidates. He successfully combined the role of local member and Deputy Mayor until his retirement from Parliament in 1990. Upon his resignation he was awarded the Medal of Australia in 1990 for his dedication to the community and The Hills. As the Deputy Premier said, Fred was Temporary Chairman of Committees, Opposition Whip from 1978 to 1981 and again in 1983 and 1984. He fulfilled his obligations to this House by being a trustee of the Parliamentary Superannuation Fund. He was also a member of the Select Committee upon Disclosures of Members in 1983 and 1984. I suspect he watches with great interest our progress in that area. He was a member of the Executive of the Commonwealth Parliamentary Association from 1978 to 1982 and again in 1983 to 1984. In his maiden speech Fred revealed his essential approach to politics and his role:

I am conscious of the great responsibility that rests on me as the new member for The Hills—to represent it adequately and well in this Parliament.

There is absolutely no doubt that is exactly what he did. My colleague Wayne Merton, the honourable member for Baulkham Hills, successfully summarised the feelings of many when he said:

If a legacy to Fred Caterson is sought, it is found in the quality of life that we enjoy in The Hills.

As members of this House we would all seek a similar legacy—to be remembered for the improvements we effect or contribute to in improving the living standards and quality of life of those we represent. Fred Caterson represented all that we should aspire to—representation of the individual and community, with no concern too small or too large to pursue. Fred Caterson dedicated his service in this House to supporting and protecting people, and that certainly is his legacy. He was a prominent figure of the Liberal Party, a member of the Castle Hill branch for 25 years and president for 11 years. He is a great loss to the party and to the community. On behalf of the Coalition I extend my deepest sympathies to his wife, Linda, and his three children Ian, Robyn and Glenys.

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**Mr DEPUTY-SPEAKER:** Order! I formally acknowledge the presence in the Gallery of Mrs Linda Caterson, Dr. Glenys Caterson, Dr. Robyn Caterson and Professor Ian Caterson. We are pleased to see them here tonight to listen to those members who speak to this condolence motion. We hope the family derives some satisfaction and pleasure from what is said.

**Mr GIBSON** (Blacktown) [7.40 p.m.]: Tonight I pay respect to Fred Caterson. I do so because Fred Caterson was a thorough gentleman and that is probably the highest praise I could give him. He was nature's gentlemen. Fred Caterson was one of those people about whom one could not say a bad word. He never had a bad word to say about anyone. The Opposition mentioned the great win that Fred Caterson had in The Hills in 1976. I know something about that because I stood in the State election against Max Ruddock. Unfortunately Max passed away just after the election. At the by-election I put up my hand again for the Australian Labor Party and Fred Caterson won the preselection for the Liberal Party. I might say that Fred just beat me across the line that time—he received only 76 per cent of the vote! That was a great lesson for me in politics. It was a pleasure to meet the Caterson family at that time.

After the caning that I got Fred said to always remember, "if you're right, fight". From 1976 I saw Fred only on the odd occasion until 1988 when I was elected as member for Londonderry. The first person I met when I came into Parliament was Fred who pulled me aside and asked me if I remembered what he had told me in 1976. I told him that I recalled that he told me to fight when I am

right, that I had never forgotten it and that it is one of the best principles. When I had trouble some time ago I thought of what Fred said and I did fight when I was right. If it had not been for Fred maybe I would not have fought as hard as I did.

I extend my deepest sympathy and that of members of my family to the Caterson family. Fred spoke about a lot of things and, of course, local government was his forte before he came to State Parliament. He was very proud of his children who are very well educated and hold high positions in their chosen professions. Their father was very proud of them.

**Mr SOURIS** (Upper Hunter-Leader of the National Party) [7.42 p.m.]: On behalf of members of the National Party, I extend condolences on the sad passing of Fred Caterson. As other speakers have already said, Fred held the blue ribbon seat of The Hills for the Liberal Party from 1976 until his retirement in July 1990. Thereafter, he handed it on in perfect condition. Fred was an easy man to like. I met him in 1988 when I was first elected to Parliament. He was a kind and gentle man and for that he was respected in his electorate and across political boundaries.

I had been in this place for just two years when Fred chose to resign after 14 years as member for The Hills. During those two years we had quite a few conversations. In conversations with me which continued after he retired he indicated that he was considering moving to the electorate of Upper Hunter and would consider voting for the National Party. That did not in fact happen, but I certainly looked forward to it.

I first met Fred when he was the chairman of Neil Pickard's ministerial advisory committee on minerals and energy. The honourable member for Baulkham Hills was also a member of that committee. I was told I was selected for that committee because I came from the Hunter Valley where there were coalmines, but I did not really know much about what was going on. Within about two days of coming to this place the committee had two major jobs. The first was to carry out an investigation involving community consultation on what was proposed as the Mount Piper to Marulan power line. That was quite a baptism, I can assure honourable members, but Fred was steadfast throughout and pursued the matter methodically. A couple of times I felt exasperated but thankfully Fred was there to keep the conversation going because the committee encountered high sentiment in the area where that power line was going.

I thought it was pretty good to be a member of Parliament because Fred informed me that within the first few days we were going off to Japan on a coal mission with union members, government representatives, other people and some members of his committee. In fact, the honourable member for Baulkham Hills also was in attendance on that occasion. We had quite a few discussions on tour and Fred always said—and I have said it many times subsequently—that what goes on tour stays on tour. Honourable members do not have to worry as nothing of any reportable value occurred but it was good advice. Accompanying us on tour on that occasion were the general secretary and national general secretary of the Miners Federation and people of that calibre so whatever strategy and tactics emerged on tour had to stay on tour. If one breached that code one's passport would be stamped "NTA"—never tour again!.

The simple advice given to me by Fred has stuck with me. On one occasion in relation to getting one's message across when I was writing lots of pages Fred said, "Just get your photo in the paper, don't worry about the article". That was very good advice. Fred was also the father of very good friends and supporters of mine, his daughter, Dr Glenys Caterson and his son-in-law, Councillor Bailey and their children at Gulgong. I am very pleased to see the family in the gallery, Mrs Linda Caterson, Dr Robyn Caterson and Professor Caterson. I assume they are all doctors of which Fred was proud. Both Glenys and Colin are wonderful community-based people who are exceedingly generous with their time and resources. One of the reasons why members like me are re-elected is the support that we receive from people such as Glenys and Colin. It is a great pleasure to know such wonderful people and to count them as friends and supporters. On behalf of my National Party colleagues and members of my family, I extend deepest sympathy to Mrs Linda Caterson, Doctors Robyn and Glenys, Councillor Bailey and Professor Ian Caterson and their extended families.

**Mr RICHARDSON** (The Hills) [7.48 p.m.]: Politicians are not always thought of in the kindest terms. I suspect that the adjectives "sincere", "dedicated" and "decent" are not often used to describe politicians, even though they may be justified on many occasions. However, in Fred

Caterson's case they were used and richly deserved. Fred was dedicated to three things: God, his family and The Hills, not just to the electorate but the people of the Baulkham Hills shire. Honourable members who spent some time with him here would remember his very genuine membership of the prayer group, a manifestation of his Christian faith about which we certainly heard a lot at his memorial service a little while ago in Castle Hill.

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As I recall, Fred was also a teetotaler, but he did not try to foist his beliefs onto us. In that sense he was a private man and a modest man; a modest man who once told me that he felt a swelling up of pride every time he walked into this place as the representative for The Hills. He lived in a modest house, a cramped house, in Castle Hill where he brought up his three children. When one walked in the front door, the corridor that led down the centre of the house was so narrow that it was almost impossible to get past anyone who was standing in the corridor. But he brought up his three children there, and as we heard earlier, he was immensely proud of them. They all became doctors, which is something of a record in itself. Very often you will hear of the children of one family all become professional people, but it is rare that they should all go into the same profession, and a very highly regarded profession. Two of the children are medical specialists and one is a professor. It is not surprising that Fred and Linda should be so proud of their children.

I recount to the House an expression used by Fred's great friend Bernie Mullane, a former long-term shire president of Baulkham Hills council, at the memorial service. He referred to Fred by his nickname of "Bletchingly", which I was not heard of. Bletchingly was a champion stallion that sired champions. One only has to look at Fred's children and grandchildren, to know that it is certainly true that he sired champions. The essential sense of decency with which Fred was blessed shines through Linda, his wife for 55 years. As we have heard, she is here tonight. I recall that I rang Linda on the day I heard that Fred had passed away. Despite all her worries and her concerns, after I had been speaking with her for only a minute or so she asked me how my mother was. My parents had been great friends of the Caterson's for a long time. I will always remember that. Her concern for my mother was an expression of the decency that shines through the entire Caterson family.

Before Fred entered Parliament, he had a 30-year career in industrial relations with Qantas—something that would have struck a chord with honourable members on the other side of the House—essentially with the Department of Labour in Papua New Guinea and as an industrial advocate for the Australian Air Pilots Association. His knowledge of industrial relations was second to none. His range of contacts was profound. He was able to go to Parliament House in Canberra and greet any number of people on both sides of the House by their first name, which was a useful attribute for the industrial advocate for the Australian Air Pilots Association. Fred served on Baulkham Hills shire council for more than 30 years, 22 of which were spent as deputy shire president.

Fred and his great friend Bernie Mullane were, in a sense, an unlikely combination. Bernie, as Fred would concede, was a Labor man and Fred was a Liberal, through and through. Their common bond was the desire to do their very best for the people whom they represented, the people of the Baulkham Hills shire. Party politics really did not enter into their decisions. Fred was on the council for all of the 14 years he was a member of this House. His rationale was that when in opposition it was the best way for him to achieve something for the people whom he represented. As we are now in opposition I will not make any further comment, but it may strike a resonant chord with certain honourable members in this Chamber.

Fred was preselected from a field of more than 40 candidates. The Liberal Party and, I suspect, the Labor Party, does not have preselection fields as large as that any more. I believe that the preselection process lasted for two days and it is a tribute to his skills that he managed to come out ahead on that occasion. My father, Len, who passed away in 1984 became Fred's Castle Hill branch and Hills State electorate conference president. He was also Fred's campaign director for a number of elections. Fred never went close to needing preferences, even during the Wran slide years. Some innovative campaign techniques were tried that might not work today, but a number of honourable members on the other side of the House might like to utilise them or improve on them.

In 1978 Fred released a record called *Fred Caterson: Our Man of the Hills*. I still have a copy of it. It is the only record I have of both Fred's voice and my father's voice. It also has the voice of a

former Leader of the Opposition, Peter Coleman. Unfortunately, Peter Coleman lost his seat in that election, but Fred went on to yet another victory. I think that speaks volumes for Fred's popularity in The Hills. Fred was most concerned about health care, not, funnily enough, industrial relations. I can remember him coming to conference after conference, branch meeting after branch meeting and talking about health issues. When one considers the profession his children have chosen, perhaps it is not surprising that health was the issue about which he was most concerned.

At one stage Fred was chairman of an organisation called The Hills District Hospital Board. As he said in his maiden speech, it was referred to as the board without a hospital. Unfortunately, it always remained the board without a hospital. Some land was acquired and there were some problems with that land not being big enough. There would have been some problems with the buffer zone around that land if the hospital had been built on the site. Fred said that although he had been told that there were plans for a hospital, the hospital would never be built. Unfortunately, that was proved to be correct. But it was not for want of trying on Fred's part. It is a great pity that he did not succeed in that endeavour.

When Fred retired he went to live in south-east Queensland, where Linda's family came from. He frequently came to Sydney and he insisted on driving down, usually in one day. That was against the better judgment of some people, particularly Linda, I suspect. When he was in town he would usually ring me and discuss political issues, among other things. He was a very percipient man. Sometimes he would be critical of us. On more than one occasion I had to tell the Deputy Premier that Fred was critical of the Government. I always enjoyed his calls, and I will miss them.

On behalf of the people of The Hills I to extend deepest sympathy to Fred's family who are here tonight—Linda, Dr Robyn Caterson, Glenys Bailey and Colin Bailey his son-in-law—to Professor Ian Caterson who is not able to be here tonight because he is overseas, and also to Fred's grandchildren. Fred is gone, but he is not forgotten. His legacy will live on in The Hills for many years to come. Given the length of time he served on council, given the length of time that he served as member for The Hills people might not realise what is contribution was. But every day of their lives they will benefit from it.

**Mr NAGLE** (Auburn) [7.58 p.m.]: I extend to Linda, Robyn and Colin, Fred Caterson's grandchildren and the rest of his family my deepest sympathy. It is a sad day now that Fred has gone. I knew him when I was elected to Parliament in 1988. I found him to be a very kind and gentle man. He was a man who really cared about people. He was very taken with his constituency and his electorate and he was a tenacious fighter. In 1989 the Lidcombe egg carriers were being sacked. The Greiner Government was seeking to introduce egg deregulation legislation. One Patsy Davey, my wife, lived with her mother and father in The Hills. Her mother and father were egg carriers. They had lost their business and fought under the old Labor Government to preserve their rights. They had failed in the industrial commission.

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My wife's mother had suffered cancer, stressed out by the fight, and had died one week before this House passed amendments to compensate the egg carriers affected by what was called the Nick Greiner egg regulation legislation. Fred Caterson encouraged me to pursue that particular issue on behalf of constituents in my electorate who were egg carriers as well as constituents in his electorate, among whom were Karen Davey's mother and father, Albert and Patsy. Even Phillip Smiles came to see me, as did many Labor people who were concerned to preserve the rights of these people—rights that had been initially taken away by a Labor Government, but were at that time going to be removed by the Greiner Government.

Fred Caterson participated in that debate for Albert and Patsy Davey. He was able to secure the support of John Dowd, then Attorney General, for the amendments that would compensate the egg carriers. Fred Caterson and Phillip Smiles spoke to John Dowd, and agreement was reached. The amendment created an arbitration panel, which in turn would consider whether or not the drivers, including the Davey family, were entitled to compensation. A few weeks later I was given a brief to appear for those truck drivers, including the Davey family.

I was quite concerned, having been involved in the passing of that legislation, whether or not I should accept that brief, so I sought advice. Among that advice was advice from Fred Caterson and a number of other people in the Liberal Party, National Party and the Labor Party, including the then

Leader of the Opposition Bob Carr. I took the case on. Ultimately, all those drivers, including the Davey family, were compensated. They were compensated because of what Fred Caterson was able to do in his own political party regarding the amendment that I had moved in this House.

When all the drivers had been compensated a big debate erupted in this Chamber. One Thursday morning I walked in here. I recall it as if it were yesterday. When I walked through those doors I saw the honourable member for Drummoyne, John Murray, on his feet, defending me against an attack by Ian Armstrong for charging what he called outrageous fees for defending those people. I was called upon, without notice, to defend myself. During that debate Fred Caterson passed a note to me saying, "I want you to tell the Parliament that I told you to take that brief, that I told you to work for those people." Irrespective of the attitude of his own party, he knew the rightness of the cause and he knew that right had been done.

Because I did not want to get Fred into trouble, I did not make reference to that note during the debate. Later that morning I received a telephone call from Fred Caterson in which he told me he had just been to see the Premier, Nick Greiner, to tell him what a despicable act it had been to launch an attack upon me in the House, because all I had done was seek to protect the drivers. That was the type of men that Fred Caterson was. Shortly thereafter he resigned. That is my experience of Fred Caterson, the member for The Hills. He was a great man, one who makes this Parliament proud. Peter Cox, also a friend of Fred Caterson, would want me to say to the House that a good man has gone, a principle man has gone, a fighter for his electorate has gone, a fighter for the constituency that he represented has gone. Well, Fred, rest in peace. God bless you. You have done a great job. At least 36 families in New South Wales will thank you for what you need for them.

**Mr ROZZOLI** (Hawkesbury) [8.03 p.m.]: I wish to express my condolences to Linda Caterson and members of her family on the loss of their husband and father, Fred. Of all the members in this House, I probably had the longest working association with Fred. I was here a member of the Liberal Party all the time that he was a member of Parliament. I do not intend to transgress the ground that has already been covered, but I wish to speak in praise of one attribute of Fred that has not been touched on by my colleagues—Fred's commitment to the Liberal Party. That may seem a strange thing to say; we are all committed to the party to which we belong. However, I can assure the House that there are differing levels of commitment.

Fred Caterson was for many years President of the Mitchell Federal Electorate Conference. He contributed very much to the work of the Liberal Party in the Federal sphere as well. Much has been made of his association with The Hills and The Hills State Electorate Conference. However, unlike the handsome majority that Fred enjoyed in The Hills—he took over The Hills when it was in very good condition, from Maxwell Stanley Ruddock, Fred's predecessor and a member who did a very good job as well, embodying the special spirit that members for Steels generally have—Mitchell was not always a safe seat.

There was a period when Mitchell slipped from our grasp. Fred was very much at the forefront of the drive to win back Mitchell when Alan Cadman came in. Fred proved to be a very committed and dedicated party person, at a time when we heard so much about factional matters within political parties. Fred was not a factional person; he was dedicated to the Liberal Party and the principles of the Liberal Party as he saw them and what the party stood for. It was his dedication to the Liberal Party that saw the seat of Mitchell returned to the Coalition in 1974.

I also had a very long association with Fred through local government, because I started my career in local government as an alderman of Windsor Municipal Council. We often met at what was then the early stirrings of regional organisations in that western Sydney area. That was in the days before Wesroc, in the days when there was but a fledgling move to try to represent the people of western Sydney on a regional basis. Fred was there, a very active participant in such movements in those times. It is interesting to recall those meetings, many of which were held in the Blacktown Council chambers, and to reflect on the cross-party representation. Ron Mulock was another member who was a great advocate of the regional approach. Both Ron and Fred were men who saw the value of moving across party political boundaries and working for western Sydney as an entity in its own right. So he was a visionary in that regard and did much to build the framework that eventually emerged as Wesroc.

It was in 1976 that Max Ruddock unfortunately died. He had been very sick before the election, and passed away just a few days after it. That was the occasion that brought Fred Caterson into this House. It was always one of our concerns that Fred had to wait a long time to get here. Max Ruddock died in May, but the by-election was not held until September. Of course, we tried to make some political capital from the outrageous delay. It was also significant that the same government made Fred wait a long time before he got to make his maiden speech. Of all the members of this House, no-one was gagged more than Fred was. I do not think that was related to the damage that the government thought Fred would inflict upon it; Fred, in his gentlemanly and thoughtful attitude to others, principally at the time he was Opposition Whip, always put himself at the end of the speaking list to enable his colleagues to go before him. It always seemed that by the time Fred rose to speak the patience of the then Leader of the House—probably Frank Walker, but perhaps also in Terry Sheahan's time—had run out, and once again Fred would be gagged.

There has been mention of Fred's nickname, given to him by Bernie Mullane. Of course, he had a different nickname in this Chamber. He was known to his colleagues as Fiery Fred. We have heard much of Fred's quiet and gentlemanly disposition. But Fred was also a man with great passion for issues that he believed in, was involved with and thought deeply about, and as a result he could become very intense about those issues. When stirred, he could well and truly live up to his reputation as a fiery advocate for matters in which he held deep beliefs. In his time here he made a very important contribution to this House. Above all things, he honoured the House and its institutions. I, as someone who occupied the chair for seven years and observed the behaviour of members of Parliament, always held the wish that we could have a Parliament of people like Fred Caterson rather than some of the people I did have to preside over.

I value those who have a great respect for this institution and its dignity. Fred Caterson was a person who always conducted himself with great dignity and in honour of the organisations with which he was associated. The people of The Hills were very well served by Fred in his dual capacities as a local government representative and as a member of the New South Wales Parliament. His name will always be remembered because, amongst other things, it is recorded on the Fred Caterson Reserve, a large passive and active recreation reserve in Castle Hill. That is a very fitting tribute to the man; it brings to mind his very close association with the ordinary person in the street, because the ordinary person goes there to enjoy their recreation time. Fred Caterson's memory certainly will live on for many years to come. I feel honoured to stand here tonight and pay tribute to his years of community service. I extend to Linda and members of the family my sincere condolences on his passing.

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**Mr E. T. PAGE** (Coogee) [8.11 p.m.]: When one is elected to this place there are generally hard and fast rules. One such rule is the distinction between us and them. One tends not to be very receptive to the views and attitudes of honourable members on the other side of the Chamber but, as time goes on one mellows and one becomes a bit more receptive to the position of other people. I am talking about the Opposition. Because of factional problems in the Opposition it is not so easy. That was the situation pertaining to Fred and me. When I was elected to Parliament he and I were certainly on very different sides of the fence. We spent over eight years together in this Parliament, and as time went on I grew to respect Fred. He was a genuine person who followed his agenda in a rigorous and moral way. I can only reinforce the description by the honourable member for Hawkesbury of how Fred compassionately articulated where he stood on an issue.

I was also very impressed that Fred spent 30 years on Baulkham Hills Council and made a great contribution there. So I had great respect for a guy with whom I spent eight years in this Parliament. In a sense, however, that was a one-dimensional assessment, but that assessment extended when, as the Minister, I became involved with Cudgegong County Council and Mudgee Council. There I met Col Bailey and Fred's daughter, Glenys. That made me think more about Fred and it gave me a two-dimensional perspective of the man. I had met his daughter and his son-in-law and I was impressed with them as good community people. I then thought about Fred in a more mature sense than I had before. I extend my condolences to Glenys and Colin and to the other family members, whom I do not know. I acknowledge that Fred made a great contribution to the State Parliament and to local government. He will be remembered.

**Mr MERTON** (Baulkham Hills) [8.14 p.m.]: Fred Caterson was not interested in rewriting the New South Wales Constitution or in becoming Premier. He preferred righting wrongs and helping

people in dire straits, and his word was his bond. Frederick Douglas Claude Caterson's prime mission in life was simple and sustained—protector of the individual. Widely regarded as a man of the people, he never stopped serving those who elected him—initially the Baulkham Hills Council from 1956 to 1990, some 34 years, and the State Parliament from 1976 until his retirement from the Greiner Government about 10 years ago. A family man, renowned for his integrity, he was truly an advocate of everyday folk. His legacy today is found everywhere in his former electorate, The Hills, in Sydney's north-west. His long-time friend, former Baulkham Hills Shire President, Councillor Bernard Mullane, said in the eulogy:

Because of his tireless work to preserve the amenity of the Garden Shire we now enjoy our large family homes and the peaceful, tree-lined streets surrounded by magnificent recreational reserves.

Fred would seek no more satisfying epitaph. Fred Caterson, who grew up in Nobbys Creek on the Tweed River in northern New South Wales, was one of 10 children, "the seventh son of the seventh son" as he often said. Educated at Sydney Boys High School, he saw service in the Australian Military Forces before becoming the chief industrial officer for Qantas between 1943 and 1959, where he won the respect of both sides in any difficult argument. For the next 15 years he was industrial adviser to and advocate for the Australian Pilots Federation. Don Gray, a colleague and friend of some 34 years, said at Fred's funeral:

If any pilot or Qantas employee sought assistance, I'd say to them "Have you rung Fred? With his reputation for integrity and fair-play Caterson always had the entree to all levels of Government, regardless of political persuasion. To him this access was ironic. He often joked, "It's easier for me to get to the Prime Minister than to Qantas management."

I do not know what the position is today. Fred was Secretary of the Department of Labour and Chairman of the Apprentice Board. He spent four years in Papua New Guinea from 1959 as Chairman of the Employment Board, where he developed the industrial relations structure of that burgeoning young country. He always said he never had time to be shire president; nevertheless he served as deputy president of Baulkham Hills for decades during three terms. He was a distinguished member of the Local Government Appeals Tribunal. Fred Caterson was drafted by the Liberal Party from a record 41 candidates and he romped home in the 1976 by-election with an unprecedented 78 per cent of the vote. I might add that I was one of those 41 candidates. I saw only one day of a two-day preselection, but the fact that I had joined the Liberal Party on Thursday and nominated on Friday meant that I hardly had much chance. Caterson was the winner and I would have been a bolter, to say the least.

Hugely popular because of his common touch and family values, held together by vigorous Christian spirituality, Fred easily won his four subsequent elections, ably assisted by his wife and soul mate, Linda. In fact, the electors of The Hills had a package deal. They had Fred and Linda and they paid only one salary. Putting it bluntly, they got a very good deal. Fred's parliamentary career was one of solid achievement. He was Temporary Chairman of Committees, trustee of the Parliamentary Superannuation Fund, Opposition Whip for six years, member of the Select Committee upon Disclosures by Members and executive of the Commonwealth Parliamentary Association. He was a weariless worker in the wings who seldom sought centre stage.

In the community he was extremely active. He was a member of the Privacy Committee. He was patron, office bearer and member of local hospital boards and a wide range of other local organisations, resulting in his Medal of Australia for community service in 1990. His recreational passion was cricket and he applied its fundamental principles to life: playing a straight bat and always accepting the umpire's decision. He was also a lifelong farmer, but he laughingly said he was none too successful. He ran merino sheep and Hereford cattle on a Gulgong property and he had a name for every animal. It was said that he couldn't bear to part with any critter when it came to sale time.

Fred Caterson was a lay preacher. To some he was an exemplary soul who, in the words of Solomon Islands missionary and friend, Paster Roy Funu, was "a saintly man who exemplified the well-known quote 'The family that prays together stays together.'" On retirement he moved to a property in southern Queensland which he named GlenRoblan after his three children. Fred has been survived by his wife, Linda, and children, Ian, Robyn and Glenys, and son-in-law, Colin Bailey.



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Fred's mission was always to show a helping hand to those in need and to give a word of encouragement—but above all to fight for their rights. His everlasting monument is to be found in the affection and esteem the name Fred Caterson holds in the hearts of the people in The Hills area. When the songwriter wrote these very prophetic words he exemplified Fred's fundamental commitment to society, the church and his family:

I would bring peace when men rise in anger, ease aching hearts with words that soothe and heal. Peacemaker Lord my calling seal.

**Mr DEBUS** (Blue Mountains-Minister for the Environment, Minister for Emergency Services, Minister for Corrective Services, and Minister Assisting the Premier on the Arts) [8.20 p.m.]: I rise to speak briefly in condolence to the Caterson family, in particular because I grew up in the same place. I could not have stayed in the same place and entered the Parliament given my political convictions. As a number of people have acknowledged, it is one of the safest conservative seats in the southern hemisphere. My parents moved to Castle Hill and we lived in the same street as Fred and Linda Caterson. They moved at about the same time. In fact, Fred Caterson was the first politician I ever met.

I recall in 1957 standing outside the Baulkham Hills Shire Council Chambers at Castle Hill with a man whom the Caterson family will remember for he was their neighbour, at least for a while: Robert Geisslinger. He used to teach me German with an Austrian accent, until I forgot it. I think he was more inclined to my view of politics than Fred's, but he was a friend of Fred's and more than prepared to support him as he ran for a place on the Baulkham Hills council. He was successful and, as I understand it, became a fixture on that council for what amounted to several political generations.

I want also to confirm those things that Fred's colleagues have been saying about his honesty, straightforwardness, and his gentlemanly qualities. They were certainly shown to me when I arrived for the first time in this Parliament in 1981. I will always appreciate the memory of the friendship that he offered to me on the basis that we did at least in some sense come from the same place. I offer my condolences especially to Mrs Caterson, who was my mum's friend, and to the family, who I think were not exactly my contemporaries, but nearly. In a paradoxical sense it is a pleasure to me that I am able to join in this condolence motion.

*Members and officers of the House stood in their places.*

**Motion agreed to.**

#### **DEATH OF WILFRED GEORGE PETERSEN A FORMER MEMBER OF THE LEGISLATIVE ASSEMBLY**

**Dr REFSHAUGE** (Marrickville-Deputy Premier, Minister for Urban Affairs and Planning, Minister for Aboriginal Affairs, and Minister for Housing) [8.23 p.m.]: I move:

That this House extends to the family and friends of Wilfred George Petersen, a former member of the Legislative Assembly, the deep sympathy of members of the Legislative Assembly in the loss sustained.

It is with genuine sadness that I rise to speak to this condolence motion with respect to George Petersen, who died last Tuesday in Shellharbour Hospital. It is fitting and proper that this House pay tribute to his achievements and express the deepest sympathy to his family, friends and comrades. George Petersen was born in Childers, Queensland, in 1921. He was born into the Australian rural working class, the offspring of northern European immigrants. There were five children in the family and George's father was a carpenter. George often recalled his father being unemployed and having to get relief work during the Depression. At the age of 47 his father had to get back to cane cutting, a job George said "just about killed him one season because it is a young man's game".

George was educated at Bundaberg High School and worked variously as a telephonist for the Postmaster-General's Department and as a pensions officer and special magistrate for the Department of Social Services from 1937 to 1968. George was a good student: he was top of his class. Poverty and the Depression forced him to leave school at the age of 15. He served as a military signaller in a commando squadron from 1942 to 1946. But George's school education was in the

school of hard knocks or the university of life. His politics, principles and philosophy were developed at a young age and shaped by his experiences of the Depression. In the middle of the Depression and aged only 15 he first read *The Ragged Trousered Philanthropists* by Robert Tressall, who was a socialist house painter. His book was about a group of working-class labourers in England. George later recalled that "anyone who reads it at 15 and doesn't become a socialist doesn't have a heart".

His working-class background served him well and he was an honest, courageous, compassionate and generous person. I think most of us in this House probably remember him best as a tenacious fighter. George was a lover of humanity and believed people were good. George joined the Australian Communist Party in 1943 and remained in the party until 1956 when his differences with the party were defined. George was a colourful member of the Labor Party for 30 years. He presented a radical left leadership and did much to strengthen the party organisation in the Illawarra and Wollongong. He worked with the local steelworkers and coalminers to set up the Unanderra branch of the ALP. George was involved in the moratorium marches against the Vietnam war. He was in favour of women's right to choose and a defender of minority interests.

In 1968 George was preselected for the State seat of Kembla for the Labor Party and entered this House at the next election. He was the Labor member for Kembla from 1968 to 1971 and then member for Illawarra until 1988. His commitment to the working class was clearly and powerfully articulated in his maiden speech in August 1968. It included references to the practices of BHP, "Australia's most greedy monopolist firm", the "obvious evil" of air pollution in Wollongong, and a famous description of the problems of lack of sewerage in the Illawarra. He asked, "Just what exactly does one do with dirty nappies in an unsewered area?" before giving a very graphic and descriptive answer. I would like to quote briefly from his maiden speech:

Perhaps there is no other area in Australia where the gap between potentiality and actuality in living standards and the quality of life is more apparent than in the Kembla electorate. As an example of the importance of the electorate to the Australian economy, it might be noted that the value of annual industrial production in the Kembla electorate is greater than the value of the wool clip for the whole of Australia... One would expect under those conditions that the workers of the Kembla electorate would have one of the highest living standards in Australia—after all, there is no question of the industries concerned lacking profitability... Yet at least two-thirds of the workers in the steel industry are low-paid workers who take home pay packets of no more than \$40 if they work only their forty-hour week without overtime.

The labour practices of some of Australia's largest companies deeply concerned him as did "the scandal of female unemployment". I again quote him:

If the wages of workers in employment are scandalous there is an even greater scandal, the scandal of female unemployment. In 1964 the Illawarra Regional Development Committee conducted a survey of the Illawarra region and discovered that there were 6,000 unemployed women and girls in the area. In this region 23 per cent of the female work force is unemployed, compared with an Australian average of less than 2 per cent.

As a new member he made some insightful comments on the operations of State Parliament. I quote:

With the growth of Cabinet and Government, one has come to expect a decline in the status of Parliamentarians, but there is a certain smell of decay about this Parliament which goes beyond the normal decline.

In 1970 George took up the issue that stands as one of his major achievements—prison reform. He called for a public inquiry and later a royal commission. Following the burning down of Bathurst gaol in February 1974 and later a riot at Maitland gaol a royal commission was held. The report brought down by Justice John Nagle in 1978 vindicated George's campaign.

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Throughout his parliamentary career George continued to provide a forceful left leadership role. He was a vigorous and able debater. George took up politically unpopular issues but his principled and lonely stand was regularly vindicated. He stood for change and reform and, because that involved him in controversy, he had enemies within the conservative ranks. He was a ready-made target for their prejudice and criticism. He fought for better public services for the Illawarra and for Australia's withdrawal from the Vietnam war. He worked with the gay movement for the repeal of anti-homosexual sections of the Crimes Act and he was instrumental in homosexual law reform. He was a strong advocate for workers rights across the State. He defended Tim Anderson and the other Ananda Marga who were sentenced on trumped up charges of attempted murder in connection with the Hilton bombing—a conviction he referred to as a gross miscarriage of justice. His defence was later vindicated.

George was an environmentalist and fought to preserve our rainforests long before environmental issues became popular. In his electorate George led a successful campaign to force BHP to protect steelworkers from carcinogenic emissions from the coke ovens. George was an outspoken crusader for the Palestinians and their right to a legitimate homeland. He was a great anti-apartheid crusader. George described himself as being far removed from the corridors of power. However, his achievements show him to be a formidable fighter. His philosophy and his actions were directed to justice and equity. He worked to advantage the disadvantaged and to defend the powerless. At various times George was a member of the New South Wales State Council of the Commonwealth Administrative and Clerical Officers Association, a committee member of the Council for Civil Liberties, and a member of a parliamentary delegation to Egypt, Libya and Lebanon in 1974.

Some of us might argue that George's principles led him to cross the floor and vote against the Unsworth Government's workers compensation legislation in 1987. Others were saddened by this event. He was automatically expelled from the Australian Labor Party and saw out the rest of his term as an Independent. He served his constituency and this House for 16 years. To him the little things did matter. He reminded us often that one of his greatest achievements was the double yellow lines on Farmborough Road.

George was described as the maverick of State Parliament. After his retirement George remained active as an environmentalist and civil libertarian. The week before he died he was sending letters of support for prisoners of conscience. George was a particularly powerful personality, a leader of the Left and a colourful character; a kind and generous human being. George Petersen never renounced his Marxian socialism. Unlike many powerful personalities and colourful characters, he enriched the social and political lives of many of us. George is survived by his first wife, Elaine, and children, Eve and Eric, and his second wife, Mairi, and daughter, Natalie. We honour him today, and our sympathies are with his family, friends and comrades.

**Mr ROZZOLI** (Hawkesbury) [8.32 p.m.]: I add my condolences to the family and friends of George Petersen. My association with George was a very personal one. I would like to pick up on some comments made by the Deputy Premier, who said that George's strong leftist tendencies and his virile and forceful advocacy of what were often considered unpopular issues led to him being regarded by many members on my side as a person to be regarded with some disrespect and animosity. That was the climate in which I was first introduced to George Petersen. Over the years that all changed. I do not know whether my colleagues changed their minds, but I certainly changed mine. By the time he retired from this place, George and I were very firm friends.

As the Deputy Premier said, George was passionate about prison reform. I think a speech I made about prison reform brought us very close together. He said to me, "What you have said in the House tonight should be said over and over again, but it surprises me that the first time I have heard those words they have come from the Liberal side of politics." From that time onwards George and I had many long discussions. In the latter period of his service in Parliament I was studying law. It was a lonely task and a task that I did not draw too much attention to—I thought people might think I was not spending time looking after my constituency if I was studying law. I did not say much about it, but a few people knew, and George was the one of those people. He would always come to me after an examination and inquire as to how I had gone. He encouraged me during some of my more desperate times.

**Mr E. T. Page:** He always took up lost causes!

**Mr ROZZOLI:** Perhaps that was right. He offered great encouragement. When I told George I was going to the university to check my final results he told me to come back and to let him know how I went. I told him I had passed five subjects in one hit to finish my degree. He said, "Come down to the bar." He bought a bottle of champagne and we toasted my success. Not one of my colleagues on this side of the House offered me the same degree of courtesy. George and I developed a number of strong connections. We were both strong environmentalists and we shared many of the same convictions. We talked often of the problems and of the reluctance of governments of all persuasions to meet the challenges out there. I was always interested in Amnesty International, and that was another of our great bonds.

I did not agree with George on every issue—there were certainly issues on which I violently disagreed with him. However, I respected his conviction, and he respected mine. He crossed the floor—I know how difficult that is as I have done it myself, but it was infinitely more difficult for him—because he believed that the Labor Party was selling out the worker. People can draw their own conclusions as to whether that was the case, but that was George's conviction. He said to me afterwards, "I just could not bring myself to vote for that legislation. I know the consequences and I am prepared to accept the consequences." I thought that was a mark of a great man. It was the mark of great conviction.

He was true to his support for the workers of this country and this State right to the end. It was a decision that cost him dearly. The last thing he wanted to do was to leave the party he had put so much effort into over the years. In the remaining months—when he had a lot of time on his hands because he did not often get the call—we had many long discussions. At the last press gallery party before his retirement we must have spent 3½ hours—and consumed the odd ale in the process—delving into and attempting to solve many of the problems of the State and the world. He said to me, "I am leaving but, young fellow, you have a few years to go. I hope you continue to champion the causes on which you and I agree." He was a fierce believer in people who stood up for what they believe in. For that reason, I pay tribute to the memory of a man whom I greatly respected. The world is a poorer place for his passing.

**Mr DEBUS** (Blue Mountains-Minister for the Environment, Minister for Emergency Services, Minister for Corrective Services, and Minister Assisting the Premier on the Arts) [8.38 p.m.]: I offer condolences to the family and friends of George Petersen and I endorse the description of the character of the man that has just been given to the House by the honourable member for Hawkesbury. I experienced a very small amount of the isolation that the honourable member mentioned when I sat with George and very few members during divisions at times in 1982 and 1983 when George introduced his private member's bill to decriminalise homosexuality. The motion failed in the House—some of the provisions failed by overwhelming majorities. However, those who supported him were able to experience with him the satisfaction that followed when that reform was eventually passed. As I recall it, the then Premier, Neville Wran, introduced a private member's bill. He acknowledged that that change would never have occurred but for the campaigning conviction of George Petersen.

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I gather that one of George Petersen's first campaigns was conducted as early as 1960, when he stumped the Illawarra in support of a referendum to abolish the Legislative Council. Those of us in this place at the moment should perhaps keep our own counsel about our opinions on the outcome of his support for that campaign. From the time of his maiden speech in this place in 1968 George Petersen set out the radical themes that would continue to engross him: his support for abortion law reform, his opposition to the Vietnam War, his passion for free speech and for civil liberty, and his commitment to conservation.

He was also one of the most hardworking of local members. He took his constituency duties extremely seriously and he was a fierce advocate for the interests of the Illawarra region. Local issues he campaigned for were many and varied. They included a sustained campaign to have the rapidly developing suburbs around Lake Illawarra connected to the sewer, the building of the Berkeley swimming pool, pollution issues affecting the Port Kembla industrial region and the environmental protection of Bass Point. He was assiduous in representing his individual constituents, particularly his public housing tenants. I recall him making speeches on their behalf in the Labor Caucus on a number of occasions, again in the early 1980s.

George demonstrated that an effective parliamentarian can tend to the individual needs of his or her own electorate while also making a crucial contribution to wider issues of public policy, issues that can affect all of society. As Minister for Corrective Services I would, in particular, like to acknowledge George Petersen's tireless campaign for prison reform. From 1970 onwards he collected evidence of brutality in the State's prison system, in particular the brutality that led to the famous riots at Bathurst and evidence of the dreaded Grafton biff, and the honourable member for Hawkesbury will recall what that implied.

These days we tend to forget the barbarity that existed in many parts of our corrective services system during those years. What had begun as a trickle of former prisoners and honest prison

staff coming to George with stories that seemed even to him so extreme as to defy belief gradually became a huge collection of evidence. He used that evidence over a period of more than two years to pressure the then Government to push ever more forcefully for a full and public inquiry. With what was, even in retrospect, a quite extraordinary coterie of colleagues and supporters from journalism, law and politics, he succeeded in making the pressure for a public inquiry into the prison system irresistible.

Ultimately, it resulted in the establishment of the Nagle royal commission in 1976. At the conclusion of the Nagle inquiry in 1978 the then Premier, Neville Wran, quite rightly commented that but for the persistence of the honourable member for Illawarra there would never have been a royal commission. He undertook that, unlike previous inquiries, the recommendations of the Nagle commission would not gather dust and that promise by the then Premier was kept, although George Petersen would never have conceded that the reforms went far enough. As far as I am aware he never conceded that about any of the causes he espoused. Nevertheless, several generations of prisoners are in no small part indebted to George Petersen for reform of the New South Wales prison system.

I join with colleagues on both sides of the House in offering condolences to the family and friends of George Petersen and to the memory of a man probably as left wing and as committed to socialism as anyone can be and still be elected to this Parliament, a member who was understood by us all to be a person of the most profound integrity and someone who, in his way, was an ornament in this House.

**Mr HARTCHER** (Gosford) [8.45 p.m.]: It is with respect that I speak to this motion of condolence to mark the passing of Mr George Wilfred Petersen. George Petersen was born in 1921 in Childers, Queensland, a small sugar-growing town near Bundaberg. According to his own account he was raised by his parents, Peter and Eva Engstrom, in financially testing times. From humble beginnings George developed a passion for those he regarded as less privileged and he translated that passion to all his community endeavours, including his service in the Parliament of New South Wales.

Before successfully running for Parliament in 1968 as member for Illawarra, George Petersen was a union activist with the Administrative and Clerical Officers Association in Queensland and later in the New South Wales branch council. He was a committee member on the New South Wales Council for Civil Liberties for 14 years. George Petersen's commitment lay in protecting the workers and in guarding the rights of the individual. He was particularly well versed in the theory and practice of socialism, the trade union movement and civil liberties. These themes underpinned his career as a member of this House.

Those who served with him and any review of his speeches to this House confirm that he was a person with strong philosophical convictions. In his maiden speech in August 1968 George Petersen gave a powerful and forthright account of his concerns for entering Parliament, including the threat of increased air pollution in Wollongong and the lack of sewerage in his electorate. In 1969 Mr Petersen campaigned for legalised abortion and in 1970 he played a key role in the formation of Labor Party policy in relation to conservation. George Petersen was uncompromising in the principles that ruled his life and in his endeavour to apply those principles within the Labor Party and within this Parliament.

More often than not, George Petersen was working against the flow of his own party, against the majority view in this Parliament and also against mainstream public opinion. That did not deter him in the slightest. The Royal Commission into New South Wales Prisons in 1976 can be partly attributed to his efforts and campaigning. He was influential in the passage of the bill reforming homosexuality laws, which was finally passed in 1984. His passion in working, as he saw it, to protect individuals from injustice and oppression was constantly on show.

George Petersen fought with sincerity and commitment for the release of the three former Ananda Marga members who were gaoled after being accused of involvement in the Hilton Hotel bombing of 1978. In 1980 he was a member of the select committee on Aboriginal land rights, education, health, housing and employment. George Petersen was a strong believer in the rights of the worker. His own personal experience had been formed in the Depression years of the 1930s, years which many Australians now forget because it was some 70 years ago, but which were years of incredible hardship for large numbers of Australian families, including his own. He never lost the

identity that was born in those days with the underprivileged in our community. He fought always for the underprivileged and he sought to protect their rights and to advance their interests in the community.

When the Communist Party failed to live up to his expectations he left it; when the Australian Labor Party failed to live up to his expectations, he left it. His passion was for the worker and for the underprivileged. He served them to the best of his abilities all his days. He is part of history in that he grew up at a time in western society when the working class was ill-treated, lacked opportunities for expression and was only able to find such expression as it could through the democratic process of the political organisations which sought to champion it, the Australian Labor Party and the Communist Party. He was always conscious of the fact that he was committed to those people. He was never strictly committed to a political process; he was committed to the rights of the underdog. He lived and fought always for those rights. I believe all honourable members would be impressed with such a life history and it is with deep respect that I pay tribute to him on behalf of the Coalition.

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**Mr MARKHAM** (Wollongong-Parliamentary Secretary) [8.49 p.m.]: George Petersen was born in Childers, Queensland, on 13 May 1921 and died at Shellharbour on 28 March 2000. He was an incredible man. He was one of a few people that one might have regarded it as a privilege to meet during one's life. Honourable members have spoken about George's history in this Parliament and I will say a few words about that. I was not a member of this Parliament during George's term; I entered Parliament in 1988, when George left the Parliament. In 1975, after what had happened to the Whitlam Government, my wife and I decided that we needed to put our money where our mouths were and we joined the Labor Party.

It was not until some years after joining the Labor Party that I met George Petersen and his wife, Marie. George's history in this Parliament is an outstanding contribution to social justice from a man who was a true democratic socialist. In February 1968 George became the member for Kembla, and following the renaming of the seat in 1971 he was elected as the member for Illawarra, which he held until 1988. In 1969 George campaigned for legalised abortion. I often heard him say, "While ever abortions are going on, women have the right to choose the best way of having those abortions performed. Why should working class girls be forced to go to backyard butchers when women and girls of the wealthy go to specialists, even if they have to go off shore?"

In 1970 George played a key role in the State Parliamentary Labor Party's commitment to conservation. George was a conservationist all his life. As the Deputy Premier said, George was a conservationist long before it became popular to fight conservation issues in this State and in this country. In 1971 George was at the forefront of campaigning against apartheid in this country. He led a small contingent of people who were protesting against a surf-lifesaving team that came from South Africa at that time. As honourable members have said, George's absolute commitment to social justice issues brought him into disrepute with many people in the Illawarra, where he fought a good fight on apartheid. That is simply another issue on which George's stand was proven to be right.

In 1976 the Royal Commission into New South Wales Prisons commenced. George was instrumental in getting that commission established. In 1980 George was a member of the Select Committee upon Aborigines, which dealt with Aboriginal land rights, education, health, employment and housing. He had a passion in terms of Aboriginal affairs. During the latter part of George's parliamentary life and early in my parliamentary career, when I was responsible for Aboriginal Affairs in the Opposition in 1989 and in the early 1990s, George and I often talked about the Maurie Keane report, which highlighted the fact that if there were no land rights in New South Wales there was no way forward in terms of some of the atrocities that were happening at that time.

In 1987 George was expelled from the party for crossing the floor on changes to the Workers Compensation Act, which he described as vicious, anti-working class legislation. From 21 July 1987 George held the seat of Illawarra as a member of the Illawarra Workers Party until his retirement in 1988. But George did not retire in 1988; he contested the seat of Illawarra as a candidate of the Illawarra Workers Party but failed to be elected. In 1998 George launched his book *George Petersen Remember—the Contradictions, Problem and Betrayals of Labor in Government in NSW*. In 2000 George died on Tuesday 28 March at Shellharbour Hospital aged 78 years.

The celebration of George Petersen's life was held at Heiningen House, Dapto, at 11 a.m. on Saturday 1 April. More than 600 people attended the celebration. It was an incredible experience because the celebration continued for 2½ hours with many speakers, songs being sung, and people clapping, laughing and enjoying the richness of a rich man's life. Many current and former members of Parliament attended the celebration. The Minister for the Olympics attended. Maurie Keane, who was the chairman of the Select Committee upon Aborigines, Jack Ferguson, who was Deputy Premier during part of George's term in this House, and Frank Walker, a former Attorney General, were also in attendance.

At the celebration we were told this story about George: Gough Whitlam rang Marie one night to say that Fred Nile had said something. Gough Whitlam said, "You've got him dead because he slandered you. You should take him to the cleaners." We were told that the matter was settled out of court. The name on the cheque was Right to Life, so the organisation did not have to pay tax on it. George showed the cheque to Frank Walker and said, "Look at this, this is corruption." George told Fred that he should write a personal cheque, otherwise he would be in trouble. That is just one of many stories told at the celebration of George's life.

Stewart West, who was the member for the Federal seat of Cunningham for many years and a Minister in several Labor governments and a shadow minister in Opposition at the Federal level, spoke at length about his friendship with George and Marie Petersen and the family. Colin Hollis, the Federal member for Throsby, also attended the celebration. Neville Wran sent his apology and flowers. Also in attendance were many well-respected people in the Illawarra community. Also present was Arthur Rorris, the secretary of the South Coast Trades and Labour Council. Tim Anderson, the former Ananda Marga member convicted, with two others, of the Hilton bombing, spoke at the celebration. George was instrumental in gaining their release.

Graham Roberts, the national president of the Australian Workers Union, talked about George's total commitment to the trade union movement and to the Miners Federation. He referred to the battles that they had waged together for the rights of the working class people in that region. Jim Staples, the retired Federal Court Arbitration judge, and Nando Lelli, the former Federated Ironworkers official, were present. Russell Hannah, a long-time friend and former Shellharbour councillor, acted as emcee. Joan Vinton, deputy mayor of Shellharbour council, who worked for George for 20 years, was there. In attendance were many great supporters and people who had been members of the Communist Party for many years—people like Fred Moore, Bob Heggen and Jack Lowrey.

Pat Rogan rang me and asked me to pass on his respects to George's family. He did not get to the celebration of George's life on Saturday because he read about George's death in the *Sydney Morning Herald* on Monday. When one considers that George was often vilified and attacked, to get an editorial in the *Illawarra Mercury* and an obituary in the *Sydney Morning Herald* about his life and what he did, and how he never shirked his duty as a representative of the working class, is extraordinary.

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George possessed great courage and integrity and refused to compromise his principles. Everything George did was designed to improve the lot of the people of this world, especially the working class. George was a committed environmentalist and community activist, and he never swerved from his entrenched principles of social justice and environmental protection. He played an active role in the community.

When the "Talkin' Up Reconciliation" convention was held in Wollongong at the Entertainment Centre in August last year, George was there, withered with arthritis—he suffered dreadfully with arthritis during the last 12 months or so of his life. George's wife Mairi was always by his side, wherever George went to fight the good fight for socialism. That is great dedication, and I am proud to know Mairi and her family.

After the celebration of George's life, we were invited back to George and Mairi's place—their home was never just "George's home" or "Mairi's home"; it was "George and Mairi's home". I first met George during the 1980s when my wife and I had three young children. I was working in a coalmine and we did not have many opportunities to go away for holidays. After an ALP function one night, George asked, "What are you doing over the Christmas period, Col?". I replied that I would be

staying at home and probably going for a swim at North Beach. George said, "Why don't you come to our place? Mairi and I are going away for 10 days and you and your family could holiday there". That is what we did. We stayed in George and Mairi's house, which was situated right on Shell Harbour beach. It is a magnificent area, which is why George fought hard against the development of a marina at Shell Harbour.

I was questioned by an *Illawarra Mercury* journalist following the ceremony to celebrate George's life. I said that people did not always agree with what George said or with the direction he took but that each and every person present at that ceremony would have said that George was fair dinkum. George was a principled man who never backed away from his beliefs. That is the man whom we are remembering tonight.

George Petersen will be remembered for a very long time. John Marsden, a former Liberal candidate, spoke at the ceremony on Saturday. He said that George had talked to him at length about homosexual reform and that, if George Petersen had not been active in that area, many young men would be dead today. George gave them the right to respect their lifestyle over and above the prejudices of society.

George did not back away from those challenges. The honourable member for Hawkesbury remarked earlier how principled George was: he crossed the floor of the House and was expelled from the Australian Labor Party of which he had been a long-time member. However, George Petersen made the lives of many people—not only in this State but across Australia—much richer because of his principled stand. He never backed away from an issue. Some honourable members said earlier that they were always losing arguments. George won many arguments because he would not be browbeaten into submission by those from his party or in society who reckoned he was a ratbag. His stance on many issues was vindicated by the number of people who turned up last Saturday to the ceremony to celebrate his life, by the editorial in the *Illawarra Mercury*—which was not always kind to George—and by the obituary in Monday's edition of the *Sydney Morning Herald*.

I have known Mairi for a very long time. George is survived by his wife, Mairi, and his children, Eva and Rick, and step-daughter Natalie Gould. He was grandfather to Peter, Ian, Bryn and loved brother of Allen and Marj. This State, this Parliament, this country and this world is poorer for his passing.

**Mr ASHTON** (East Hills) [9.05 p.m.]: I rise to offer my condolences to the family of George Petersen on his passing. I do not mean to sound humorous, but George was one of a dying breed who always focused my attention when I was a member of the Young Labor Association. He was a well-spoken, working class Labor Party socialist—and I do not know whether there are many of them left in either Young Labor or the Australian Labor Party at large.

George Petersen's beliefs set him apart not only from conservatives in the Australian political spectrum but from some Labor Party members. He was so different from some in the ALP that one had to wonder whether they were members of the same party. George was a true socialist and he held those views until his expulsion from the Labor Party in 1987.

As I have said, true socialists are rare, and I am sure that George was bitterly disillusioned by the push for what we now call "economic rationalism" and "the level playing field". Those myths that have emerged in the 12 years since he left this Parliament would have horrified George. George championed issues that are not controversial today. Yet when he focused my attention upon them they were not only controversial but heretical. Homosexual law reform was considered to be "the sky is falling in" stuff. George would have been interested—to say the least—in the success of the gay Mardi Gras that have been held for about the past 20 years. George was one of the first keen advocates for any level of homosexual law reform, for which he was vilified not only by church groups but within Parliament and the Labor Party.

As a Young Labor member, I remember hearing George speak at annual party conferences about prison reform. He said that it was not a matter of simply locking up people and that prisoners should not be bashed senseless every few days to keep them on the straight and narrow. I remember wondering at the time whether some of those who worked in the prison service were not worse than the prisoners. George Petersen focused my attention on issues such as that.



George opposed the Vietnam War—as did I and anyone else about my age—from the start. In the early 1970s, I moved in an ALP branch meeting a motion opposing the Vietnam War. That motion was defeated and the branch carried a motion supporting the Vietnam War even as America was attempting to disengage and increase the involvement of the South Vietnamese. Even then my ALP branch thought the Vietnam war was a goer.

As far back as the late 1960s, George Petersen believed in abortion law reform. There is still debate in some States and countries about the legality of such issues. However, it is important to consider how many women are alive today because they did not have to go to backyard abortionists. They were able to have safe abortions because of George's actions, which he convinced others to support.

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When I was working for Rod Cavalier in the mid 1980s as an adviser, I had a number of conversations with George. Even then it was very clear that he did not care at all for what we might call the simple niceties of parliamentary behaviour and toeing the absolute party line on everything. George was a hard left-winger who today would not find himself able to sit comfortably in any left-wing faction in most Labor parties in Australia, and certainly in Britain and other places. We could argue that the world has moved on. Maybe one could argue that George did not, but the views he held and the views he put forward are views that have made a difference today.

George Petersen had views that were expressed at great cost to him personally. He was never going to be the leader or the deputy leader of the Labor Party, or even a great factional leader, with the sort of views and attitudes he expressed. On the South Coast he represented miners, workers and seamen. I know people at the Revesby Workers Club, a club formed out of the seamen's unions and the wharfies in that area, who held George Petersen in high regard. As I said, he was a controversial figure, and I think we could also say he was a colourful figure. Before I came into the Chamber to say these few words I was talking with a couple of members of Parliament who said that was a term they used, and they did not use it disrespectfully. What they meant was that the Parliament can do with people who represent extreme views, whether it be the most conservative view or the most radical view. If all members of Parliament stood here in our suits and looked the same, it would be a pretty boring Parliament and we would not represent anyone particularly.

George Petersen probably would not win a Labor Party pre-selection today. For those who know how that system works, some may say, "This bloke did not go to university; he does not have a couple of degrees." Gary Gray recently commented to the effect that perhaps we need to see in our Parliaments—and not just in the Labor Party—people who perhaps do not go straight from the best of schools, straight through university, join the Young Labor Party or the Young Liberal Party and decide to become a member of Parliament. When they are not Ministers by the time they are 28 years of age, they think, "Oh, God, I have missed the boat here. I had better get into another career." George Petersen was one of those, like Jack Ferguson and so many others—and there would be people like that in the Liberal Party as well—who did their time before they became members of Parliament, and that enabled them to make a greater contribution. Before becoming a member of Parliament one needs to have some other background and to represent people.

The honourable Member for Keira made the point that Pat Rogan had spoken to him today. As I was walking back from another function to have dinner, I realised that condolence motions were to be heard for Fred Caterson—I pass on my condolences to Fred's family as well—and George Petersen. I thought, "I ought to go into the Chamber and say a few words." Pat Rogan was a member of Parliament for about 25 years. I thought, "Pat would not mind if I went into the Chamber to say a few words about George." I did not ring Pat to ask him whether I should or should not. He rang Col Markham, because Col is an old mate of his. I thought, "They are members of the East Hills electorate. It is an electorate that has a very strong tradition through many of its organisations. They would expect me, given an opportunity such as this, to say a few words."

It is interesting that Col made the same point, that Pat had spoken to him today and wanted his views passed on. I think it is a reflection of the fact that perhaps as members of Parliament we should pass on condolences in this sense, but it does not mean that one has to do so. There would be no real need for a senior member of the Liberal Party to come into the Chamber to say anything about

a member of Parliament who held views as different as one could imagine from some of the views that the honourable member for Hawkesbury would hold, yet they had a close bond. I know that that happens in parliaments. Some good relationships can develop between Government members and Opposition members. As we know, a lot of what we go on with in the Parliament is a little bit of theatre.

I always enjoyed George Petersen's efforts. For those of us who had the privilege to go to the Labor Party annual conference, George was always there pushing his left-wing, radical views, during the time when Wran was Premier, at the time when Jack Ferguson was Deputy Premier, and of course towards the end of 1988 when the Labor Party was heading out. What I always enjoyed was that you knew that with George Petersen you were going to hear just about every left-wing view that you could expect to hear, well put, and you knew that it was going to be a lost cause. But George never minded going to the microphone and making the speech, putting the weights up on different people about things that should be done or should be looked at. I think that reflects great credit.

It is sometimes a lot easier to simply sit back or walk around the sides of all political parties and do deals and say, "Look, you get up and say this." There is no doubt that George Petersen's great credit to the Australian Labor Party for all the years he was a member of it was that he was prepared to get up and have a go, rather than go up to someone else, get in his or her ear and say, "Get up and say this, will you?" I extend my condolences to George's family. I acknowledge his 20 years in Parliament and the background he would have had, and agree with all the sentiments expressed by members on both sides of the House.

**Mr E. T. PAGE** (Coogee) [9.16 p.m.]: I spent more than seven years in this Parliament with George, and I believe that he and I were friends. There were not too many of George's views that I disagreed with. I acknowledge the sentiments of previous speakers, particularly the honourable Member for Hawkesbury, who spoke with pride. I did not realise that he had the association with George that he described. What he said epitomised George. Even though I was not aware of their association, the compassion he attributed to George was not unknown to me.

George was one of those fairly rare politicians who are consumed by causes. In the parliamentary sense, this started not long after he was elected to Parliament, when he was approached by an anarchist draft dodger who spent some time at Long Bay, a man named Michael Maddison, who told George about the systematic bashings that were occurring there. In those days no-one wanted to know anything about prisons. If a person was in prison it served him or her right, and nothing was too bad for him or her. George had the lost cause of trying to convince people that what was happening in New South Wales prisons was not the right thing.

George was always extremely moral. To him it was morally bad that people should be bashed. So he ran this cause for the prisoners in the New South Wales prison system. The Coalition Government of the day was not particularly concerned about what was happening in prisons. Also, those in the Labor Opposition who did not want to cause waves were not particularly concerned about taking up unpopular causes. They believed that if they were quiet and did not stir up the horses, they might shortly be elected. The defining moment was when prisoners, as they do when things get out of control, burned down Bathurst Gaol, which brought on the Nagle royal commission. That commission validated everything that George had said about what was happening in the New South Wales prison system.

George pushed for homosexual law reform, which had a fairly negative trial in the New South Wales Parliament. Resolutions were put up in 1983, but they were bowled over. Finally, in 1984 the then Premier, Neville Wran, put up a private member's bill.

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It often happens that when a Premier gives his or her imprimatur to a proposal, a change in legislation occurs. But George was one who never stopped pushing this issue in caucus. It was rather funny at one stage when he attacked a former Attorney General, Frank Walker, over an undertaking he had given to George to present a bill to caucus to do something about homosexual law reform. George said, "What are you doing, Frank? You are telling me lies." Frank said, "Look, I am bending over backwards!"

In 1984 George was concerned about an environmental issue that did not involve New South Wales. A group, of which George was one, travelled to the Franklin dam in Tasmania to show some support for the New Zealand people who were running the campaign. I recall that you, Mr Speaker, were part of the group which included Laurie King. George was a very enthusiastic member of the group and his intention was to attract attention outside Tasmania to what was at that stage a major environmental issue in Australia.

The next cause in which George was involved was to defend the three Ananda Marga members who were charged and gaoled in connection with the Hilton bombing. That was quite an unpopular cause because at that time the Ananda Marga sect was connected with a number of overseas murders, particularly in India. However, George realised that the three members had been framed, and he never let up on that cause. Tim Anderson, who was one of the three accused, was at Shellharbour on Saturday. He is now free because of George Petersen. It was a long campaign because Tim Anderson was gaoled twice before he was exonerated. It was a wrong that George saw clearly early in the piece and, regardless of the perception that other people had at the time, he went ahead with the cause. As I said, Tim Anderson is free now basically because of the tenacity of our late parliamentary colleague George Petersen.

George used parliamentary privilege very cleverly. He baited anyone in the Parliament because of animosity. He only ever used Parliament to present facts that had been suppressed by the bureaucracy, the Government or the community. His motive was to present the facts in the Parliament so that they could be published and become part of the public record. His use of parliamentary privilege was clever but it was never malicious, and it was always intended to apply to a cause for the benefit of the disadvantaged in the community.

He was constantly active in his support for Aboriginal causes and the whole range of Aboriginal issues. It has been said by speakers in the debate that George was expelled by the Labor Party in 1987. He was expelled because he voted against a change in workers' rights and entitlements to workers compensation in New South Wales. Arguably—and, I would say, probably definitely—that legislation was against ALP policy at the time. George was expelled because he supported the policy of the party he represented. Approximately 12 or 18 months later, the policy was changed to what it had been previously, but the party never asked George to rejoin because it was wrong and George was right.

I extend my condolences to Marnie and Natalie, whom I have known for many years. Like them, I am proud and satisfied that I knew George Petersen. Hopefully, I have been affected by him, his morality, his views on issues and the fact that he was prepared to fight for a cause.

*Members and officers of the House stood in their places.*

**Motion agreed to.**

## **PRIVATE MEMBERS' STATEMENTS**

**Private members' statements, by leave, taken forthwith.**

### **BANKSTOWN DISTRICT SPORTS CLUB**

**Mr STEWART** (Bankstown—Parliamentary Secretary) [9.25 p.m.]: I inform the House of a recent event involving the Bankstown District Sports Club and the New South Wales country town of Junee. Bankstown District Sports Club has, for the past two years, owned the historic Broadway Hotel, which is located in the centre of Junee. Two weeks ago the club donated the presently vacant hotel building to the Junee community for use as a historical and much-needed community centre.

On 25 March, as the parliamentary representative of the Bankstown electorate, I attended a ceremony to mark the handing over of the hotel building, in the company of the Bankstown Sports Club President, Kevin McCormick, the club's secretary-manager, Mr John McKay, one of the club's directors Col Glozier, and the Mayor of Bankstown, Mr Ian Stromborg. The donation of the historical hotel building was greatly appreciated by the Junee community, which turned out in huge numbers for

that very special occasion.

June Mayor, Ms Lola Cummins, told those in attendance that the hotel building would be used by the local historical society and various other community groups who were in desperate need of suitable accommodation. Those groups had been asking for accommodation for a long time but it was obviously difficult to provide that in the small town of June. In short, the people of June were overwhelmed by the extraordinary and extremely generous donation to their community by the Bankstown District Sports Club. In essence, the donation has served to bridge the gap between the city and the bush. June, which has a shire population of approximately 5,000 people, will now reap the benefits of this generous donation while Bankstown, which has a population of approximately 165,000 people, has established a firm and ongoing relationship with the June community that will serve to increase city awareness about life as it is lived in the country.

I congratulate and commend the Bankstown District Sports Club for the generous and very practical approach that has been taken to this issue. The Bankstown District Sports Club has a long and well-deserved history of supporting the local Bankstown city community and now this support has been extended all the way to June. Equally, the local Bankstown community owes a great deal to the Bankstown District Sports Club, which, during its 40-year history, has been largely responsible for bringing the Bankstown local area to the supreme sporting significance that it currently enjoys.

It is a great credit to the club to point out to this House that during the past year or so the club has continued its 40-year tradition by delivering tremendous and much-needed financial assistance to the Bankstown city local area. The club has donated \$1.1 million to Bankstown Hospital and \$1.2 billion to the Frail Aged Homes Trust in Bankstown, which gives honourable members a tremendous perspective on what clubs in this State are all about. The club has also provided approximately \$500,000 each year for the past 10 years to support sport in the local Bankstown city area. A good example of that is the Bankstown Memorial Oval, which is the home ground for the Bankstown cricket team.

I take this opportunity to give a plug to our local cricket team, which last week convincingly defeated St George for the Belvedere Trophy, which is awarded to the winning first grade team in the metropolitan cricket competition. It was a great victory for Bankstown and \$320,000 has been provided by the Bankstown District Sports Club to pay for construction of a grandstand at the oval. The grandstand is aptly named in honour of Kevin McCormick, the current president of the club. It has seating capacity for 800 people and has brought the standard of amenities at the oval to Sheffield Shield standard.

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With the recent upgrade of Bankstown Memorial Oval, including the Stephen Waugh and Mark Waugh pavilion, the ground is now open. Importantly, the Bankstown District Sports Club donates \$50,000 each season to the Bankstown Memorial Oval to upgrade the ground. It is the best cricket ground in Sydney. That donation is on top of a number of contributions that the club makes to local sporting venues and organisations in the area, which demonstrates that Bankstown District Sports Club, like many clubs throughout New South Wales, is a tremendous asset to local communities. The local community of Bankstown has benefited from this club. I commend the club and thank it for its generous donation to the June community. I am sure that the June community is overwhelmed by the donation.

#### MID NORTH COAST HEALTH FUNDING

**Mr FRASER** (Coffs Harbour) [9.30 p.m.]: I commend three constituents from my electorate—namely, Mrs Joan Worby, Mrs June Henderson and Mrs Beverly McLennan—who early this year decided to apply pressure on the Government to provide extra health funding for the Coffs Harbour and District Hospital by circulating a petition in Coffs Harbour. The petition reads:

To the Honourable Speaker and Members of the Legislative Assembly of New South Wales.

The petition of citizens of New South Wales calls on the Carr Government to urgently fund the Coffs Harbour District Hospital and the Mid North Coast Area Health Service to a level which is equitable to other parts of New South Wales.

The undersigned petitioners therefore ask the Legislative Assembly to request the Minister for Health to increase funding for health services in the Coffs Harbour area and reduce surgery waiting lists as a matter of urgency.

The three ladies sat outside Woolworths in Coffs Harbour from about mid-January to last week and collected 8,312 signatures to support their worthy petition. In the meantime the Minister came to Coffs Harbour. Under the headline "Mr Fix-It" in the *Advocate* of Thursday 16 March the Minister claimed that he was providing extra funding to the mid North Coast. The Mid North Coast Area Health Service was going to benefit by \$12.3 million in 2000-01, \$12.3 million in 2001-02 and \$22.2 million in 2002-03.

The budget overruns in the Mid North Coast Area Health Service are more than \$12 million for the last 12 months. This does not fix the problems and does not satisfy the petitioners or those great three ladies who worked tirelessly to obtain the 8,312 signatures. Even with the \$12 million, which is still to materialise, the Mid North Coast Area Health Service will be funded at a rate of \$718 per capita. Figures from the annual reports of the area health services show that Western Sydney Area Health Service, which will receive \$72 million under the new funding arrangement, was funded at \$765 per capita in 1996-97. Under this Government beds have closed at Coffs Harbour and District Hospital. Surgery will be stopped for two weeks over Easter and two days a week until the end of June. The *Advocate* article, which referred to the Director of Operations for the Mid North Coast Area Health Service, Ms Julie Colvin, stated:

... although the Minister had cleared the slate on the loans to the State's health services, she was still waiting to see how this would affect the current running of the Coffs Harbour Base Hospital.

She said she doubted whether it would have any effect on the current surgery cutbacks.

There are 3,000 people on the surgery waiting list for Coffs Harbour hospital. Even with the increase in funding in 2003, the area will receive a per capita level of funding estimated at only \$820. The Northern Rivers Area Health Service, our northern neighbour, will receive \$882 per capita, or \$20 million a year more than us. There is no equity in funding for the Mid North Coast Area Health Service. Further, in the local paper on Tuesday 14 March, under the headline "Galling time for young mum", an article refers to a 27-year-old mother who has been told she will have to wait at least six months to have her gallstones removed. The current waiting list varies from six months for two surgeons and up to four years for another surgeon.

This funding, this quick fix announced by the Minister, does not meet the needs of the Coffs Harbour people either now or in the future. A number of bills remain outstanding to small businesses in Coffs Harbour from health-related services, such as the Ambulance Service. I will raise this matter in the House and name the people who are owed money by the Government. I will also raise other matters of concern with health services in the Coffs Harbour electorate. Once again, I thank Mrs Joan Worby, Mrs June Henderson and Mrs Beverly McLennan for their work. For personal reasons—neither they nor their relatives have been able to access services—they collected 8,312 signatures.

**Mr STEWART** (Bankstown-Parliamentary Secretary) [9.35 p.m.]: I thank the honourable member for Coffs Harbour for his speech. I will pass on his concerns to the Minister for Health. I am surprised that he has based his comments on a newspaper article rather than on other perspectives that may be forthcoming from the local electorate. As the honourable member also rightly indicated several times during his speech, there has been a dramatic increase in funding, which will positively affect the situation in his local area. The honourable member is known as a good lobbyist, and I suggest that he keeps the Minister informed of his needs. I know the Minister is receptive to information passed on by local members and the local constituency. As the honourable member points out, there is no quick fix to the health problems, which have largely been created by a Coalition Federal Government that has not injected the necessary funds to alleviate concerns.

This concern has been raised by the New South Wales Minister for Health and almost unanimously by every health Minister in Australia. The Ministers have publicly raised concerns about the limited health funding that is available through the Federal Coalition Government. The bottom line is that the Federal Coalition Government has to recognise its accountability and responsibility to the constituency of Australia and to provide the funds that are necessary to alleviate some of the concerns that all States, including Coalition States, continually raise with the Federal Minister for Health.

#### LAKE MACQUARIE REHABILITATION WORKS

**Mr HUNTER** (Lake Macquarie) [9.37 p.m.]: I wish to raise the issue of the Lake Macquarie clean-up—that is, the restoration and rehabilitation of Lake Macquarie. In excess of \$12 million will be spent over three years on restoration and rehabilitation works. In September last year I spoke in the House about the Lake Macquarie estuary management plan and proposals for the clean-up of the lake. At that time I mentioned that Lake Macquarie was the largest coastal lake in Australia, 110 square kilometres in area and with a catchment in excess of 605 square kilometres. The area is the central focus for a fast growing city and surrounds, with 190,000 people and Australia's twelfth largest residential population growth.

I also mentioned last September that in February 1998 the Premier announced the formation of a task force, chaired by the renowned environmentalist Ian Kiernan, to review the estuary management plan and recommend strategies to alleviate the effect of urbanisation on Lake Macquarie. Some of the key recommendations considered by the task force were: the adoption of management framework and action plans; the appointment of a Lake Macquarie estuary co-ordinator to co-ordinate the estuary and catchment management and to supervise remedial works; government funding arrangements for a program of capital works; a local government environmental rate for ongoing remediation and maintenance work; the phasing out of haul net fishing; and the monitoring of boating use on Swansea channel following dredging. These issues are being addressed. I would like to expand a little on how the government is addressing them.

The Carr Government promised to provide up to \$7.7 million to clean up Lake Macquarie. We are now delivering on that promise by providing a special allocation of \$5.9 million over three years. This is on top of \$1.8 million from existing government programs, which will be directed to works around Lake Macquarie.

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Altogether that brings the State Government's commitment to Lake Macquarie to \$7.7 million, in line with the recommendations of the Premier's taskforce. The Lake Macquarie and Catchment Co-ordinator position has been filled full-time by Jeff Jansson, who was acting in that position. Lake Macquarie is the largest coastal salt water lake in Australia and supports a wide range of environmental habitats. It is good that the Government has recognised the regional and State importance of the lake and is delivering on funds as recommended by the Premier's taskforce.

Clean-up funds have already been allocated and the work is under way. The Toronto Amateur Sailing Club members carried out environmental stabilisation works around their club house on the Toronto foreshore. Approximately \$4,800 was provided to the sailing club from the Lake Macquarie and Catchment Co-ordinator's fund. Jeff Jansson and I inspected the work in January this year, and the club members have done an excellent job. They undertook the work to prevent ongoing erosion in front of the club house. They constructed a garden bed to filter stormwater run off from the car park. They are not the only people in the local area who are doing work. The Toronto Sunrise Rotary Club has undertaken stabilisation work in and around Stony Creek, for which some \$2,000 was provided. There have been a number of other smaller stabilisation works around the lake, and local land care and community groups have sought funding for further erosion works.

A major project now under way is planning for restoration and rehabilitation of Fennell Bay and Edmunds Bay. WBM Oceanics Australia was the successful tenderer to undertake stage one of the Fennell Bay remediation works, which is to conduct scientific investigations, including measurements of water quality, sediments, nutrient release, seagrasses, benthic fauna and hydrographic survey. Modelling will be prepared to help fully understand the ecological processes developed in order to prepare conceptual plans for remediation. Stage two of the project will come later in the year and will involve the final design, with community consultation, and the preparation of an environmental impact statement. Stage three, physical works will follow with a budget of \$2.5 million. It is very important to take our time to carefully plan major restoration works around the lake, such as at Fennell Bay and Edmunds Bay. If it is not planned carefully, we will not get it right. If proper works are not done in the catchment millions of dollars will be wasted, and it may be that in 10 or 15 years the same bays and estuaries in the lake will need to be dredged. I congratulate the volunteers involved in the clean-up of Lake Macquarie. It is great to see the work finally under way. I know that the Government is fully committed to the restoration and rehabilitation of the lake.

**Mr STEWART** (Bankstown—Parliamentary Secretary) [9.42 p.m.]: I thank the honourable member for Lake Macquarie for his very important comments about the comprehensive clean-up of

Lake Macquarie, which involves \$7.7 million funding over the next three years. The honourable member for Lake Macquarie has been instrumental in achieving the \$7.7 million funding aimed at rectifying the ongoing concerns about the lake and its future. The Government has shown its concern for ecological sustainability to ensure that we can enjoy the lake and that our children can enjoy it in the future.

### **PICTON HIGH SCHOOL**

**Ms SEATON** (Southern Highlands) [9.43 p.m.]: I refer to the need for proper facilities for the 1,350 students and staff of Picton High School. I will not talk at length this evening about Picton High School and the need for a second high school, of which the Minister is well aware. My concerns and the concerns of parents in the Wollondilly and Wingecarribee shires in relation to overcrowding at Picton High School and Bowral High School will be expressed at a meeting next week with the Minister's staff. It is impossible to talk about Picton High School without understanding its overcrowding. This year there are 1,350 students at Picton High School. Anyone who has visited Picton High School knows that it is an excellent school with an outstanding record. It meets educational needs ranging from the highly academic to the more vocationally based. It has an excellent sporting record. The principal is to be commended for his determination to provide a range of educational opportunities and outcomes for children at that school.

However, despite the work of the great staff, the principal and a terrific parents and citizens' association led by Mrs Narelle Stoker, Picton High School still has some very major problems. The Minister will recall that more than a year ago during the election campaign he walked around my electorate and declared that there was absolutely no need for a second high school other than Picton High and Bowral High. However, we had been in dispute with him about the methodology used by the Department of Education and Training to arrive at those sorts of conclusions. We disputed that the demographic study was correctly executed, but regardless of all of those protests the Minister rejected the assertion that a second high school was needed, and as a second prize said he would give Picton High School a new set of toilets.

The people were not vastly enthused that the answer to the request for a second high school was an upgrade of toilets at Picton High School. The toilets at Picton High are poorly located in the centre of the campus, they are inadequate, there are not enough of them, and they are very old and run down. In addition, the school is in desperate need of an upgrade of canteen facilities. We were all perplexed when the Minister said that rather than give us a new or additional high school in the region he would upgrade the toilets. Many parents were prepared to accept that at least some improvement to the toilets was better than nothing at all. In the last year we waited and waited. We wrote letters to the Minister and made representations, and eventually I received a letter from the Parliamentary Secretary, who told me that minor capital works spending had been allocated and that the toilets were now upgraded. It is a different story if one listens to Narelle Stoker, the President of the Parents and Citizens' Association, who told me that she also received a letter from the Parliamentary Secretary regarding the upgrade of the school toilets. She says:

However, please note that the toilet upgrade was only painting of the toilets and renewing the doors to full length. We are still under code with regards to the number of toilets per student.

In the opinion of the parents and citizens' association, that amounts to no facility upgrade. She also pointed out that the canteen has been extended only to the level of canteen funds allowed from existing school funds and fundraising. There has been no additional funding provided by the Department of Education and Training for the upgrade of that canteen. Another major problem is that the Minister said they do not need a new or additional school in the area because he would negotiate to purchase the block of land beside the school to extend the footpath and the general area of the school. As far as we understand it that block of land is not for sale and has never been for sale in the recent past. There is no reason to believe that the current owner of the land will make it available for sale.

It is clear that the Minister for Education and Training is continuing to string along people, to drag out this issue and to keep pretending that negotiations are viable and realistic when in fact there is no realistic hope that the land will be made available for purchase by the school. It is important to note that Picton High School parents and citizens is a terrific organisation which does an enormous

amount of work. New parents are welcomed into the school. I was present at a year 7 trivia evening last weekend that raised \$1,000 for a bus shelter for school students. The P&C is to be congratulated on the work it does to provide necessary facilities for students.

**Mr STEWART** (Bankstown—Parliamentary Secretary) [9.48 p.m.]: I note the comments of the honourable member for Southern Highlands in respect to Picton High School. I remember the correspondence to which she referred. I undertake to refer this matter to the Minister to ascertain the public works that have been undertaken at the school. I know the Minister is aware of the diligence and hard work of the Picton High School parents and citizens' association and particularly the work that Narelle Stoker has undertaken to bring the needs of that school to the attention of the Government.

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I will certainly take that back to the Minister. I was aware of the upgrading of the toilet block. I do not know to what extent it was carried out, but if what the honourable member says is correct, that issue will have to be looked at again.

### **MR PETER MAKER AND THE STATE RAIL AUTHORITY**

**Mr LYNCH** (Liverpool) [9.50 p.m.]: I refer to issues involving a constituent of mine, Mr Peter Maker. Mr Maker first spoke to me about his problems in mid 1999. When he saw me he had, for some 15 years, run what was called the newsagency at the Liverpool railway station. Mr Maker purchased the business from its then owner in 1984 for what I would regard as a substantial capital sum. This of course included goodwill, and 10 per cent of that goodwill was paid to the landlord, State Rail. Liverpool station has recently been redeveloped and upgraded into a transport interchange at a cost of \$21 million. Undoubtedly this has had a number of positive benefits for Liverpool, with many advantages flowing to commuters and to Liverpool residents generally. The redevelopment of the station had consequences for operations such as the newsagency.

Initially Mr Maker was placed on a month-by-month tenancy. More significantly, the premises in which he was located were to be demolished, and new premises built. Moreover, from the moment he saw the draft plans for the redevelopment he realised that there would be not one shop but two. The obvious concern for Mr Maker was that the business in which he had invested so much of his savings in purchasing the goodwill could be unilaterally taken away. State Rail was aware not only of the payment of goodwill, but had direct involvement in it, in the form of a 10 per cent payment. The non-issue of a lease would abolish his investment. The issue of a lease, but with another shop offering similar items, would potentially dramatically reduce his income. Naturally, Mr Maker tried to get the position clarified, and after trying for some considerable time he came to my office.

I made the sorts of representations to the relevant Minister that most members would make. Those representations were dated 28 July 1999. I made the points that I have made tonight, and I also made the points that there had been no substantial complaints about Mr Maker, and that forcing Mr Maker out after he had paid goodwill would put government instrumentalities on a par with the large commercial landlords who are legitimately and frequently criticised. In response I received a letter from the relevant Parliamentary Secretary which, while not diffusive, seemed sensible and moderate in all the circumstances. In the meantime, heavy-handed State Rail bureaucrats and its private sector allies were adopting another approach. My constituent received a letter from Jones Lang La Salle, the managing agents for the shops in the railway station. After noting that Mr Maker had been making various inquiries about status of leases, the letter from this bunch of real estate agents said:

You are hereby directed to cease all direct contact with the project manager, construction site staff, Rail Estate and other State Rail staff concerning the new retail premises. We have been appointed as managing agents for the State Rail Authority, and all inquiries you wish to make should be directed to our office.

Even worse, Mr Maker received a letter from Rail Estate, which is described as the property group of State Rail. The letter was dated 1 December 1999 and had the name Eric Mann, Property Portfolio Manager, at the bottom. In part, the letter said:

As a matter of principle I am concerned at the level of inquiry pursued by yourself, namely to the project managers of the new station, to our agents, to Rail Estate management and the local member. In this regard I reiterate that the only person/s you should contact is at Jones Lang La Salle.



I find the position of Mr Mann to be absolutely appalling and disgraceful. I would like to know what bureaucratic arrogance allows him to think that he can bar my constituents from talking to me in my capacity as local member. Perhaps someone should point out to Mr Mann that the mere fact that the State Rail entity to which he belongs has been corporatised does not prevent residents in Liverpool from talking to their local member. As is obvious from the fact that I raised this matter here, the attempt to gag Mr Maker was monumentally and spectacularly unsuccessful. Mr Maker has now been offered a lease on one of the new premises. However, whereas his previous premises were 65 square metres, the new premises are 26 square metres. Curiously, State Rail expects him to pay exactly the same rent on the new premises as he paid on the old premises.

To make life even worse, his old premises included a toilet, but he is now expected to use the toilet that everyone else uses, without any consideration given to rent in that regard. Moreover, an attempt has been made to restrict the sale of many of the items he previously sold, which could potentially reduce his income. The second shop will presumably sell items in direct competition to Mr Maker. This is encouraged by the landlord, State Rail, which is attempting to obtain exploitative rents. I am most concerned at the quite appalling attitude of the State Rail Authority in this matter. It has behaved as badly as the most exploitative, grasping, oppressive commercial landlords. Quite simply, it has tried to exploit people. When someone complains to his or her local member that person is warned off, and that is unacceptable.

### STATE ENVIRONMENTAL PLANNING POLICY NO. 5

**Mr BROGDEN** (Pittwater) [9.54 p.m.]: In February 1998 the then Minister for Urban Affairs and Planning, the Hon. Craig Knowles, gazetted State environmental planning policy [SEPP] No. 5, an amended planning policy based on a long-established principle of providing housing policies at the State Government level for aged and disabled individuals. The policy in itself is a good one. Its aims would not be opposed by any member of this House or any reasonable person in the community. The stated aims of SEPP 5 are:

- to increase the supply and diversity of housing that meets the needs of older people and the disabled ;
- to make efficient use of existing infrastructure and services; and
- to be of good design.

The concept in an ageing society, as Australia is, to provide better opportunities for housing is a good one. Many people across Sydney no longer require a three- or four-bedroom home because their children have left home or their partners have passed away. They are looking for more adequate housing and, as a community, we need to provide it. We strongly follow the international trend towards an increasingly aged society. After Japan, Australia would probably be one of the most ageing societies in the world. In 1998 the Carr Government's planning policy was a poor response to these needs because although it states good aims, it does not deliver. In many parts of Sydney—Sutherland, the St George area, the northern side of Sydney and the Ryde area—developers are abusing SEPP 5 and using it as a backdoor, urban consolidation tool.

Developers who purchase land, but who cannot, under council regulations, get approval for medium-density development decide instead to offer an SEPP 5 development and go for the development that would not meet the council's requirements. For example, in my council area of Pittwater, any building that is built requires one car space for each bedroom. Under SEPP 5 only one car space is required for two bedrooms. Under SEPP 5, a small house on a large piece of land is knocked down and up to five or six two-bedroom townhouses or units are built. All of a sudden there are 10 cars, but only five car spaces have been provided, which means that five cars end up on the street. These developments are not required to be built close to infrastructure or services; they have been used liberally across Sydney by some developers as a backdoor form of urban consolidation.

Last year, under pressure from the Opposition and councils across Sydney, the Minister for Urban Affairs and Planning instituted an internal review of SEPP 5. He promised to deliver his report by March 2000. It is now April 2000 but we have seen no report and no response from the Government on what is an important issue in many parts of Sydney. The Government has shirked its responsibility in this regard. Rather than the Premier sitting in his car and looking at buildings along Anzac Parade in Kingsford, and commenting on triangles and circles, he should turn his mind to what

is really concerning the people involved in urban planning, which is backdoor medium-density urban consolidation under the guise of providing housing for the aged and the disabled, but with no capacity to deliver on that policy.

For instance, there is no assurance that a building built under SEPP5 will house a person who fits into one of the two categories: older person or person with a disability. Neither the council nor the Police Service has the power to knock on the door and ask a person for a birth certificate. No-one can enforce this law. These developments are built to be put on the open market at whatever price. There are many ways we can ensure that such developments are used to house aged and disabled people, not least of which would be to adopt an arrangement similar to that used in nursing homes and retirement villages: only people of a certain age can sign up and live in those properties.

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We would also prefer to see more local council involvement, so that there is a better co-ordination of aged facilities and aged precincts in local communities. The Government promised a series of councils, at a meeting in November 1999, that it would review this release policy by March. The Government has dragged its heels. The Premier should get his head out of the clouds, stop talking about design and start talking about realistic policies for aged housing.

**Mr STEWART** (Bankstown-Parliamentary Secretary) [10.01 p.m.]: The honourable member for Pittwater raised a very important matter, but it is a matter to which the Government has responded. As the honourable member pointed out tonight, the review of State environmental planning policy 5 [SEPP] has been taking place since last year. It is not the sort of review that should be done in a half-hearted or half-cocked way. It is a review that requires full consultation. That consultation has involved all councils that have an interest in SEPP 5 as well as developers. A review that is put in place as a proper discussion document is done with full validity, and not as a procedure that is half-cocked or not conducted properly. The homework is being done.

The honourable member for Pittwater well knows that the concerns he has raised have been addressed by this Government. They have not been left behind. I have to point out that under the Coalition little at all was done to address SEPP 5. This Government has reacted to community concerns and demands. The Government has recognised the need for the review of the approach taken on urban consolidation. So those things are happening. They are not being left behind. If the honourable member has concerns about the matter, I suggest he pursues them up by using other forms of the House. He has not done that at this stage.

**Mr Brogden:** The House sat today for the first time in four months.

**Mr STEWART:** You did not take opportunities that presented in previous sessions of the Parliament. You left those opportunities behind.

**Private members' statements noted.**

## **BUSINESS OF THE HOUSE**

### **Bills: Suspension of Standing and Sessional Orders**

#### **Motion by Mr Aquilina agreed to:**

That standing and sessional orders be suspended to allow the introduction and progress up to and including the Minister's second reading speech of the followings bills:

Appropriation (Budget Variations) Bill  
First Home Owner Grant Bill

## **APPROPRIATION (BUDGET VARIATIONS) BILL**

**Bill introduced and read a first time.**

### **Second Reading**

**Mr AQUILINA** (Riverstone-Minister for Education and Training) [10.01 p.m.]: I move:

That this bill be now read a second time.

The Government now makes a practice of seeking approval for supplementary appropriations to cover payments not provided for in the Annual Appropriation Act. It that could and In presenting further appropriation bills the Government has sought, as far as possible, to allow the Parliament to scrutinise anticipated additional funding requirements before expenditures are incurred. It is not always possible to seek Parliament's authority in advance for pressing expenditure needs. However, Parliament has previously established procedures to provide for this eventuality.

Each year Parliament makes an advance available to the Treasurer to meet unforeseen expenditures. In addition, section 22 of the Public Finance and Audit Act 1983 enables the Governor to approve of payments to cater for the exigencies of the Government, in anticipation of appropriations by Parliament. By introducing a further Appropriation Bill in this session, the Government can account to the Parliament for how the advance to the Treasurer has been applied and seek an adjustment of the advance prior to the end of the financial year.

The Government is also seeking appropriations to cover expenditures approved under section 22, as it is required to do under the Public Finance and Audit Act. This procedure has been used since 1983 and has the support of the Auditor-General. This Appropriation Bill also seeks additional appropriations to provide for payments that are planned for the remaining period of the current financial year. No provision was made for these payments in the annual Appropriation Bill.

The Appropriation (Budget Variations) Bill 2000, in respect of the 1999-2000 financial year, seeks appropriations of \$121,016,000 to adjust the advance to the Treasurer, \$132,250,000 for recurrent services approved by the Governor under section 22 of the Public Finance and Audit Act 1983 and \$68,427,000 for capital works and services approved by the Governor under section 22.

The Government is also seeking additional appropriations of \$1,229,990,000 under the bill. This includes an appropriation of \$550 million to allow the Government to use any surplus funds available at the end of the current financial year to pay off more public sector debt. At this stage, it is impossible to predict the level of cash holdings at 30 June with certainty, and the appropriation is simply a standing authority to use up to \$550 million of cash to reduce debt.

The Government also requires an appropriation of \$175 million to further reduce unfunded superannuation liabilities. The Government announced its plan to make this payment when the mid-year budget review was released in February. In the last five years the Carr Government has reduced the total State net debt and other liabilities by some \$3.7 billion. When we came to office in 1995 the amount was \$43.8 billion, it is now \$40.1 billion.

Over this period the Government's interest bill for budget-funded agencies has fallen from \$1.7 billion in 1995 to \$1.1 billion in 1999-2000—a saving to taxpayers of \$600 million a year. This Government is the first in living memory to reduce the State's net financial liabilities rather than to add to them. What is more, New South Wales has a triple-A credit rating from both key international rating agencies, Standard & Poor's and Moody's Investor Services. In restating the State's sound AAA rating just last month, Moody's said:

The prime quality ratings reflect the State's sound fiscal policy and budgetary position, its modest debt burden, and the strength and diversity of the State economy.

Additional appropriations are necessary for the Department of Community Services and the Ageing and Disability Department to meet the demand for the essential services provided by those departments. The recurrent services appropriation for the Department of Corrective Services also needs augmentation to maintain custodial services at an appropriate level. An additional capital appropriation of \$14,500,000 is required by the Department of Education and Training for land acquisitions. Equipment needs of the Legislature will cost an additional \$77,000.

Other appropriations for 1999-2000 are \$164 million due to the New South Wales Treasury Corporation to meet obligations to annuity investors following the annuities court case. There is also a \$221 million appropriation to cover payroll tax payable on employer superannuation contributions made on behalf of public servants. These payments will be offset by a dividend of \$164 million

received from TCorp and increased payroll tax receipts and will have no net impact on the 1999-2000 budget result.

The bill also seeks appropriations to adjust certain payments made during the 1998-99 financial year from that year's advance to the Treasurer and the Olympic Funding Reserve or approved in that financial year by the Governor under section 22 of the Public Finance and Audit Act. All the payments were included in the 1998-99 audited financial statements of the agencies making those payments.

The practice of introducing further appropriation bills has enhanced accountability for the expenditure of public moneys from the Consolidated Fund. It is further evidence of the Government's commitment to transparent and full financial reporting to the Parliament and the community. I commend the bill to the House.

**Debate adjourned on motion by Mr Debnam.**

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### **FIRST HOME OWNER GRANT BILL**

**Bill introduced and read a first time.**

#### **Second Reading**

**Mr AQUILINA** (Riverstone—Minister for Education and Training) [10.11 p.m.]: I move:

That this bill be now read a second time.

The First Home Owner Grant Bill establishes a scheme to assist persons buying or building their first home by providing them with a grant of \$7,000. The scheme is intended to encourage and assist home ownership and to offset the effect of the goods and services tax [GST] on the acquisition of a first home. Under the Intergovernmental Agreement on the Reform of Commonwealth-State Financial Relations, the States and Territories agreed to implement a first home owner grant scheme, fully funded and administered by the States and Territories. The Government is committed to honouring this agreement. In the first year of operation, the New South Wales Government will pay an estimated \$230 million in grant assistance to more than 30,000 first home owners.

Although each State and Territory will implement separate legislation, the bill has been drafted in consultation with the States and Territories to ensure that eligibility for the grant is consistent with the principles outlined in the intergovernmental agreement and is uniform across Australia. In New South Wales the scheme will be administered by the Office of State Revenue. As a consequence, the administrative provisions of the bill are generally consistent with the provisions of the Taxation Administration Act. To improve services to applicants, the Office of State Revenue also proposes to enter into agreements with financial institutions to assist in the administration of the scheme.

The grant scheme is in addition to the first home purchase scheme, which provides stamp duty relief to low income earners. However, unlike the first home purchase scheme, the grants scheme is not means tested, nor is there a limit on the value of the eligible home. The scheme will provide a once-only grant of \$7,000 to eligible persons buying or constructing their first home in New South Wales. First home owners will be eligible to apply for the grant if the contract to purchase or build has been entered into on or after 1 July 2000 or, in the case of owner builders, if construction commences on or after 1 July 2000. The first home owners scheme will provide essential help for first home buyers who will see the costs of new housing rise as a result of the introduction of the GST.

The State Government opposed the introduction of this new tax on just about everything. We remain opposed to it. Under Peter Costello's new tax, new home buyers will pay a 10 per cent GST on the cost of the services of carpenters, plumbers, roof tilers, bricklayers, carpet layers, glaziers, plasterers and electricians. There will be a 10 per cent tax on every service required to build a new house and a 10 per cent tax on services where there has been no tax before. I now turn to the detail of the bill. Under the eligibility criteria, applicants for the grant must be natural persons, not companies

or trusts. An applicant, or at least one of them in the case of joint applicants, must be an Australian citizen or a permanent resident of Australia.

An applicant or applicant's spouse, which includes de facto and same sex partners, must not have previously received a grant under the scheme or held a relevant interest in a residential premises unless that interest was in an investment-only premises purchased on or after 1 July 2000. A relevant interest is defined as an interest in the land on which the dwelling is situated. The bill recognises, however, that there will be instances where, for a range of reasons, applicants do not gain title to the land but fully fund the construction of their first home. In these cases the Chief Commissioner of State Revenue will have a discretion to provide the grant. At least one of the applicants to the grant must occupy the premises as a principal place of residence within 12 months of the grant eligibility date.

The bill also provides for shared equity arrangements and moveable homes situated on or to be moved to the owner's land. The bill provides that the grant is payable in full on completion of the eligible transaction, but provides the Chief Commissioner of State Revenue with a discretion to pay the grant in advance of that date. In practice, the grant will be paid in time for it to be part of the final settlement or, in the case of homes being built, at an appropriate time during the building process. Payments will be made electronically to an account nominated by the applicant or by cheque or, if the applicant requests, the Chief Commissioner of State Revenue may offset the grant against outstanding State taxes.

The bill provides for an objection process and further review through the Administrative Decisions Tribunal. The bill also proposes amendments to the Stamp Duties Act 1920 to provide an exemption from financial institutions duty where the grant is credited directly to the applicant's nominated account and where a financial institution directly credits the applicant with the amount of the grant. The bill was widely circulated to peak industry and professional groups during the consultation phase. I table a summary of the bill for the assistance of honourable members and seek its incorporation in Hansard. I commend this bill to the House.

**Debate adjourned on motion by Mr Debnam.**

#### **SPECIAL ADJOURNMENT**

**Motion by Mr Whelan agreed to:**

That the House at its rising today do adjourn until 10.00 a.m. until Wednesday 5 April 2000.

**House adjourned at 10.19 p.m.**

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