

LEGISLATIVE ASSEMBLY

Wednesday 7 March 2001

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

Mr Speaker offered the Prayer.

AUDIT OFFICE

Report

Mr Speaker, pursuant to the Public Finance and Audit Act 1983, tabled the Performance Audit Report entitled "Ambulance Service of New South Wales—Readiness to Respond", dated March 2001.

Ordered to be printed.

CASINO CONTROL AMENDMENT BILL

Bill introduced and read a first time.

Second Reading

Mr FACE (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [10.01 a.m.]: I move:

That this bill be now read a second time.

This legislation will implement many of the recommendations made by Mr Peter McClellan, QC, as a result of last year's inquiry into the operations of Star City Casino. For the benefit of honourable members, I will give some background to that inquiry. The casino legislation requires the Casino Control Authority, at least once every three years, to investigate whether the casino operator, Star City, is suitable to continue to give effect to the casino licence and the casino legislation, and whether it is in the public interest that the casino licence should continue in force. The authority must report its findings and opinion to the Minister, giving reasons, and it must take whatever action under the casino legislation it considers appropriate in light of the findings. The Authority is empowered to appoint an outside person to conduct an inquiry that would assist it to undertake a section 31 investigation.

In May 2000 the authority appointed Mr Peter McClellan, QC, to conduct an inquiry for this purpose. Mr McClellan released an interim report on 31 August 2000. The Premier and I announced immediately that the Government accepted the recommendation in that report that the Director of Casino Surveillance and casino inspectors, who form part of the Department of Gaming and Racing, be combined with the authority to improve government scrutiny of activities at the Sydney casino. The authority advised me of the final outcome of its inquiry on 15 December 2000. The authority had formed the view that it is in the public interest that the casino licence remains in force. It had also formed the view that Star City continues to be suitable to hold the casino licence. The authority further advised me that it had endorsed all of the recommendations made by Mr McClellan in his final report.

The McClellan report contained a total of 25 recommendations, including various proposed amendments to legislation. The Government unreservedly accepts all of Mr McClellan's recommendations, both those requiring legislative amendment and those that can be implemented through administrative means. The purpose of the legislation is to give effect to those recommendations which require legislative action. I will turn now to the details of the legislation. As I mentioned previously, Mr McClellan recommended in his interim report last August that the Director of Casino Surveillance and casino inspectors, who form part of the Department of Gaming and Racing, be combined with the Casino Control Authority. This recommendation was restated in his final report.

Honourable members would be aware that the casino inspections function is presently vested in the Director of Casino Surveillance and his staff, who are employed by the Department of Gaming and Racing,

while the licensing and disciplinary functions are held by the Casino Control Authority. The Director of Casino Surveillance is an independent statutory position who is not subject to the direction and control of either the Department of Gaming and Racing or the Casino Control Authority. Mr McClellan found that the authority in discharging its obligations relies largely on the observations of and information from the Director of Casino Surveillance. Under the current regulatory structure, the Authority does not have effective control over the manner in which the Director of Casino Surveillance carries out its functions. McClellan also noted that in 1998, the Audit Office had found that the present structure led to duplication of effort by the Director of Casino Surveillance and the authority.

As a result of these observations, Mr McClellan recommended that the activities undertaken by the director should be sourced from the authority rather than the Department of Gaming and Racing. McClellan also recommended that under an integrated body, there would no longer be any justification for a statutory officer performing the functions of the Director of Casino Surveillance and accordingly, the authority should perform those functions, and the statutory office of the director should be abolished. Since Mr McClellan's interim report was handed down last August, the director and his staff have physically moved to the premises of the authority, but in order to give full effect to the merger, it is necessary to amend the legislation. The bill before the House will do so. Schedule 1 to the Casino Control Amendment Bill repeals the provisions establishing the office of Director of Casino Surveillance and amends various provisions of the Casino Control Act to transfer the functions of the Director to the Casino Control Authority.

The savings and transitional provisions provide for the public service positions within the present Casino Surveillance Division to be transferred to the Casino Control Authority, with the transferred officers to retain their present public service conditions of service as long as they remain within one of the transferred positions. I will turn now to Schedule 2 to the bill. Mr McClellan noted that the Act confers a number of objects on the authority, although the Act itself does not contain an objects clause. One of the objects of the authority is to ensure that the management and operation of the casino remains free from criminal influence or exploitation. Mr McClellan expressed the view that this object should also apply to Star City, and, indeed all of the objects of the authority should extend to the operation of the Act as a whole.

The bill inserts a new section 4A in the Act, which defines three primary objects of the Act. These three primary objects are: ensuring that the management and operation of the casino remain free from criminal influence or exploitation; ensuring that gaming in the casino is conducted honestly; and, containing and controlling the potential of the casino to cause harm to the public interest and to individuals and their families. The amendment requires all persons having functions under the Act to have due regard to these objects when exercising those functions. The next significant group of amendments relates to conducting probity checks on authority staff and consultants. Section 136 of the Act presently requires a determination to be made that any person proposed for appointment as a staff member of the authority, or a consultant to the authority, possesses the highest standard of integrity. Probity checks must be undertaken prior to such a determination, and these checks are to include consideration of a police report.

Mr McClellan noted that there is no present statutory requirement or capacity for a person, once appointed to any of those positions, to undergo probity updates during the course of their tenure. Mr McClellan recommended that the authority should be empowered to require its staff members and consultants to submit to a probity review at any time, for the purposes of a fresh integrity determination. Items [9] to [13] of schedule 2 give effect to this recommendation. The next major amendment relates to the conduct of future inquiries such as that recently performed by Mr McClellan on behalf of the authority. Mr McClellan was appointed to preside over the authority's inquiry under section 143, which enables persons willing to give evidence to such an inquiry to do so on oath or affirmation.

The legislation is defective in that it does not empower the presiding officer to require a person directly or indirectly associated with matters that are the subject of the inquiry to give evidence to the inquiry. As Mr McClellan noted, unless a person is willing to come forward, the capacity of an inquiry to get to the bottom of an issue under the present law is hindered. Proposed new section 143A will overcome this unsatisfactory situation. The proposed section gives the person presiding at a section 143 inquiry most of the powers, authorities, protections and immunities conferred on a commissioner by the Royal Commissions Act 1923. If the person is a Supreme Court judge or a legal practitioner of at least seven years' standing, the powers and authorities of division 2 of part 2 of the Royal Commissions Act also apply. These provisions will allow witnesses to be compelled to attend and give evidence at an inquiry and will ensure that witnesses who do so have the same protection as witnesses who give evidence in a Supreme Court proceedings.

Mr McClellan also recommended that the Act be amended to empower the person presiding over a section 143 inquiry to direct that the following must not be published or must not be published except as

specified: evidence given to the inquiry; the contents of a document or description of a thing produced to the inquiry; information that might enable a person who has given evidence or is about to give evidence before the inquiry to be identified or located; or the fact that a person has given or may be about to give evidence at a hearing. Mr McClellan recommended that this power to restrict the publication of information should be confined to those situations where it is necessary or desirable in the public interest. New section 143B gives effect to these recommendations.

Mr McClellan made a series of recommendations relating to improved communications between the authority and the Police Service. He commented on the need to establish police involvement with the authority to ensure that matters of a criminal nature are able to be dealt with appropriately. Following proposals put forward by the Commissioner of Police, Mr McClellan recommended that a casino intelligence unit be established within the Police Service to focus on major and/or systemic criminal issues associated with the casino, among other matters. Mr McClellan also recommended that the authority establish a standing committee, with representation from the Police Service, to monitor the presence of criminals and other undesirables in the casino and matters of loan sharking and prostitution.

I am advised that action is being undertaken at present to establish the casino intelligence unit and the authority's standing committee in accordance with these recommendations. Mr McClellan noted that these arrangements should result in closer liaison between the police and the authority, permitting regular communication concerning undesirable patrons and their timely exclusion. Further, Mr McClellan recommended that the authority be empowered to issue written references to the Commissioner of Police seeking advice on major and/or systemic criminal issues connected with the casino and to require the commissioner to report formally to the authority on matters that had been referred. This recommendation will be implemented through new section 143C, which will enable the authority to refer matters relating to major or systemic criminal activity to the Commissioner of Police for investigation and report.

I would now like to turn to provisions relating to exclusion orders. Mr McClellan noted that the power to exclude persons from entering the casino is one of the most significant mechanisms for ensuring that any casino is free from criminal influence or exploitation. Under the legislation as it presently stands, exclusion orders may be issued by the Commissioner of Police, the Director of Casino Surveillance and Star City. The legislation presently provides that exclusion orders issued by the Commissioner of Police are not subject to review by the authority. However, there is no express provision stating that the commissioner's exclusion orders cannot be reviewed by a court or tribunal. In keeping with Mr McClellan's recommendation that exclusion orders generally should be protected from scrutiny, the legislation is to be amended to provide that neither the authority's nor the commissioner's exclusion orders should be subject to review by a court or tribunal. The bill also provides for an increase in the penalty for breaches of an exclusion order to 50 penalty units—for example, \$5,500—or 12 months imprisonment, or both. It is considered that the existing penalty of only 20 penalty units is insufficient to deter money launderers, loan sharks and drug traffickers from attending a casino.

Mr McClellan also commented on the need for a national approach to exclusion orders in order to ensure that exclusion from one casino does not simply lead to a concentration of criminal elements in another. The development of draft national protocols is currently being progressed by my colleague the Minister for Police through the Australasian Police Ministers Council. In order to facilitate the exchange of information between the States and Territories about exclusions, the legislation is also being amended to add the New South Wales Police Service, the police forces of other States and Territories and the Australian Federal Police to the list of law enforcement bodies to whom otherwise secret information may be released. A casino patron may also seek to have himself or herself excluded from the casino as a voluntary measure. However, self-exclusions are seen as a mechanism for assisting individuals with a gambling problem and are not part of the overall strategy relating to ensuring that the casino is free from criminal influence.

The Casino Control Authority does not presently have the power to issue an exclusion order, but it can review a decision by the Director of Casino Surveillance or Star City to exclude if the excluded person makes the necessary application. With the assumption of the director's functions and those of his staff by the authority, the power to exclude will fall upon the authority. Mr McClellan recommended that there should be no appeal or review of a decision by the authority to exclude any person. Mr McClellan noted that the power to exclude is an important mechanism for achieving an environment in which criminal influence is diminished. Accordingly, it is appropriate that a decision by the authority to exclude not be trammelled by the process of appeal. Of necessity, the grounds for exclusion include associations with criminals and the holding by relevant law enforcement agencies of a reasonable belief that a person is engaged in serious criminal activity. Mr McClellan stated that to expose these beliefs to scrutiny in circumstances where the only consequence of exclusion is the removal of a person from one place of public entertainment would not be consistent with the objectives of the legislation.

I now turn briefly to other provisions included in the bill. At present, under section 124, a casino operator can conduct gaming only in accordance with a set of internal controls and administrative and accounting procedures that have been approved by the authority. It is customary for controls and procedures of this kind to detail precisely the manner in which gaming is to be conducted. The Act as it presently stands does not envisage an internal control or administrative and accounting procedure that applies specifically to any part of the casino where special entry requirements apply, such as areas utilised for private gaming. Mr McClellan considered that this deficiency could impede the authority from imposing strict obligations on certain gaming areas at Star City in relation to matters such as membership privileges and access rights. To overcome this problem, the bill amends section 124 of the Act to enable specific internal controls and procedures to be developed in relation to different parts of the casino.

A further amendment relates to changes to the defined boundary of the casino. The casino legislation requires the authority to specify the casino boundary in the casino licence. When granting the Sydney casino licence in 1994, the authority determined that the boundary would include only the gaming and back office areas of the casino. As a consequence, other parts of the casino complex—for example, theatres, cafes, hotel lobby and rooms—are accessible to minors. Both the Crown Solicitor and counsel have advised that, because the authority defined the casino boundary in this manner, a re-definition of the boundary at any subsequent stage would prevent the boundary line extending beyond the original position.

This situation is impeding implementation of a planned improvement and refurbishment program, as well as Star City's ability to prevent more effectively access by minors to the gaming area and a bar overlooking the gaming area. It is considered that it would be against the public interest for an unintended effect of an administrative decision by the authority taken more than five years ago to preclude future modifications of the casino boundary within the area covered by the freehold lease over the site. The bill therefore repeals the provision that currently restricts the boundaries of the casino beyond those for which the licence was originally granted.

Finally, I turn to proposed extended regulation-making powers aimed at minimising the harmful consequences associated with gambling. As honourable members will be aware, an extensive number of harm minimisation measures were applied to hotels and clubs last year. Some of these measures already applied to gaming at the casino, but in other cases it has been necessary to amend the Casino Control Regulation to ensure that similar controls apply to gaming in the casino as apply to gaming in pubs and clubs. Further changes to the casino regulation are now under development to ensure that the playing field is as level as possible. However, it appears that the regulation-making powers under the Casino Control Act 1992 are currently not broad enough in certain areas to introduce the required controls. Accordingly, the bill includes expanded regulation-making powers in areas such as: the offering of inducements to gamble; requiring the publication of information relating to the chances of winning associated with the conduct of various games at the casino; the display of notices relating to the chances of winning and the availability of counselling and other services; and the prohibition of the disclosure of information that might identify prize winners.

The bill represents a major package of reforms to the Casino Control Act 1992. Since the former Government introduced the Act, there have been various amendments to improve the operation of the legislation, but none of those reforms have been as extensive as the measures that are before the House today. The inquiry that was conducted by Peter McClellan last year was extensive and exhaustive. There is no doubt that the inquiry identified a range of problems with the way in which the casino was operating at the time. The package of amendments that I have outlined will go a long way to ensuring that those problems are kept to an absolute minimum in the future. I commend the bill to the House.

Debate adjourned on motion by Mr R. H. L. Smith.

NATURE CONSERVATION TRUST BILL

Second Reading

Debate resumed from 28 February.

Mr D. L. PAGE (Ballina) [10.20 a.m.]: I will make some brief comments on the Nature Conservation Trust Bill. The purpose of the bill is to create a mechanism for private landowners to gift or sell land with high conservation values to a non-government body corporate to be known as a trust. The trust will then manage their land and the agreement, apply appropriate covenants for use or resale, and undertake management or

rehabilitation. The trust also will have the power to enter into voluntary conservation agreements under the National Parks and Wildlife Act, and property agreements under the Native Vegetation Act, and can make new arrangements to protect natural and cultural heritage. The Crown is a potential participant, but only with full written consent of any existing leaseholder. The trust also will operate a revolving fund scheme to buy or acquire land, arrange for a covenant, sell or lease covenanted land, and use the proceeds of sale to buy or lease other land.

This is a positive first step in recognising the important role that the private sector can, and indeed must, play in conservation of our natural resources and in promoting biodiversity. Conservation should not, indeed cannot, be left to government agencies alone. Firstly, and frankly, such agencies have a less than impressive record. Secondly, the majority of the land in New South Wales is privately owned. Therefore the private sector, as key stakeholders, should be able to take a more proactive role than they have in the past. This legislation helps facilitate that objective. Thirdly, most people in the private sector are not anti-environment. The trust provides an important mechanism to enable them to give vent to their aspirations.

Having said that, I believe that government may have to nurture the trust to ensure its success. The Government has provided a small amount of money—\$1 million—through the Native Vegetation Fund, to complement \$1 million in National Heritage Trust funding. So there is that small amount of seed money. However, as the trust develops, it may be necessary for government to assist in the good workings of the trust in its early stages. It may be necessary for government to make some additional contribution to ensure that this important initiative is able to meet the objectives set out in the legislation. Whilst it is true that there are precedents for this type of trust in other countries, notably the United States of America, there is little such precedent in Australia. The Government would do well to keep a very close eye on developments. If there is need for additional government money that should be made available—recognising that the primary purpose of this exercise is not to fund the trust through the government but through the private sector.

It is also important that the Government and its agencies should not use the trust as a means by which to abdicate their own responsibilities for environmental protection of their own land, namely Crown land, because Crown land is covered by this legislation. I do not think for a moment that the Government or any agency is likely to abdicate its responsibilities. But it is important that, for example, the Department of Land and Water Conservation does not seek in any way to shift its responsibilities for managing Crown land in this State to the trust by, for example, signing a lot of Crown leases across to the trust. I merely make that point in passing. It is a matter that the Government needs to be aware of.

The appointment of trustees to the trust is a critical part of the legislation. The legislation provides for the appointment of 10 board members, two of whom will be from government agencies—one from the National Parks and Wildlife Service and one from the Department of Land and Water Conservation—with the others being from the private sector. Clause 18 (2) sets out the criteria to be applied in selecting board members. If the legislation is to be as successful as we all hope, the selection of the right people to serve on the board will be important. It is important to note also that the trust is not, and does not represent, the Crown. Sections of the legislation dealing with the status of the trust make that fact plain. Clause 9 states:

- (1) The Trust is not, and does not represent, the Crown.
- (2) Without limiting subsection (1), the Trust:
 - (a) is not an instrumentality or agency of the State, and
 - (b) is not entitled to any immunity or privilege of the State, and
 - (c) cannot render the State liable for any debts, liabilities or obligations of the Trust, and
 - (d) is not a public authority for any purpose and is taken not to have been constituted or established for a public purpose or for a purpose of the State.

That provision makes it plain that the trust is quite separate from government, and in my view that is appropriate. The objects of the trust are listed in the legislation, but probably the most important of those is:

to encourage landholders to enter into co-operative arrangements for the management and protection of urban and rural land in private occupation that is significant for the conservation of natural heritage (and any cultural heritage associated with natural heritage).

The important point to make is that we are not talking about compulsory acquisitions. We are talking about voluntary agreements between people who own land and wish to see that land protected for natural conservation

or for cultural or natural heritage reasons. This is in some ways landmark legislation in New South Wales. I would like to commend the shadow Minister for the environment, the honourable member for Southern Highlands, on a very thought-provoking speech that she made in this Parliament in relation to this legislation. I would like to take the opportunity to congratulate those whose initiative led to the creation of the trust, namely the New South Wales Farmers Association, the World Wide Fund for Nature, Greening Australia and the Nature Conservation Council.

Mr Debus: You could give me a guernsey too.

Mr D. L. PAGE: The Minister is claiming some credit. Because it is so early in the morning, I am prepared to concede that perhaps he did play a role. The reality is that many of these resource decisions really ought to transcend politics and be approached from the viewpoint of doing what is right for the environment and for the sustainable use of our resources. The more that we can involve the private sector in protecting land, whether it is private land or public land, the better. Some have said that is not so much the tenure of the land that counts; it is the quality of the management and what is happening on the land. This legislation affords a great opportunity for the private sector to become more involved, on a voluntary basis, in the conservation of their land. As I have indicated, this legislation is not about compulsory acquisition; it is about the private sector being more involved. The legislation has a lot of potential. It is the first step in perhaps a change of culture that needs to be implemented in this State and country. I commend the bill.

Mr W. D. SMITH (South Coast) [10.28 a.m.]: It gives me great pleasure to speak on the Nature Conservation Trust Bill. I was pleased to hear the positive comments from the Opposition on this bill. This Government stands by its record on the natural environment in New South Wales. Since 1995 the Government has placed the care of the environment as a major priority and has moved quickly to ensure that policies are set in place and implemented. That is very different from the approach adopted in the 1980s, when the natural environment and conservation were major political issues. It seemed then that not a day went by when there was not one demonstration or another featuring in our news. Our communities became more and more driven, demanding that government attend to the needs of the natural environment and refuse wanton destruction and thoughtless development. I well remember that period. The voices of the public had a remarkable influence on the attitudes of governments to conservation. One of the major examples that comes to mind involved the Franklin River issue in Tasmania following the 1983 Federal election.

The Government has a solid reputation for taking action and putting in place initiatives for the benefit of the environment in New South Wales. Not only that, it has given members of our communities the opportunity to have their say on a range of environmental issues, including Jervis Bay Marine Park in my electorate, for instance. Today the public is taking a different stance in the fight for the environment. While demonstrations and protests still occur, more and more members of our community are taking an active role in working for the environment. Our constituents are taking responsibility by involving themselves in anti-littering and recycling programs and as volunteers in conservation and preservation organisations; they are taking steps to prevent the extinction of endangered species, and alerting authorities to threats to environmental conditions such as pollution in rivers, illegal dumping and development applications for inappropriate development.

Land-holders and farmers also show considerable interest in and enthusiasm for schemes that promote ecologically sustainable development. There are very clear indications that more and more people and groups are adopting innovations that reduce pressure on the environment and offer a cleaner lifestyle as well as address conditions for wildlife where valid concerns are expressed. In schools our young people are taught to respect and care for our natural environment. I am pleased that we are moving away from using the environment as an infinite supplier of resources to be used indiscriminately towards an appreciation and understanding of its importance to the health and well-being of our communities.

It goes without saying that the introduction of the Nature Conservation Bill as one more step forward in ensuring the status of our natural and cultural heritage sites is of utmost importance. It is rewarding for me to be a member of a government that has such insight and consideration for the long-term effects of major decisions. With the establishment of the Nature Conservation Trust the Government has acknowledged the need to expand the range of conservation options for private lands. The trust will provide effective mechanisms for private landowners wanting to pursue conservation efforts on their land. It will complement a number of existing government-sponsored programs that also focus on private land conservation.

The bill was initiated for a number of reasons. It began with the Native Vegetation Advisory Council, the New South Wales Farmers Association and the Nature Conservation Council expressing strong support for

the establishment of a conservation body at arm's length from government to promote conservation initiatives among members of the community who are reluctant to deal directly with government. The idea of a conservation trust was promoted at the New South Wales Salinity Summit and a New South Wales consortium comprising the National Parks and Wildlife Service, the Department of Land and Water Conservation, the Foundation for National Parks and Wildlife, the Nature Conservation Council and the New South Wales branch of Greening Australia was successful recently in attracting seed funding from the Commonwealth Government to establish a revolving fund under the Bushcare program. The consortium made a commitment in its funding bid to consider the establishment of a body to administer that fund. The Commonwealth has responded by encouraging the establishment of a conservation trust.

Development of the Nature Conservation Trust Bill came about in May of last year when a group of non-government parties including the World Wide Fund for Nature and New South Wales Farmers submitted a model bill for the establishment of a conservation trust. The efforts by these organisations, some of which were once considered on opposite sides of the environmental fence, so to speak, to work together for a common cause is remarkable to say the least, and I am pleased to see such efforts leading to long-term resolutions for the benefit of our communities and the environment. Communication between these groups, the offices of the Minister for the Environment and the Minister for Land and Water Conservation, as well as relevant departments, followed and it was agreed that a conservation trust be promoted through the Nature Conservation Trust Bill. Once the trust is established, a key responsibility will be to source funding from private conservation efforts through philanthropic and industry sectors.

I note that the bill contains a number of provisions designed to enhance the trust's appeal to potential sponsors and to reassure them that the trust will adopt sound financial management practices. For example, the trust will be established as a corporation and will be subject to the provisions of the Corporations Law. It is also intended that the trust be registered as a charity, which will greatly enhance its appeal to sponsors. A board of 10 part-time members is proposed, of which eight will be members of the public. They will manage the trust and be selected on their ability to contribute expert advice on issues as diverse as fund-raising, land management and community consultation. This will ensure that the trust is managed in a transparent and open manner. Similar trust models have proven successful in other parts of Australia and around the world.

For example, in the United States of America [USA] more than 1,500 land trusts provide a valuable contribution to the management of private lands for conservation purposes. The Nature Conservancy is the largest of those trusts, and currently protects more than nine million acres. It is one of the top ten charities in the USA. In Tasmania, the Australian Bush Heritage Fund is a successful self-funded organisation with the majority of contributions provided by individual bequests and some corporate sponsorship. Among the powers of the Nature Conservation Trust outlined in clause 12 is the ability to buy, sell, hold, mortgage, lease or otherwise deal with land; surrender land invested in the trust to the Crown for a purpose specified by the trust; act as a trustee of money or other property vested in the trust; use the money of the trust to further the objects of the trust; or meet the trust's commitments and invest money of the trust.

The functions outlined in clause 11 include negotiating, entering into, monitoring and enforcing compliance with trust agreements, conservation agreements and property agreements. Where appropriate, the trust may also be a party to such agreements. The trust will provide ongoing managerial and technical assistance to land-holders who are parties to any conservation agreement or property agreement negotiated by the trust and provide financial assistance to such land-holders if the trust considers it appropriate. The trust will also arrange for the development and review of management strategies for land that is the subject of a property agreement and plans of management relating to land that is the subject of a conservation agreement.

The objects of the trust are outlined in clause 10. They include encouraging land-holders to enter into co-operative arrangements for the management and protection of urban and rural land in private occupation that is significant for the conservation of natural heritage as well as any cultural heritage associated with natural heritage; providing mechanisms for achieving conservation of that heritage; and promoting public knowledge, appreciation and understanding of natural heritage, and any cultural heritage associated with natural heritage, as well as the importance of conserving that heritage.

The bill represents a major, insightful initiative that establishes a strong foundation for developing further partnerships between government, industry and the wider community for the benefit of the environment and the future of the State's communities. There can be no doubt of the value of such a trust to the State. It will mean greater communication between all stakeholders. It will expand the infrastructure for the environment, allowing for careful and improved land management practices. It will also give land-holders the opportunity to participate in the process of determining sites for natural and cultural heritage. This is a most positive step into the future for the environment. Without hesitation I commend the bill to the House.

Ms MEGARRITY (Menai) [10.38 a.m.]: I certainly support the Nature Conservation Trust Bill. As the House has been informed, the National Parks and Wildlife Service owns and manages more than 5.6 million hectares of high conservation value public land across New South Wales. It is a credit to the Carr Government that this figure is 33 per cent more than in 1995. However, protecting high conservation value private land has been problematic for all levels of government—Federal, State and local. At local government level I have wrestled with the dilemma of protecting individual land-holders' rights as well as achieving broader conservation objectives. It is never easy and it seems that in the past it has always pushed people into opposite corners, making it very hard to progress matters.

The Carr Government has recognised the importance of developing partnerships with private land-holders and other stakeholders to achieve the most advantageous conservation outcomes across all land tenures. I am pleased that the Opposition supports this legislation. On the admission of the honourable member for Ballina, this is landmark legislation, which is good news. The other evening the shadow Minister for the Environment confirmed her support for this legislation. As we all know, it is easy to talk about achieving a workable partnership across what are often quite diverging interests—and here I refer to the subject of the legislation and not the toing-and-froing in Parliament—but it is somewhat harder to actually achieve it.

As I said earlier, too often in the past the focus has been on points of difference rather than on points of mutual concern. Yet we should all be concerned to protect the biological diversity that supports the critical processes of our lives. Many of us already value biodiversity for aesthetic, scientific, recreational and cultural reasons—particularly indigenous Australians. Others rely heavily on biodiversity to protect the healthy soils and clean water that support our agricultural sector. So, regardless of the nature of our relationship with the natural environment, none of us can afford to be blasé about the state of its health. I am therefore extremely heartened by the Nature Conservation Trust Bill, which embodies in every sense a true partnership approach to conservation on private land.

As we have heard from other speakers, this legislation reflects the determination of conservation groups and the New South Wales Farmers Association to recognise their mutual interest in conserving the State's natural heritage and to work in partnership with the Government to translate that mutual interest and concern into tangible conservation outcomes. The Nature Conservation Trust will provide vital support to land managers in their efforts to preserve and enhance the conservation values of their lands. I am pleased that the bill provides for that support to be delivered in a number of ways, enabling land managers to choose the option that best suits their needs and personal aspirations.

As an independent body, the trust will be self-determining in its activities—a feature that has been welcomed today and also by a number of land managers and other stakeholders who rightly feel a sense of ownership in regard to this initiative. At the same time it is reassuring to know that the conservation priorities to be pursued by the trust are required by the legislation to be consistent with conservation priorities informing a wide range of the Government's natural resource policies. This legislation will ensure that the possible outcomes of all conservation efforts, regardless of their genesis, are maximised. The establishment of the Nature Conservation Trust represents an exciting new initiative with major opportunities for growth and for complementing and enhancing the range of government-sponsored programs already available to land managers.

I briefly highlight several important details relating to the trust arrangements as I see them. I have had experience in setting up bodies such as catchment management committees, and I have had other related experience at a local government level. I refer to the structure of the Nature Conservation Trust and note that the board will comprise 10 members. Obviously, those board members will be appointed on the basis of expertise and experience to run the trust. Nominations for membership to the board will be sought through a public process. A maximum of only two members will be officers of relevant government agencies, and one member of the board must be an Aboriginal community representative. So this legislation will establish a community generated and independent trust.

I am also pleased that under the proposed legislation the trust will be required to develop a business plan every five years, which will provide detailed strategies relating to its activities. The business plan must also identify the conservation priorities of the trust. Those plans must be available for people to see and to monitor as the trust develops and finds its feet. The Minister for the Environment, in consultation with the Minister for Land and Water Conservation, will be required to endorse those priorities. I join the Minister and other honourable members in acknowledging the efforts of the New South Wales Farmers Association, the Worldwide Fund for Nature, the Nature Conservation Council and Greening Australia in the drafting of this bill.

The bill did not appear overnight: it took a lot of work; and so many people deserve acknowledgment. Those groups have been working hard with the Government, so a sense of partnership began even before the

establishment of the trust. The groups worked with the Government to deliver a model that will, in turn, lead to significant conservation gains for the broader community. Being a bit more gracious than Opposition members on this point, I congratulate the Minister for the Environment on his constant commitment to deliver practical means for environmental protection in New South Wales—something that I have seen him do on many occasions since I have become a member of Parliament. He has been responsible for legislation relating to littering right through to a range of other environmental issues.

Mr Slack-Smith: She is crawling, Bob.

Ms MEGARRITY: No, I am not. I am about to concur with a statement made by an Opposition member. I agree with the honourable member for Ballina that the Nature Conservation Trust Bill is landmark legislation. I believe that this is the way to go. I hope that we see similar legislation at a national level. We will be talking to our colleagues who have been newly elected to governments in Western Australia, Queensland and Victoria—and perhaps soon in South Australia—to determine whether this sort of trust model can be emulated in those States for the protection of the environment in Australia, not just in New South Wales.

Mr DEBUS (Blue Mountains—Attorney General, Minister for the Environment, Minister for Emergency Services, and Minister Assisting the Premier on the Arts [10.46 a.m.], in reply: I thank honourable members who contributed to debate for their support for the bill. I am grateful especially for the thoughtful and highly informative contributions by the honourable member for South Coast and the honourable member for Menai. I shall respond to one point raised by the honourable member for Ballina, even though he expressed support for this bill. He made the comment that the Government may need to inject additional money into the revolving fund being set up under this trust in the future. The intention of this bill is to ensure that the trust that will be set up continues to actively seek out its own funding from private sources. I am advised that there are already early signs that private donors will be interested in donating to the trust.

For example, the Worldwide Fund for Nature has its eye on, and is apparently quite excited by, a number of potential donors. It is, therefore, encouraging to see that there is distinct potential for this trust to attract private funding—as previous speakers in this debate have pointed out—in the way that similar trusts, especially in the United States of America, have been able to attract funds, notwithstanding that philanthropy is a rather better or more highly developed activity in the United States than it is in Australia. I intend to seek Commonwealth approval to ensure that donations to the trust are deductible under Federal income tax legislation. That, of course, will provide an additional incentive for donations. That will be in addition to the exemptions from local government rates, State land taxes and State stamp duty that are provided for in this bill.

The experience of trusts overseas is that money has flowed from the private sector. Things are not looking at all bad in that respect. I am sure that all honourable members will be anxious to encourage private donations to an organisation of this sort. I expect that the work of the trust will be especially significant in the western slopes and plains of this State; that is to say, that part of the State that has the least area reserved to national parks or other Crown reserves—that part of the State that also has the greatest threat to its biodiversity. Clearing, for obvious historical, economic and agricultural reasons, has been more thorough in that part of the State than anywhere else. It follows that there is a special need to conserve those remnant and remaining pieces of vegetation.

It is especially important to encourage farmers to conserve a plot or hillside here and there, to protect vegetation in order to conserve as best we can woodland bird species and marsupial species that are threatened by the extensive clearing that has already affected the area. I thank the honourable member for Southern Highlands for supporting the bill, but I cannot say that I particularly appreciated her attempt to use this debate as justification for the environment policy paper she put out towards the end of last year, a paper that was thoroughly demolished by the Premier in, I think, the last question time last year. On that occasion the Premier forensically exposed a set of extraordinary double standards manifest in the honourable member's discussion paper. It is appropriate that I recap some of the highlights of that debate.

Mr D. L. Page: Where is this bipartisanship that we talked about?

Mr DEBUS: Just look at *Hansard* and have a wee squiz at what the honourable member for Southern Highlands actually said today. The honourable member asked us to imagine 20 per cent of the State being conserved in national park or subject to other conservation agreements. The Premier pointed out that since 1995 the present Government had established 240 new national parks totalling 1.4 million hectares, thereby increasing the total land area of national parks from around 5 per cent to 6.7 per cent—over five years an

increase of 1.7 per cent. I quickly concede that 6.7 per cent of the State is rather modest compared to the bold 20 per cent target set by the honourable member for Southern Highlands, but in this context I am entitled to ask what the Coalition's record was in this respect when it was in office. I remind the House that between March 1988 and March 1995 environment Ministers under the Greiner and Fahey governments toiled away and managed to conserve 300,000 hectares.

Mr D. L. Page: Point of order: I am somewhat reluctant to take this point of order given the bipartisan approach towards this bill. However, the bill is about the creation of a trust for the private sector to invest in the conservation of cultural and conservation values. It has nothing to do with what the Government has done in relation to public land. Although the honourable member for Southern Highlands traversed some of this area in her contribution to the second reading debate, the opportunity was then available to Government members to take a point of order along the lines that I am now taking, that is, to bring the speaker back to the leave of the bill. Therefore, I ask you to ask the Minister to confine his remarks to the leave the bill.

Mr SPEAKER: Order! The Minister need not reply to the point of order. If a member canvasses a subject, the Minister is entitled to speak to it. The overview of the bill refers to the conservation of natural heritage, and the Minister is dealing with that matter. The Minister may proceed.

Mr DEBUS: I understand the point of order taken by the honourable member for Ballina. He actually conceded that the honourable member for Southern Highlands had in fact engaged in a substantial attack upon the Government's environment policy in justification of her own rather extraordinary position in this respect. In any event, I do not wish to draw out this matter much longer. I merely point out that although the honourable member is asking us to imagine a State in which 20 per cent of land area is included in national park, during the seven years that the former Coalition Government was in office it only managed to add 0.5 per cent of land area to national parks.

That is approximately the same amount as the present Government added in one month during the year 2000. Indeed, to achieve the goals suggested by the honourable member for Southern Highlands, at the Coalition's rate it would take 220 years, provided that it won 55 elections on the trot. That is a sufficient illustration of the extraordinary double standards of the honourable member in this debate. After that peroration, I thank honourable members who have contributed to this debate, not least the honourable member for Ballina. I congratulate all of the partners involved in this groundbreaking and exciting new initiative. I wish the World Wide Fund for Nature, the New South Wales Farmers Association and the Nature Conservation Council the very best success as we proceed with this partnership, and I look forward to the achievement of very great things by this trust over the coming generations.

Motion agreed to.

Bill read a second time and passed through remaining stages.

CATTLE COMPENSATION REPEAL BILL

Second Reading

Debate resumed from 27 February.

Mr SLACK-SMITH (Barwon) [10.57 a.m.]: The Opposition supports the Cattle Compensation Repeal Bill, the purpose of which is to repeal of the Cattle Compensation Act of 1951 and subsequent Acts. In 1951 it was necessary to eradicate certain diseases in this country and the Cattle Compensation Fund, set up by the Cattle Compensation Act of 1951, was used to compensate producers who were affected by tuberculosis [TB]. TB was the first mass eradication program throughout New South Wales and Australia and it was successful. The fund was then used for the eradication of brucellosis abortus, which is commonly called contagious abortion. Tuberculosis and brucellosis have now been wiped out of the cattle industry and this has meant that Australia has been in a position to trade with many more countries than had previously been the case.

Today Australia is the world's largest beef exporter, despite its small population by comparison with countries such as China and India. That is a credit not only to today's producers but to the foresight and hard work of the past. Although Australia is not totally disease-free, it has been able to eradicate most diseases, thereby giving Australia an advantage over its competitors. The Minister and I agree that it is imperative that foot and mouth disease and mad cow disease [BSE] does not enter this country. The economic ramifications of that would actually break Australia because it is so dependent on beef, wool and livestock exports, all of which can be affected by foot and mouth disease.

Originally the compensation Act was funded by stamp duty on the sale of cattle and then another stamp duty on cattle delivered to the abattoir for slaughter. There was also a levy on cattle in the RLPB—formerly Pastures Protection Board—rates. After 1987 the fund was sustained only by the interest from that account. In 1993 the Act was amended, and I remind the Minister that in 1993 the State had a very good government—and these newcomers think they own the place. The Act was amended to authorise the funding to be used to finance inquiries, investigations and tests in regard to the cattle industry. I recall the helix catastrophe—and I call it a catastrophe. The helix campaign was really a push by our competitors. They stopped our markets. I put on the public record that helix is a twenty-first century chemical which is totally harmless. It would have been a magnificent chemical in horticulture anywhere in the world, and Japan uses it extensively in the tea industry.

Unfortunately, it was used as a trade barrier and a lot of cattle producers in my electorate went broke because of the quarantine when cattle consumed helix in the cotton from the nearby cotton gins. This was during a drought when they had nothing else to eat. I believe cattle compensation fund money was used to test this as well. Today no money is left in the tin. The money has been spent. The Cattle Compensation Act is redundant simply because any compensation that has to be claimed for diseases of cattle is now paid by the Exotic Diseases of Animals Act, with an agreement with the Commonwealth to make it a national scheme as well. Quite often we have problems not only in New South Wales but in other States. It is only right that this is regarded as a national problem. If there is an outbreak of some disease in the Northern Territory I believe it is our responsibility to make sure it is eradicated as fast as possible. The Opposition supports this bill. We believe it is a step in the right direction. The fund has done a great job. It has served its time and now it is time to say goodbye.

Mr MARTIN (Bathurst) [11.03 a.m.]: I support the Minister's action in bringing this bill before the House and welcome the bipartisan support of the Opposition. As has been pointed out, the purpose of the bill is to repeal the Cattle Compensation Act of 1951. One of the real benefits behind it is that, by repealing the Act, we are going to allow cattle producers to take advantage of the averaging provisions in section 385E of the Income Tax Assessment Act. That provision gives tax advantages to primary producers on forced disposals because of disease or death of livestock that had been held as assets for primary production business. In these times that is something rural producers will welcome.

As has been pointed out by the honourable member for Barwon, while we are repealing this Act, because of good housekeeping and because it has become redundant, it gives us the opportunity to focus on the problem worldwide now and also to face the fact that we need eternal vigilance to protect our primary producers and industries. We never know what is around the corner. Certainly both Federal and State governments are on red alert at the moment over foot and mouth disease. How very timely that is. That would be as big a catastrophe as we could ever face. Given the history of Australia as a land of flood and droughts that is a pretty big statement but it can be backed up.

The Cattle Compensation Act of 1951 was enacted to provide for payment of compensation for diseases in cattle. The Act established the Cattle Compensation Fund from which compensation was payable to the owners of cattle or carcasses in the circumstances specified. One of the circumstances was that cattle were destroyed pursuant to an order under the Stock Diseases Act 1923, because they were suffering from a specified disease. Originally the compensation fund was financed by stamp duty on the sale of cattle and later by stamp duty on cattle delivered to the abattoir for slaughtering. In addition, there was a levy on cattle graded by the old Pastures Protection Board, now known as the Rural Lands Protection Board. Since 1987 the fund has been sustained on interest only, there has been no injection of cash into the fund. It has now really become redundant and irrelevant.

In 1993, as pointed out by the honourable member for Barwon, the Government amended the Act to authorise payment to be made from the fund to finance research, inquiries, investigations and tests in relation to the cattle industry and for other purposes benefiting the cattle industry. At the direction of the Government this fund was to be wound up over a five-year period. On the advice of the Cattle Compensation Advisory Committee all the money in the fund has been allocated and no money remains in the fund. The Act is currently the subject of a competition policy and regulatory best practice review—and that might be a cause of disquiet to some of us who worry about those processes in other areas. Nonetheless, it is happening and, together with other matters relating to agricultural plant and animal health—

Mr Amery: We hope they get it right.

Mr MARTIN: As the Minister says, we hope they get it right, because in this case it should not be that difficult. This review is not expected to be completed for another six months. For that reason it is timely for the

Minister to bring this bill before the House. It is likely that as a result of the review the Act will be repealed anyhow, so we are showing a bit of foresight. Section 385E of the Income Tax Assessment Act that I referred to earlier gives primary producers certain tax advantages where their livestock is compulsorily destroyed as a result of disease. That dates back to the Stock Diseases Act of 1923. Because the Cattle Compensation Act of 1951 would entitle cattle producers to compensation under that Act if they are required to slaughter their cattle, orders for movement to slaughter have not been made in respect of cattle affected, for instance, with Johne's disease. The benefits of section 385E of the Income Tax Assessment Act are therefore not available to those cattle producers. This bill will allow that to be changed. Since the Cattle Compensation Act of 1951 is now defunct and the review is likely to recommend its repeal, the immediate repeal of the Act will enable those cattle producers to obtain those tax benefits. That is an important adjunct to this legislation and I commend it to the House.

Mr PRICE (Maitland) [11.08 a.m.]: I support the bill. I acknowledge the comments of the Opposition spokesman and also of my colleague the honourable member for Bathurst. While this is a repeal bill, it is an important phase in the agricultural history of New South Wales. When one considers that the Act was introduced in support of the Stock Diseases Act of 1923 and when one considers the length of time it has run, it has certainly been of great value. Of recent times, with the Act being amended to allow some of the fund to be used for testing and other purposes determined by the Minister, it has played a major part, but certainly the time has come for repeal. With the competition policy requirements and the review currently under way, it is quite obvious that the existing Act will be made redundant, and this repeal mechanism will speed up that process and allow farmers to take advantage of the averaging provisions of the Federal tax Act.

Although there is no money in the fund at present, the possibility of compensation means that some farmers will be disadvantaged. Repealing the Act will enable those farmers to get concessions that will at least partly compensate them for the losses they have suffered, and will suffer from time to time. As has been said before, Australia is in a unique position in terms of the diseases currently flooding Europe: mad cow disease and the foot and mouth disease outbreaks. From time to time there are outbreaks of foot and mouth disease in South America and Asia. As I said, Australia is in a unique position, and I am sure our traders will take advantage of that position in every way possible. They may not be able to enter Europe because of European Union restrictions, but they can certainly enter a number of other nations which I am sure trade with Europe. Therefore, Australia will receive a benefit.

At present we are enjoying extremely high cattle prices. My constituents are delighted about that, considering the difficulties associated with the dairy industry. Anything that will improve the rural scene in the Maitland electorate must be considered. We must thank successive State and Federal governments. I understand that it is more than 150 years since foot and mouth disease has been a problem in this country. Both State and Federal governments have steadfastly maintained an excellent quarantine system—one that should never be interfered with and one that has provided us with umbrella protection in many ways. That is mirrored by the protection provided of the agricultural department in each State.

The strictness of quarantine provisions cannot be overemphasised. It is extremely important that the people of this State, particularly in the farming community, recognise the benefits that that brings. The original cattle compensation fund, which raised funds by a series of levies and involved the old pasture protection boards, was very successful during its period of operation and the follow-on. The Opposition spokesman on agriculture mentioned that moneys from the fund were used to deal with the Helix problem that raged for some time. Undoubtedly, chemicals create a problem. While chemicals are not defined in the Act, it is interesting to note how readily moneys from the fund were used, with the co-operation of both sides of this House.

The diseases that are currently covered by the Act—tuberculosis, bovine brucellosis, Johne's disease and tick fever—trouble us, but they have not worried us internationally. Although Johne's disease is a problem, it is not compensable under the existing Act. Therefore, farmers and cattle raisers whose stock have Johne's disease will breathe a sigh of relief if they can get some compensation through the Federal tax system. Early removal of the Act from our statutes is important, and I support the early action of the Government.

Mr BLACK (Murray-Darling) [11.13 a.m.]: Country Labor is once again proud to support our great Minister for Agriculture. I note that today, yet again, we have an outbreak of goodwill in this place to the extent that the Opposition is supporting the Government in the matter of the repeal of the Cattle Compensation Act 1951. Reference has been made in previous debates, and indeed in this debate, to the fact that Australia is an island nation and that we have the advantage of being able to prevent exotic diseases from entering and, by the same token, prevailing to the extent that we maintain our disease-free reputation in respect of trade across the world.

Previous speakers mentioned the price that beef is gaining. I must report that only two weeks ago—I am sure the honourable member for Barwon will concentrate on this—choppers from Wakool shire were getting more than \$600. That is almost unbelievable. However, choppers can get such a price because New South Wales is disease free. Having said all that, why do we need to repeal the Cattle Compensation Act 1951? Basically, the Act creates a conflict between the interests of cattle producers in regard to of income tax arrangements and the assistance provided by the New South Wales Government.

Repealing the Act will enable cattle producers to take advantage of the averaging provisions of subdivision 385E of the Income Tax Assessment Act 1997, to which the honourable member for Bathurst referred. This provision gives tax advantages to a primary producer on the forced disposal or death of livestock, because of disease, that have been held as assets of a primary production business. The Australian Taxation Office has confirmed that this provision is available to producers who are required to destroy or dispose of stock because of bovine John's disease, but only if the stock are destroyed or disposed of pursuant to an order under the Stock Diseases Act 1923. Bovine John's disease—

Mr Amery: John's disease.

Mr BLACK: Mate, I say "John's". We come from the front paddock.

Mr Amery: It's a different accent out there.

Mr BLACK: That is okay. You say "Johne's"; I say "John's". I am sure that members opposite remember the name of red Ted Davies, who was a prominent member of the central Darling shire years ago. Ted gets his rams from South Australia. The property from which he gets his rams had a mad old ewe which did not get ovine John's disease but bovine John's disease. As a consequence, that property is still in the secluded area in so far as ovine John's disease is concerned, simply because the mad ewe got bovine John's disease—it could not discriminate the difference between "bovine" and "ovine". I digress.

Bovine John's disease is a wasting disease of stock, including cattle and sheep, which is the subject of national programs for control. Orders for movement to slaughter are currently given with respect to sheep with ovine John's disease but not with respect to cattle, as the Cattle Compensation Act 1951 would entitle cattle producers to compensation under that Act if orders are given. The Cattle Compensation Act was enacted to provide for the payment of compensation for diseases in cattle. Compensation is payable under the Act to the owners of stock if the stock are destroyed pursuant to an order under the Stock Diseases Act 1923 because they are suffering from a compensable disease. One disease included by definition is bovine John's disease. The Act is defunct but its existence prevents the benefits of subdivision 385E of the Income Tax Assessment Act 1997 from being available to cattle producers. I am keenly aware that this matter will be discussed at Menindee on 28 March at the annual conference of the pasture protection boards. I suppose I am wrong about that, too. I believe the Minister has a new name for those boards.

Mr Amery: They are rural lands protection boards now.

Mr BLACK: Something like that, but I assure the Minister that in the front country they are still called PP boards and we are proud of them. I am sure this matter will be keenly debated simply because the cattle industry is doing extremely well while the pastoral and sheep industries are in decline. I am aware that lambs have hit as much as \$130 in Wagga Wagga. I am aware also that at the recent Ballarat and Bendigo sales in Victoria lambs went to \$92 at one sale and to \$100 at the other sale. Notwithstanding that, the sheep industry is still in decline. The upshot of that is that more and more people are looking at cattle. There are issues to do with fences and that sort of thing. Many fences in the Western Division were built for sheep, not cattle, and they cannot stand up to cattle. That is a fact of life. However, through such initiatives, I believe we are getting a better deal for traditional pastoralists and sheep producers who want to diversify into cattle. Through such initiatives we are again demonstrating our support for those who want to diversify to ensure that the Great Western division of New South Wales remains sustainable and the main producer for this great State of New South Wales.

Mr AMERY (Mount Druitt—Minister for Agriculture, and Minister for Land and Water Conservation) [11.20 a.m.], in reply: I thank the members who spoke in this debate, including the shadow Minister for Agriculture, who led for the Opposition; the honourable member for Barwon; the honourable member for Bathurst; the honourable member for Maitland; and the honourable member for Murray-Darling. It is quite obvious from listening to those members' contributions that whilst this issue is about the repeal of a cattle

compensation bill and the bill is a very short one as far as content is concerned, issues about cattle compensation in the beef industry and overseas disease outbreaks are obviously playing on the minds of all members of this House.

Every speaker in this debate made reference to the eradication of diseases in the cattle industry. I think the matter was first raised by the honourable member for Barwon, who spoke about the number of diseases that have been eradicated from the cattle industry in this country. However, like the speakers who followed him, the honourable member for Barwon gave a warning to all of us about what is going on overseas with bovine spongiform encephalopathy [BSE], or mad cow disease, foot and mouth disease, and so on, which are obviously of concern to all members representing country areas.

The Deputy Speaker raised the matter of the length of time that this bill has been in existence. There have been many changes in the way industries have been able to collect levies and put money aside for investing in insurance policies for whatever may occur in their industries. The State's ability to raise stamp duties and levies has also been affected in more recent times by High Court decisions. To have an insurance policy or fund for such diseases—which is something like what the cattle compensation fund was—is now virtually legally impossible and also is generally regarded as unacceptable for most industries.

The honourable member for Barwon referred, as I did in my second reading speech, to the helix cotton trash issue, which is one of the success stories of the cattle compensation fund that is now being repealed. I recall that when I first became the Minister something like 98 or 99 per cent of the State was in drought. The cotton industry was providing cotton trash to assist farmers who were trying to stop their starving cattle from perishing in the drought. Unfortunately, that cotton trash had been treated with the chemical helix. I agree with the honourable member for Barwon that there was perhaps an overreaction to the impact of that. However, international trade being what it is, it put quarantines and restrictions on the movement of cattle. It was the cattle compensation fund that we are repealing today which came to the rescue. From memory, I think we needed \$6 million. About \$3 million of that came from the cattle compensation fund, that was matched by taxpayers' funds through Treasury, and we were able to assist that industry during that very difficult time.

The honourable member for Murray-Darling raised a number of points. I am unable to interpret to the House the accent that the people of the Western Division use. As a student of some accents around the place, I have realised that there are a number of accents within New South Wales. The honourable member for Murray-Darling referred to ovine "John's" disease. When I corrected him and said "Johne's disease", he said, "No, I call it John's disease." So I accepted the difference in accents between ours on the coast and his in the outer paddock of New South Wales.

The honourable member for Murray-Darling is the only member to raise a question in the House that I am unable to answer fully—that is that sheep on a property in his electorate were affected with bovine Johne's disease. I will not even have a guess at how a cattle disease got into sheep. I am not aware of the farming or breeding practices of that particular property. As I have said, I am unable to answer that question, but I am sure that my department might be able to investigate the matter for the honourable member. The honourable member for Murray-Darling made some very good points about this State's disease-free status and beef prices. I wish to clarify his question about pastoral protection boards. It was legislation some years ago, and the boards are now called rural lands protection boards. With those comments I commend the bill to the House.

Motion agreed to.

Bill read a second time and passed through remaining stages.

GOVERNOR OF NEW SOUTH WALES

Appointment

Mr CARR (Maroubra—Premier, Minister for the Arts, and Minister for Citizenship) [11.25 a.m.]: It gives me great pleasure to move the adoption of the address in acknowledgement of Her Excellency's message. I move:

That the following Address in acknowledgment of Her Excellency's message be adopted by this House and presented to Her Excellency:

To Her Excellency Professor Marie Bashir, Officer of the Order of Australia, Governor of the State of New South Wales in the Commonwealth of Australia.

MAY IT PLEASE YOUR EXCELLENCY—

We, the Members of the Legislative Assembly, in Parliament assembled, desire to express our thanks for Your Excellency's Message informing us of your assumption of the administration of the Government of the State by virtue of a commission from Her Most Gracious Majesty appointing you as Governor.

We offer Your Excellency our sincere congratulations on your appointment by Her Majesty, confident that your administration will reflect the distinction and devotion to duty already displayed in your services to the State in psychiatric medicine, health administration and other fields.

Legislative Assembly
7 March 2001

JOHN MURRAY
Speaker

On behalf of the people of New South Wales it is my great honour to welcome Professor Marie Bashir as our thirty-seventh Governor. To Sir Nicholas Shehadie as well I extend the warmest welcome. It was a privilege to place Marie Bashir's name before the Queen. It was a particular privilege to do that because Professor Bashir becomes the first woman to be Governor of New South Wales. When I announced that this was my intention, I said that it was time.

Professor Bashir's distinguished career and her contribution to a vast array of community groups means, however, that that is incidental to her qualifications. I said in respect of her qualifications that in a very real sense she is the best-qualified Governor we have had. As well as reaching the top in the fields of psychiatric medicine and health administration, she has worked closely with young people and Aboriginal communities in New South Wales. Her work with children and young people with mental illness is especially deserving of praise. In light of the fact that we have such a high suicide rate among our young, young males in particular, that is especially worthy of acknowledgment. I think the people of New South Wales believe they are fortunate to have a person of Professor Bashir's calibre in the important office of Governor.

Professor Bashir was born in Narrandera. She is the first woman and the first person of Lebanese descent to be appointed Governor of New South Wales. On completion of a Bachelor of Medicine and a Bachelor of Surgery from the University of Sydney in 1956, she embarked on a career in medicine and psychiatry. She joined the Royal Australian and New Zealand College of Psychiatrists in 1971, receiving a fellowship in 1980. Between 1972 and 1987 she was Foundation Director of Rivendell Royal Prince Alfred Hospital Child Adolescent and Family Service. In 1987 she became Area Director, Community Health Services, of the Central Sydney Area Health Service, a position she held until 1993.

In 1994 Professor Bashir became Area Director of Mental Health Services in the Central Sydney Health Service, and in 1996 she was appointed senior consultant to the Aboriginal Medical Service at Redfern and Kempsey. She has made a profound contribution to education in New South Wales as teacher, lecturer and mentor to students at the University of Sydney and the University of New South Wales since 1972. Since 1993 she has been Clinical Professor of Psychiatry at the University of Sydney and senior specialist in child, adolescent and family psychiatry.

However, Her Excellency's contribution to public life extends beyond her medical career. She has chaired numerous bodies. Since 1983 those bodies include the Council of the Women's College at University of Sydney, the New South Wales Juvenile Justice Advisory Council, the New South Wales strategy for Aboriginal mental health, the Third World health group of the University of New South Wales, the New South Wales task force on children's mental health, the non English-speaking background suicide prevention project and the New South Wales mental health implementation group. That represents hard work and a many hours of her precious time.

Her Excellency's remarkable career has been informed though, at all times, by her continuing concern for indigenous health. As well, her concern for prevention and early intervention in child and adolescent health has been remarkable. She has been committed to improving professional health standards in developing countries. She has worked hard to advance Aboriginal reconciliation. The depth and breadth of her direct experience and of her knowledge and understanding of a range of issues justify my saying that her experience is unprecedented in the history of this State. In all Her Excellency's undertakings, she has acquitted herself with dignity, integrity and compassion. In Her Excellency's first speech, she spoke about how important it is to nurture a sense of community. She spoke about her belief that the long-term prosperity of the State and its people depends on a climate of reciprocity involving the ordinary citizens as well as the powerful.

The wisdom and empathy displayed by Her Excellency throughout her remarkable career will serve her well as she strives to foster a greater sense of inclusiveness and community. This State is indeed fortunate and

privileged to have a woman of such quality accept the highest office in the State. This House should welcome the Governor to her new role. Honourable members should wish her well as she takes up her duties. I am certain that in the years ahead both the Governor and Sir Nicholas Shehadie will draw strength and encouragement from the warmth and goodwill of the people of this State, who have already demonstrated resounding support for Her Excellency's appointment.

Mrs CHIKAROVSKI (Lane Cove—Leader of the Opposition) [11.31 a.m.]: It is with enormous pleasure that I, on behalf of the Opposition, join in welcoming Her Excellency Professor Marie Bashir as Governor of New South Wales. As Professor Bashir herself acknowledged on the day of her swearing in, it is a wonderful honour to be appointed Governor of this State and to be charged with the responsibility of fulfilling the important tasks that the Governor undertakes. Professor Bashir is an outstanding choice as Governor. She is a person with obvious qualifications for the job and a demonstrated commitment to the welfare of people as individuals and to community service. Our recent gubernatorial history in New South Wales has been most distinguished. Sir David Martin, Rear Admiral Peter Sinclair and the Hon. Gordon Samuels followed in the fine traditions of their predecessors and served our State admirably in their role as Governor. They set an excellent standard, and not only in the more official duties of Governor.

We have been blessed with a succession of Governors who have been able to focus on the needs of people at the personal level as well as clearly understanding broader community needs and expectations. As someone said to be me recently, there is more to being Governor than simply being patron of community organisations and hosting morning teas and garden parties. The Governor of New South Wales is not simply a figurehead position; it is a position of leadership to which we look for inspiration and support. Marie Bashir is a person who has proven she has a personal empathy with individuals. She has spent her career doing important and critical work that has supported many of the most vulnerable people in our community. Her practical experience will be an enormous asset to her as Governor. So I am confident that Governor Bashir, in her own valued way, will set a new level in the long tradition of outstanding Governors in New South Wales.

Marie Bashir's career as a psychiatrist has spanned almost 30 years. She rightly earned the respect of her clients, peers and colleagues, and brings to the position of Governor a record of performance and success in relation to social issues. Marie Bashir was born in Narrandera, New South Wales, and was taught at her local public school before going on to study at Sydney Girls High School. In 1956 Governor Bashir completed a Bachelor of Medicine and Bachelor of Surgery at the University of Sydney. It was during her time at university that she and Sir Nicholas got to know my parents—a friendship that has spanned almost 50 years. Fifteen years later she was awarded membership, and later a fellowship, at the Royal Australian and New Zealand College of Psychiatrists.

For two years, from 1971 until 1973, while her husband, Sir Nicholas Shehadie, was Lord Mayor of Sydney, she played an active role as the Lady Mayoress. In 1972 she became foundation director of the Rivendell Child Adolescent and Family Services Unit at Royal Prince Alfred Hospital. I was impressed when I read recently in the *Sydney Morning Herald* of Professor Bashir's involvement with Cambodian refugees in the 1970s. As a psychiatrist Professor Bashir worked as part of a team of mental health workers who helped Cambodian child refugees. Those children had suffered under the Pol Pot regime. When they migrated to Australia the team was here to help them to deal with their trauma. I could not imagine a more difficult situation for a psychiatrist to find oneself in. How does one explain the pain and suffering in Cambodia in those very dark years to a 10-year-old or a four-year-old?

Professor Bashir was very deservedly awarded an Order of Australia in 1988 for services to child and adolescent health, especially mental health. That was due recognition of all of her efforts for our community, and her skills and commitment as a professional. Eminently qualified, Professor Bashir was appointed as Clinical Professor of Psychiatry, Department of Psychological Medicine at the University of Sydney in 1993. She helped many students, including those from Vietnam and Thailand who had come to Sydney to study, by passing on her accumulated wisdom. In 1994 Professor Bashir took a position as Area Director, Mental Health Services, Central Sydney Area Health Service—a position she held until just recently.

Professor Bashir also had many other interests and commitments. I do not intend to list them all but will mention only a few. As the Premier mentioned, she has a strong interest in indigenous health and reconciliation, critical causes which have growing support throughout the community. She served as a member of New South Wales Women's Advisory Council from 1990 to 1992. Her commitment to children resulted in her accepting the chairmanship of the Juvenile Justice Advisory Board, and the New South Wales task force on children's and young people's mental health for the New South Wales Department of Health. She was involved in a national program on Triple J radio for young people suffering from depression and severe stress. She also enjoys the opera, so it is no surprise that she is Patron of Opera Australia.

I have no doubt that as our first female Governor, and the first Governor of Lebanese descent, Marie Bashir's own unique experiences as a woman and as a first generation Australian, together with her broad range of interests, will ensure her governorship will be highly successful and rewarding for her, her family and our State. On behalf of the Opposition, I wish Professor Marie Bashir the best of luck for her term as Governor. Being Governor can be very rewarding. It provides the opportunity to meet a wide range of people from very diverse areas and to help to represent all of New South Wales. No doubt there will also be challenging and trying periods, but Governor Bashir's character and successful past experience will surely empower her to move forward. I am sure Governor Bashir will achieve much in her time as Governor, as she has done consistently throughout her distinguished career. Our prayers and best wishes are with her.

Mr SOURIS (Upper Hunter—Leader of the National Party) [11.37 a.m.]: It is with pleasure that I join with the Premier and the Leader of the Opposition in welcoming Professor Marie Bashir, AO, Lady Shehadie, to the office of Governor of New South Wales. I do so with considerable personal pleasure as well as the pleasure that I express on behalf of the National Party. I have known the Shehadies for many years. I claim to have perhaps taught one of their sons all he knows. Michael was a student of mine during one of the positions I occupied when I was a teacher. I have certainly enjoyed many happy occasions with the Shehadie family as a result of the role played by Sir Nicholas in various organisations during the terms of various governments. I include his chairmanship of SBS but, even more importantly, his chairmanship of the Sydney Cricket Ground and Sports Ground Trust. As the Minister at the table, the Minister for Fair Trading, would appreciate, I was once the Minister under whose care the trust operated. I recall being able to rely completely on the leadership and even the intuition of its chairman, Sir Nicholas Shehadie.

Marie Shehadie has also taken a keen and active role in those areas. She has also had an exemplary and completely fulfilling professional role in many charitable institutions, particularly those associated with adolescent development and juvenile care. She certainly practised all she preached, not only in relation to her own family but in relation to the many professional roles she has undertaken over the years. I could not think of a better appointment. I compliment the Government on nominating Professor Marie Bashir to be the thirty-seventh Governor of New South Wales. She was an inspired choice. I know that she will fulfil her role with great distinction, intelligence and dedication. I look forward to welcoming her at functions in my electorate and to seeing her at other State events and ceremonies in which she will be involved. Later this afternoon I will have the pleasure of attending Government House and being present at her first meeting with members of this Parliament. With those few words I express my very best wishes to our thirty-seventh Governor. I also express my support and confidence in her way she will perform her role our Governor.

Motion agreed to.

Mr DEPUTY-SPEAKER: I have to inform the House that it is the pleasure of the Governor to receive the Address in acknowledgement of Her Excellency's message notifying her assumption of the administration of the Government of the State at 4.00 p.m. this day at Government House.

PRIVATE MEMBERS' STATEMENTS

Private member's statement, by leave, taken forthwith.

JACK'S GULLY WASTE DEPOT

Dr KERNOHAN (Camden) [11.42 a.m.]: I speak about a matter that is troubling the people of Camden. It concerns waste disposal. When I first became an alderman on Camden Municipal Council in 1973 it was brought to council's attention that the council tip in Springs Road was virtually full. The Mayor, Alderman Bruce Ferguson, said that a perfect site for a new tip was Jack's Gully at Narellan, which was owned by Clutha Pty Ltd. The council agreed to open up Jack's Gully tip but was forced to hand over control of it to the State in 1974 as the State demanded an immediate capital investment—of approximately \$350, 000, if my memory serves me well—for fencing, road paving, dams, pumps, telephone connections, et cetera, on land leased from Clutha which Clutha did not wish to sell at that time. Because Camden was a small country town the council could not afford that capital amount and thus it came under the control of the State authority. The essential construction and installation of equipment took at least five years when the state authority was responsible, yet it was required immediately when council wanted to manage the tip.

Currently Jack's Gully is owned and operated by Waste Services New South Wales, having been purchased approximately five years ago from Sada Pty Ltd, which bought it when Clutha was liquidated. Jack's Gully currently takes 115,000 to 130,000 tonnes of waste per annum from Camden, Campbelltown, Wollondilly

and Wingecarribee councils plus a portion from Liverpool. In 1974 the people of Camden were duped by the State Government in regard to access to cheap waste disposal, and it looks like it will happen to them again. A development application was submitted to the Department of Urban Affairs and Planning [DUAP] by Waste Services New South Wales last year to enlarge the rubbish capacity at Jack's Gully from 600,000 to 2.6 million tonnes. The development application included a limit of 150,000 tonnes per annum, which satisfied Camden Council's environmental concerns and concerns about the regional site's future capacity—a life of 20 years if limited to use by Macarthur and Wingecarribee councils.

However, DUAP advised the council last Christmas that Waste Services New South Wales had deferred the application, and it is rumoured that no limit to the usage or total tonnage is under consideration by that body. With the restrictions on other landfill areas at Lucas Heights and Eastern Creek, it is obvious that Waste Services New South Wales wants to use Jack's Gully as the dumping ground for metropolitan Sydney. Jack's Gully is the only landfill area in Macarthur that is licensed to receive putrescible waste. If it is open slather for metropolitan councils the area will be full in two, not 20, years. What will then be the cost to the people of Macarthur of waste disposal? Both Camden Council and the Macarthur Waste Board are horrified at the possible future of Jack's Gully.

Moreover, it abuts new residential areas of Mount Annan and the Mount Annan Botanic Gardens. It is already costing money to prevent odour problems to those areas. Indeed, an extra parcel of land next to the residential area had to be purchased as an odour zone because of the current smell from the depot. What will happen if more rubbish is dumped daily on this site? I call on the Minister to ensure that commonsense is used by Waste Services New South Wales in determining the future of Jack's Gully so that the current four councils in south-western Sydney have ready access to a local waste disposal site for at least another 20 years. The people of Camden were robbed of their waste disposal unit 25 years ago. It now seems that Sydney will take over their facility. I believe that is wrong and that the Government is not considering the future necessities for semi-regional areas on the outskirts of Sydney. It is only considering the problems of metropolitan Sydney.

GEORGES RIVER ELECTORATE SCHOOLS

Mr GREENE (Georges River) [11.47 a.m.]: One of the most pleasant responsibilities of a member of Parliament is visiting schools in their electorates. In the last month I have had the pleasure of visiting a number of schools. The first was Kogarah Marist Brothers High School, which, although it is not in my electorate, is in fact my old school. A large number of students from that college come from the Georges River electorate. I was invited to address the school assembly when more than 20 of its students were congratulated on their performance in the Higher School Certificate in 2000. It gave me great pleasure to address those students and to comment on the results of their hard work. The most outstanding performance was from Tim Stapleton, who acquired a university admission index of 99.85. All honourable members would acknowledge that that is an amazing academic achievement.

I complimented Tim and the other 20 students on their performance in the Higher School Certificate. I have known Tim Stapleton for a number of years. In 1998 when he was in year 10 I had the pleasure of presenting him with the Illawarra Catholic Club scholarship to assist him in his years 11 and 12 education at Kogarah Marist Brothers. I complimented the new Principal of Kogarah Marist Brothers, Mr Pat O'Connor; the Deputy Principal, Mr Michael Blowes; the religious education co-ordinator, Mrs Helen Smith; the business manager, Mr Bernard Holdsworth; and the students and staff on that magnificent celebration of the success of their students in 2000.

Following that function I moved to the new Oatley campus of the Georges River College. I compliment the Minister for Education and Training, the Hon. John Aquilina, on the formation of the Georges River College. I was with the Minister on the occasion of his visit to the site, where we saw the first-class facilities provided for that establishment by the Government. This year sees the first year 11 students attending the Oatley campus of the Georges River College. There are now more than 460 students enrolled at that campus. The principal of the Oatley campus, Mrs Terry O'Brien, welcomed us that morning. We saw first-hand the involvement of the students in that new facility and were informed of the vast range of subjects that are available and of the first-class teaching facilities being provided.

I was most impressed by the enthusiasm and energy displayed by the staff, not only as we moved about while lessons were in progress but also when we discussed the future of the college with the teachers and students during the luncheon interval. It was most rewarding for me as the local member, as it undoubtedly was for the Minister, to see such a successful venture starting on such a great foundation. Again I congratulate the

Minister on his foresight and I compliment the staff and students on their work at the Georges River College. In fact, that was my third visit to the site. I look forward to many more.

Another of my pleasurable experiences was on Monday of this week when I attended St Declan's at Penshurst—another of my old schools. I addressed year 6 students on the role of State government. As a former teacher, I could not help getting the marking pen in hand and writing on the white board. I was very impressed with the standard of the responses and the quality of the questions that came from the students. I compliment their teachers. I look forward to their visit to Parliament House on Friday afternoon. No doubt they will enjoy their visit to the Legislative Assembly and hopefully the Legislative Council. The last group of recent visits to schools that I should like to reflect upon involved Oatley Primary, Mortdale Primary and Beverly Hills Primary. It is great to see the strength of those schools. The principals Robin Caffery, Jenny Bolton and Debbie Sutton and I discussed the improvements to facilities necessitated by the increased enrolments of those schools, which are providing educational benefits for their students. I compliment them on their efforts.

LOWER MACLEAY RIVER FISH KILLS

Mr STONER (Oxley) [11.52 a.m.]: Recently it was reported that large numbers of fish were killed in the Manly Lagoon and the Richmond River in northern New South Wales. I draw the attention of the House to the fact that this happened during recent flooding of the lower Macleay River, just to the east of Kempsey. During those floods on the lower Macleay in early February many thousands of fish, mainly juvenile fish, were killed. Mr Bill Barber of South West Rocks, who has for many decades been a professional fishermen in that area, drew my attention to this most recent local fish kill incident.

Unfortunately, this is not an isolated occurrence. For many years, going back to the 1960s, when flood mitigation works were introduced, there have been repeated episodes of fish kills in the area. Many of those kills have been related to the flood mitigation works that have been undertaken on the lower Macleay, but particularly in the areas of Kinchela Creek, Clybucca Creek and the Belmore River. Floodgates at locations on the tributaries of the Macleay, east of Kempsey, are used during flood peaks. Emergency Services monitor the flood levels, and when it seems that low-lying land to the east of Kempsey will be flooded, the floodgates are opened to redirect water to mostly low-lying grazing land and away from populated areas such as Gladstone, Smithtown and Kinchela, away from roads, et cetera. It is quite a valuable flood mitigation scheme.

Unfortunately, a downside to the scheme and the directing of vast quantities of water onto the lower-lying fields is that many fish are killed as a result. The first problem occurs where the water comes into contact with grasses, which then rot and cause deoxygenation of the water. Second, the water may come into contact with smartweed, which is toxic to fish and other marine life. Third, flooding can result in the release of acid sulfate soils, which are quite prevalent in areas that have been flood-drained in the past. The acid sulfate is very harmful to fish.

There are solutions to the problem which will not undo the benefits of flood mitigation but will enable available fish stocks to survive flood events. Those solutions are documented in an excellent paper, the Macleay Wetlands Management Plan, which has been produced by the North Coast Environment Council Inc. To some it might seem unusual that a National Party member would be talking about the North Coast Environment Council Inc., but its excellent document gives examples of work that have been undertaken by, for example, the Macleay Acid Sulphate Soils Local Action Group [MASSLAG] and the Belmore-Kinchela Landholders Association. Those bodies have implemented projects that have improved the situation in isolated pockets. The document provides a model based on co-operation between landholders and conservation interests. The Yarrahappini Wetlands Trust has been undertaking rehabilitation works in wetlands adjacent to the lower Macleay River, aimed at improving fish stocks.

I raise this matter because it is extremely important that there be priority funding for further remediation works. These works, unlike the current policy on the buying out of commercial fishermen—which is like shutting the gate after the horse has bolted—are aimed at conserving fish stocks by protecting breeding areas, such as in the lower Macleay, ensuring that there will be plenty of fish for both professional and recreational fishermen. The old maxim that prevention is better than cure does apply in this area of the Macleay. The funding is critical because landholders are in situ and are earning an income, but there may be a need for some compensation, particularly involving the use of salt water in those areas.

UNITED MINEWORKERS FEDERATION OF AUSTRALIA PIPE BAND TOUR

Mr FACE (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [11.57 a.m.]: On Sunday 4 March 2001 I had the privilege and honour to launch a book

that records that in July 1998 the United Mineworkers Federation of Australia Pipe Band from the Hunter region of New South Wales performed in France and Belgium at the request of the Australian Army, in conjunction with the Australian and French Governments, to commemorate Australia's involvement in World War I. Some of what I am about to say is stated in the book.

Originally intended to retrace the steps of the almost 2,000 Hunter valley coalminers who had volunteered to answer the call for God, King and empire eight decades ago, a series of ceremonies were added to the band's itinerary by the Australian Government in both France and Belgium. The band's performance in France included the unveiling of two new memorials at Fromelles and Le Hamel, and the burial of Private Russell Bosisto, 27th Battalion, 1st A.I.F. at Courcellette. Private Bosisto was killed in action on 4 August 1916, and until his body was uncovered by a French farmer in January of 1998 he was one of the 10,982 Australians who were killed in France and for whom there is no known marked grave.

Attended by high-ranking governments and military dignitaries from Australia, France, the United States and England, these ceremonies were a fitting tribute to the gallant young men who forsook all to die in the slaughterhouse of the Western Front. It was a rare acknowledgement for Hunter Valley men and certainly the first to specifically honour fallen Newcastle coalminers. In Belgium, the performances were a mixture of world-famous venues such as the Menin Gate and Tyne Cot Cemetery, and the lesser known but heartbreakingly poignant 78-grave Toronto Avenue Cemetery, the only all-Australian cemetery in that country.

The Australian Army and the Australian Government paid the mineworkers band a huge compliment by inviting it to participate in ceremonies such as these. The band made every effort to justify the great honour bestowed on it. The author of the book, Ron Land, is the Northern District Secretary of the United Mineworkers Federation. There is no doubt in my mind that Ron's grandfather, Private P. Land, who served in the 26th Battalion 7th Brigade, had a great influence on Ron. His driving force and tenacity led him to return to the western front on five occasions. It was his idea and his dream that this tour take place. However, I believe, from my involvement, that he never dreamed it would be such a prestigious event and that we would be asked to do the things that we did. He performed very well, but he has done much more.

The book uses the band to trace through the footsteps of the 1,846 Hunter Valley coalminers who fought, and in many cases died, on the battlefields. The book reveals that 359, or one in six, Hunter Valley coalminers did not return. Their deaths left scars on many towns and villages in the Hunter Valley. Not one sector of the community was not affected by what was supposed to be a war to end all wars. The book presents an interesting, lively but moving account of the battles those Hunter Valley soldiers faced. As an historical document, it is unique and special for the Hunter region. Congratulations, Ron. Your research has produced a book that will be valued not only by historians but also by families whose relative served or died in the war.

The photographs of the tour convey our amazing experiences. The excellent quality historic photographs and graphics that have been reproduced and presented with thoughtfulness take the reader back to those battlefields. Many of the photographs reflect the band in 1998. Comparison photos on page 29 of the book graphically illustrate Ypres today and the same area of the city that was almost demolished in October 1917. It is important for us all—for our young people and future generations—to appreciate the sacrifice made by Australian Diggers in World War I. No community escaped. This beautifully presented publication by Ron Land will ensure that they are never forgotten.

Throughout my life I have had some wonderful experiences. Partaking in this tour by the band ranks as one of the highs of my life. When Ron phoned me and asked me to become the drum major of the band I was hesitant because of my heavy workload as a Minister. I have not for one moment regretted the time and effort and the additional parades and drills that we undertook. I am sure that all band members feel the same way. All members of that band have memories that cannot be bought. Whilst the book is a faithful portrayal of that trip, the camaraderie of the band and our personal experiences remain with us for the rest of our lives. We have memories—the sound of the band reverberating through the cathedral at the rededication at Amiens; the spectacular and dignified burial of Private Bosisto at Courcellette; people standing 10 deep in the main street of the little village at Fromelles as the band led the Australian contingent along with the French troops; and the parade from Cloth Square through the narrow streets of Ypres to Menin Gate ceremony—and we had a feeling of atmosphere that made us feel about 10 feet tall.

The many cemeteries and graves that we saw and at which we paraded was an emotional experience beyond description. Who could forget the enchanting ceremony, nestled in the woods, at Toronto Avenue cemetery. Everyone was exhausted, but it was well worth it. I was so exhausted in Ypres that I slipped in the

bath and cracked all the ribs on the left-hand side of my body—something that I have not revealed until now. I said nothing; I carried on and the exhilaration and adrenalin ensured that I forgot any pain. I thank Brigadier Kevin O'Brien for the fantastic work he did in clearing the way for the band and enabling band members to have this experience. His knowledge of World War I and the western front is inexhaustible. Brigadier O'Brien, a career soldier, was instrumental in involving the band in the Le Hamel and Fromelles unveilings and the burial of Russell Bosisto.

This artillery expert and Vietnam veteran was the driving force behind both memorials and was largely responsible for the success of the ceremonies associated with the events. He paid the band the ultimate compliment at Tyne Cot when he took the salute as the band was leaving the cemetery. That was Brigadier O'Brien's last official duty in a career that spanned 33 years. In our last few days in Paris Kevin O'Brien's wife, Ewa, was notified of the recurrence of cancer. She had been in remission. Despite that, Kevin coped with all that was in front of him and ensured in the ensuing months that Australia's participation in the eightieth celebrations in France was the best contribution by any country. I extend condolences to Kevin as his wife, Ewa, passed away a short time ago. The United Mineworkers Federation of Australia Pipe Band had a mission; we completed that mission—a job well done by all.

Mr WOODS (Clarence—Minister for Local Government, Minister for Regional Development, and Minister for Rural Affairs [12.02 p.m.]: I thank the Minister for Gaming and Racing for bringing to my attention, as Minister representing the Minister for Mineral Resources in this Chamber, not only the book that has been published but the tremendous contribution of the United Mineworkers Federation of Australia Pipe Band during its tour of the western front in 1998. The author of that book, Ron Land, Northern District Secretary of the United Mineworkers Federation, is to be congratulated on preserving for all time the history of the band's tour and on bringing to our attention the contribution of coalminers to that war. Today's young people and future generations will have some idea of the effects of that war.

All persons involved in the band who gave of their time to make the tour a success should be congratulated and thanked for that contribution. Coalmining is a risky and hazardous occupation, and it could have played a considerable part in the bravery shown by those 1,846 people from the Hunter Valley coalmines who enlisted in the war. As the Minister for Gaming and Racing said earlier, 359 coalminers never returned. Those coalminers volunteered to serve in World War I for a variety of reasons—for the empire, for King and country, some as an adventure and some out of harsh economic times. Because of distance and communications at the time, they would not have known in any way what was in front of them—a horrific and lengthy war with loss of life beyond anyone's comprehension.

This book appears to be the first tangible recognition of what coalminers did in World War I and the long-term effect it had on the communities from which they came—loss of life and long-term health problems. In many coalmining towns, practically every able-bodied male went to the war. The band paraded and performed in the following areas: Villers Bretonneux cemetery, where Australia's national memorial in France is located; Amiens cathedral to rededicate Australia's war memorial; the Australian Imperial Force cemetery at Flanders; the Le Hamel unveiling of Australia's memorial; the burial and remembrance at Courcellette of Private Russell George Bosisto; Australia's monument unveiling at Fromelles; the Menin Gate last post ceremony at Ypres in Belgium; and the parades at Polygonwood, Tyne Cot and Toronto Avenue cemeteries. That says it all. What a contribution. I congratulate all band members on a job well done.

MURRUMBIDGEE ELECTORATE RIVER MANAGEMENT

Mr PICCOLI (Murrumbidgee 12.04 p.m.): I speak today about an important issue in the electorate of Murrumbidgee and the whole of western New South Wales—that is, the management of our environment and our rivers. Recent press releases from various organisations have criticised the management of rivers in New South Wales, in particular the Murray and Murrumbidgee Rivers in my electorate. Calls have been made for those rivers to be enlisted as endangered rivers. I and other people in my electorate, in particular those involved in the irrigation industry, acknowledge the problems facing those rivers. In the past 12 months salinity has been high on the list of priorities of the State and Federal Governments.

Steps have been taken to address these problems. Over the past 12 months or more the irrigation industry and irrigation corporations have been at the forefront in trying to develop solutions to these problems. For many years they have been involved in the development of land and water management plans and river management committees and they have recently released a report into dry land salinity. People in my electorate are appreciative of the fact that salinity is a prominent issue. Obviously honourable members are aware of

irrigation-related salinity issues, which have been addressed over the past 20 years or so. In recent research, the problem of dry land salinity has now become an important factor. I am pleased, however, that that issue is being addressed.

Another issue that was recently raised is thermal pollution, in particular as it relates to the Murray and Murrumbidgee Rivers. For those who are not familiar with thermal pollution, when water from large dams such as Blowering, Burrinjuck and Hume is released down river, the water at the bottom of the dam is much colder than water at the top of those dams. In the case of the Murrumbidgee River, thermal pollution is a problem for fish and other animal species right up to the town of Narrandera, which is several hundred kilometres from those dams. One important issue to be borne in mind is that irrigation is being blamed for thermal pollution and its effects on fish populations. I point out that the Snowy Hydro scheme led to the building of these dams, and irrigation areas were the beneficiaries. We must be careful of whom we apportion blame and we must be careful not to suggest who should pay to remedy these problems. Things can be done to address these problems. When water from those dams is released it can be drawn from the top of the dam where it is not as cold. That would significantly reduce thermal pollution. Communities in western New South Wales want healthy rivers. It is in the interests of communities, farmers and irrigators to maintain healthy rivers.

The irrigation corporations and industries that are relying on that irrigation are very conscious of these issues and are doing a great deal to try to resolve them. I know the State and Federal Governments are assisting them as much as possible. Members of this House who have been to those irrigation areas will have seen the benefits of the irrigation. I would like to think that all members would like to see us do everything we can to maintain those irrigation areas. Communities have thrived as a result of them—places like Leeton and Griffith. Based on the figures from the Australian Bureau of Statistics, Griffith's population increased by about 500, out of a population of only 25,000, and the population of Leeton increased by about 250 in a population of about 8,000. They are significant population increases in western New South Wales, and that has to be good news. I thank Parliament for the opportunity to report this to the House, but a lot more work needs to be done.

PORT STEPHENS CYCLEWAYS

Mr BARTLETT (Port Stephens) [12.09 p.m.]: Nearly 20 years ago, in about 1982, a group of Tomaree residents came together to form what became known as the Tomaree peninsula cycleway movement. The aim was to build a safe off-road cycleway grid for residents, people with disabilities, mums and dads with prams and small scooters and cyclists. When we started we knew that cyclists had to give way to pedestrian users, but it has been difficult to get the younger generation of cyclists to realise they have to give way to pedestrians on the cycleway. Twenty years ago the Tomaree peninsula was a series of small coastal villages—Shoal Bay, Fingal Bay, Nelson Bay—connected by a road system that did not have any footpaths between the villages or road edges wide enough to walk along. In many ways one village was isolated from another even though they were only one or two kilometres apart.

The other reason to start the cycleway grid was to increase tourism in our summer so we could grow our tourism base. Twenty years later it still gives me a great deal of pleasure to see the number of people arriving in the Tomaree peninsula with cycles on the back of the car or trailer. Obviously they are going to enjoy those facilities. As well, a number of cycle-hire businesses in the area are hiring out cycles so people can enjoy the cycleways. The original members of the Tomaree peninsular cycleway movement were Pat Phelps, who was the secretary-treasurer in the early days, Dave Watson, Wayne Sharp and Lloyd Goodwin, who were later joined by Mrs Vera Plummer, who became the secretary-treasurer, with me as the chairman of the committee.

In the early 1990s the Tomaree peninsula cycleway movement evolved into Port Stephens Cycle Club, and the construction side of it was phased away as racing cyclists took over the organisation. In the 10 years from 1980 to 1990 the following paths were constructed around the Tomaree peninsula. In the early 1980s a cycleway from Shoal Bay to Nelson Bay was built. It was approximately one kilometre long and cost about \$100,000 in concrete. The Shoal Bay to Fingal Bay cycleway is an absolutely beautiful tourism link. It is some two kilometres long. We built it around the trees and through the swamp as the terrain dictated, and for many years when the water was up one had to ride the pushbike through the water. So we went through and around the environment and made it a very nice cycleway.

With the development of the marina at Nelson Bay we put cycleways along the foreshore. That had the effect of getting people to walk along the cycleways and not along the grassy foreshore, and it actually protected the foreshore. A large one we did was from Nelson Bay to Tomaree pool, which is well over one kilometre and it cost about \$250,000. It linked the Nelson Bay community to a community facility, which was the local

parkland, as well as the swimming pool. The last one we did in the 1980s was the bridle path from Nelson Bay to Dutchman's Bay, a distance of one kilometre. Once again it is a most beautiful tourist path as well as a lovely connecting path for residents. Most of these cycleways were paid for either from Commonwealth employment program grants, where the community had to raise 20 per cent and the Commonwealth paid the rest, or from the profits of the Salamander development that Port Stephens council was then running, or from the statewide Roads and Traffic Authority grants.

Subsequently Port Stephens council built into its residential subdivision code the requirement for cycle paths in any new development. From 1990 to 2000 cycle paths were expanded along the Birubi Point foreshore. The Fingal Bay cycleway was extended, and a Karuah cycleway was built along the foreshore and under the bridge so that residents and children could get from one side of the Pacific Highway to the other without having to cross the busy Pacific Highway. Something like 17,000 vehicles went along the Pacific Highway on Boxing Day last year, and that cycleway became a very good amenity for the local area. I would like to complete three major projects while I am still in public office. They are: the Raymond Terrace to Medowie cycleway, the cycleway from Anna Bay to Tomaree pool, and the cycleway along the Stockton foreshore between Stockton and Fern Bay. [*Time expired.*]

Ms NORI (Port Jackson—Minister for Small Business, and Minister for Tourism) [12.14 p.m.]: I congratulate the residents and citizens of Port Stephens who have been involved in establishing these cycleways. I wonder whether 20 years ago they realised the impact that they would have. What started as a community service has turned into a great tourism experience for Port Stephens. I compliment them on what they have done. Those cycleways at Port Stephens are a very good example of how an area can provide some very modest but diverse and interesting experiences that keep them in the forefront of the tourism industry, making sure that Port Stephens gets a lot of visitation: It is because it has creative products like that, from projects started 20 years ago. Perhaps no-one had tourism in mind, but it is bearing fruit today. I congratulate the honourable member on his efforts. He knows it is my favourite part of New South Wales.

Mr Fraser: You told me it was Coffs Harbour.

Ms NORI: That is not right. I always take the kids to Port Stephens for a week at Christmas.

AVOCA BEACH PRIMARY SCHOOL CAPITAL WORKS FUNDING

Mr HARTCHER (Gosford) [12.16 p.m.]: I bring to the attention of the House the refusal of the Carr Labor Government to provide any assistance to Avoca Beach Primary School for badly needed classroom improvements. I have a petition with 418 signatures that I will present to Parliament tomorrow, calling on the Minister for Education and Training to include capital works allocations for Avoca Beach Primary School in the 2001-2002 major capital works budget. This petition represents the heartfelt pleas of a community sick and tired of knocking on the State Government's door, only to have their cries fall on deaf ears. Despite rat infested classrooms, carpets mouldy with rat urine and rooms designed to teach half the number of students now enrolled, the Minister for Education and Training has still not provided any assistance to urgent capital works at the school.

The school has 422 pupils and 15 classrooms, eight of which are demountables. It has no school hall, and this presents numerous problems. School assemblies have to be conducted in two sessions. Musical productions which, as honourable members are aware, expose young students to the cultural treasures of the arts world as well as develop budding musical and acting talent, have had to be conducted over nine days and evenings in order for all interested family members and friends to attend. Avoca Beach Primary School caters for a diverse range of students. Recently another demountable classroom was added as a support unit, housing six or seven children with special needs. While this is commendable, because it allows children with, for example, autism or adbergers disease to integrate into the school community, it does not solve the problem of lack of overall facilities and classrooms for Avoca Beach Primary School. This has been going on for many years. As Shaen McDonald, a member of the school's parents and citizens association building committee, stated, a demountable classroom set aside for a specific purpose, welcome though this purpose may be, does not address the substantive need for a proper growth plan. Her letter to me stated:

This is an example of the ad hoc growth threatening to swallow up all available space. There does not seem to be any long term planning where Avoca Beach Primary is concerned.

Avoca Beach Primary School has not had any major capital works funding since 1975. I find it astonishing that despite the Premier appointing a Minister to assist him on the Central Coast, this situation has still not been

rectified. School numbers have doubled since 1975, yet the students are still learning in demountable classrooms. The library is in a room no bigger than a classroom, making collation of resources difficult and the teaching of library skills frustrating. We all know how important the primary school library is to a child's first exposure to the world of reading, books and research.

The petition I will present to the Parliament calls on the Minister for Education and Training to give an undertaking that major capital works funding for the school will be included in the 2001-02 State Budget for the school's future development. The Premier waxed lyrical in the press this week, saying that he would not reduce petrol tax because it would take money from such essential services as education. I call on the Premier to follow through the defence of his position. And for the education of children in New South Wales, I call on the Premier to give top priority to Avoca Beach Primary School's capital works program in the next State budget.

Avoca Beach Primary School is asking for a hall to seat 400 children, a library and permanent classrooms. Surely this would only equal the treatment given to a school in the electorate of the honourable member for The Entrance. The Entrance Public School was granted \$1.5 million for a rebuilding project incorporating a hall, canteen and classrooms. While we commend The Entrance Public School and we are delighted that it is being rebuilt, we are asking why Avoca Beach Primary School is not receiving equal treatment.

Despite repeated requests, Avoca Beach Primary School has been overlooked for far too long, and it continues to be ignored. On behalf of the residents of Avoca, I enter a plea to the Parliament for its support for this budget allocation. Avoca Beach Primary School plays an important role in the cohesion of the Avoca Beach community. It has long been a centre of community life and is well regarded for excellence in education and the dedication of its teachers.

I have raised this important issue to remind the Minister for Education and Training of the urgent need for this funding. On behalf of the Avoca Beach community and the 418 signatures on the petition, and on behalf of all the students, present and future, of Avoca Beach Primary School, I urge the Minister to acknowledge the problem that exists with facilities at the school. I urge the Minister to include this school in his allocation of funding in the 2001-02 capital works program. This was a big issue in the 1999 State election. I visited the school. The Minister visited the school. Promises were made to the school but they have not been kept. Those promises should be kept.

JAMES BUSBY HIGH SCHOOL FACILITIES

Mr LYNCH (Liverpool) [12.21 p.m.]: I wish to advise the House, and the Minister for Education and Training in particular, of matters affecting James Busby High School, which is in my electorate of Liverpool and caters for my constituents. James Busby High School is a good school where good things happen. However, the work that is performed there could be further improved with some upgraded facilities. In particular, the school community requires a proper school hall. The arguments were well put in a letter I received from Margaret Carroll, the President of the James Busby High School council. Part of that letter states:

Following discussion at the last two meetings of the school council we wish to request that the Department of Education and Training place James Busby High School high on the list of capital works projects for the construction of a school hall. I feel that there are factors that should be considered when prioritising our submission.

Firstly, the school is over thirty years old and has been housed in demountable buildings for all of that time. A large one of these demountables has been designated as a hall. It is considerably smaller than any other school hall.

The school population is increasing. Cecil Hills High School is no longer taking "out of area" applications. Many of these students will now come to James Busby High School. We have 208 applications for year 7 in 2001. All other high schools in the Liverpool district have good sized halls. With one thousand students, we are one of the largest high schools in the Liverpool district but do not have a decent school hall. James Busby High School is classified as a disadvantaged school under the Federal Government's disadvantaged schools program. I feel the lack of a hall is adding to our students' disadvantage. It is very difficult to enhance the culture of the school when there is no opportunity to have whole school formal assemblies.

It is not possible to hold a school musical, to have a presentation day, to have indoor sports or to accommodate all our students for the school certificate and higher school certificate examinations. Trial formal examinations are very difficult to conduct. There is no space for students during wet weather. The school staff, students and parents all feel that a school hall is necessary if we are to lift standards in our growing school.

The letter further states:

Finally, I am aware that funds for capital works are limited but I would ask you to keep in mind that the RTA will be acquiring land from the school for the Liverpool-Parramatta rapid bus transitway. Perhaps these funds could be used to help pay some of the construction costs.

I took the opportunity of visiting the school on Thursday 22 February. On that occasion I met with the president of the school council, Margaret Carroll, and various staff members. I was able to see the existing facilities and view the site for the proposed new hall. There are certainly difficulties with the building that is currently called a hall. I understand that the current departmental classification is that it is a multipurpose space rather than a hall. There is no doubt that it is not large enough. The school can only fit in students from two years of the school at any one time, and even then only by squeezing them in.

Lighting in the hall is less than ideal. It has no fans and inadequate ventilation for a capacity crowd. It is freezing in winter. As detailed above, the school cannot fit all its school certificate examination candidates in the room. For those who can fit, there are difficulties. The canteen and toilets are adjacent to the current hall, and this poses real problems with noise levels. Another point made to me concerning the hall involves the Liverpool to Parramatta transitway. The transitway is relevant to a new hall in several ways. The first relates to funding.

A significant amount of land will be lost from the school grounds for the transitway. This land is adjacent to Rundle Road. A strip of land 18 metres wide running the whole length of the frontage of the school on Rundle Road will be acquired by the RTA for the transitway. Informal estimates suggest that the cost of acquisition will be about \$500,000. It would not surprise me if the value is eventually greater, which means that, with the introduction of the transitway, the department will have access to extra funds. The school argues, reasonably, that this money should remain at the school and be redirected to the construction of a school hall.

The second relevance of the transitway relates to the entrance to the school. The current entrance is via Rundle Road from the east. This will become impossible with the transitway. The new entrance will be to the south, via Brolga Crescent, which is off South Liverpool Road. The significance of this is that the proposed site for the new hall is near the Brolga Crescent entrance and thus would become the gateway to the school. If a new hall were constructed there, a new building would become the introduction and entrance to the school.

It is worth noting that there are two schools adjacent to James Busby High School—Busby West School, also in Rundle Road, and Busby Public School, in South Liverpool Road. Of course, both of those schools would be able to utilise the hall. James Busby High School is in an interesting position in the Liverpool area. Originally, when the Green Valley area was first developed, James Busby High School was almost regarded as an overflow school. Another two high schools were put there with permanent buildings; James Busby High School had relocatable buildings. However, because of the growth in new release areas, James Busby High School is now in the centre of the residential area and in fact has many more students attending it than do the other high schools in the area. The demographic changes have changed the role and significance of the school. It is for that and other reasons that a new hall should be provided so that its facilities can catch up with those of the other schools in the area.

ABANDONED VEHICLES REMOVAL

Mr DEBNAM (Vaucluse) [12.26 p.m.]: Today I raise the issue of abandoned vehicles and, specifically, an innovative plan put in place in the eastern suburbs to address the issue. First, I refer to a question on notice that I put to the Minister for Local Government last year, and for which I received an answer this year. In part, I asked the Minister about the Government's policy on abandon vehicles. I asked whether the Minister was aware of increasing distress among residents about the number of abandoned vehicles on residential streets and the delays in removing them. I also asked what the Government was doing to expedite the removal of abandoned and derelict vehicles. Interestingly, the Minister's reply was lengthy, and I acknowledge that it provided me with considerable information. The reply stated:

(5) The operation of the legislation is being monitored on an ongoing basis, and there have been no representations made to the Government over the past two years that indicate a substantive policy review is necessary at this time.

(6) The question of expediting the removal of abandoned vehicles that are posing a danger to persons and property does not arise as immediate action can already been taken. As to expediting the removal of abandoned vehicles in all other cases, as previously explained, the current legislation serves to balance out the interests ...

Basically, the Minister said that powers already exist and there is no real problem. However, I assure the Government that there is a real problem. As to the representations made to the Government, I understand that Waverley Council has twice in the past 12 months made representations to the Government to review the legislation to see how it can be improved. Obviously, the Minister has not found those representations.

The project launched last week is an innovative plan to clear the dumped cars problem at the source. We began a 12-month trial of a project that encourages owners of cars, and specifically backpackers in the

eastern suburbs, to donate their cars instead of dumping them. The project kicked off last week with a donation of a car by a New Zealand backpacker who was heading back home. That car was handed to Woollahra council and towed away from a local shopping centre. I shall run through the outline of the project. I also record my appreciation to the three councils involved and to CanTeen, which is the support group for young people living with cancer.

The project publicises to as many people in the eastern suburbs as possible, and specifically in the areas of Randwick, Waverley and Woollahra councils, the idea of donating old cars instead of dumping them. Once the concept leaks outside those three council areas there would be logistical problems, so we have focused on Randwick, Waverley and Woollahra councils. I should like to place on record my thanks to the mayors, Christopher Dawson, Paul Pearce and Dominic Sullivan, who have been tremendous in providing co-operation not only from their offices but also from council staff in getting the project up and running. I also place on record my thanks to Christine Rowell, the chief executive officer of CanTeen, who similarly has been a tremendous enthusiast for the project from day one. I am sure we will make the project work.

The message we are getting out to car owners who are considering getting rid of old cars is: Do not leave it on the street, especially if you are a backpacker heading overseas. Ring free-call number 1800 681317 and donate it to this project. With the assistance of Randwick council that free-call number has been set up and will operate Monday to Friday between the hours of 9.00 a.m. and 5 p.m. It will allow people to ring and say they have an old car in the backyard, on the street, or whatever, and they want to donate it to the project.

The relevant council will then arrange for the car to be picked up—typically it will be towed away—and a decision will be made about whether its value is under or over \$500. If it is under \$500, it will be taken away to be crushed; if it is over \$500 the council will try to reclaim some value from the vehicle by auctioning it. It is interesting to note that in the three council areas of Randwick, Waverley and Woollahra about 2,000 vehicles are dumped every single year—probably three-quarters of them by backpackers. This project will remove an eyesore from suburban streets and will provide a win-win solution for the community, the three councils I have referred to and CanTeen.

CORRIMAL HIGH SCHOOL FIFTIETH ANNIVERSARY

Mr CAMPBELL (Keira) [12.31 p.m.]: I bring to the attention of the House the celebration of the fiftieth anniversary of Corrimal High School on 24 February. An open day was held on that date and I, as the local member, had the opportunity to join in the celebration along with many other people. As a former student of the school I was asked to speak about my time at the school and its contribution to our community. Another speaker was Dr Marie Lyall, the principal of the school, who recently announced her retirement from the public school teaching system, and I wish her well. Other speakers included Chris Carroll, the district superintendent; Malcolm Pusell, the past president and life member of Corrimal High School parents and citizens association; and Brian Ferry, a former student, former head teacher of science and now a professor in the faculty of education at the University of Wollongong.

The occasion was a celebration of the high school that during its 50 years has proudly been a comprehensive school, one that has been equally coeducational, and one that has worked very well with its community and has a long involvement with, great support from, and interaction with, its community. This was reflected by the way the open day proceeded, with many people attending to celebrate the fact that in 1951 the school opened with 650 students and 30 teachers and that in 2001 it has approximately 590 students and 50 teachers. Interestingly, during its 50 years the school maintained a Latin motto "Ad Altiora", which means "To the heights", but it now has a modern motto: "Aiming for excellence".

Corrimal High School has celebrated not only its contribution to our community over the years but also to former students who have made a contribution in a number of ways since leaving the school. Former students include Vince Jones, a world-renowned trumpet player and jazz and blues singer; Russell Mulcahy, a film director of movies such as "The Highlander" and "On the Beach"; Leigh Rowles, a very successful ballet dancer and teacher in this country; Craig Young, a rugby league player with St George who represented Australia; Brian Ferry, a lecturer in education at Wollongong University, to whom I have already referred; and Phillip Jarratt, who worked with Yvonne Goolagong-Cawley on her autobiography.

A young man named Tod De Clouett is the first Aboriginal student of the school to gain a double degree from Wollongong University in commerce-accounting and financial management. Scott Chipperfield, who plays for the Wollongong Wolves in the National Soccer League and recently represented Australia in

Colombia, is also a former student of the school. As can be seen, a number of former students have been involved in cultural and sporting pursuits. The present Anglican Bishop of Wollongong, Dr Reg Piper, is also a former student and captain of the school.

Corrimal High School has a proud tradition in sport, but equally it has a very strong presence these days in the arts. Another former student and school captain in 1998 is a young man called Aaron Hughes. The souvenir magazine for the open day contained a poem that Aaron wrote, entitled *It's 5.16 a.m.* The poem reads:

There is no one on this street
Small children could play in the middle of the road.
There is no sun. Before dawn.
Just before.

They saunter out. Like proud cats they
cluster the centre of the highway. Awaiting.

"Parade march" is answered by a sound of
black padded shoes stomping.
The march is slow; remembering.

To say "Pop" is to have a hundred heads turn your way.
"Dad" even more.

Yet these men are not family figures.
Today they are an archipelago. Remote, distant from us,
together in their sadness.

"My Pop took a bullet," says a young man, nudging me.
I smile (what else can I do?)
As he greets more and more of his relatives and friends.
They all walk together and I stumble along behind.

Wreaths are laid. Prayers are said.
Time is made to stop! By an old wrinkled hand.
His blue jacket gives him authority,
and the sun stops rising, the wind ceases to blow
and all breathing ends.

They are the words of a young student who has won a national award for creative writing. The poem illustrates the comprehensive and educational experience at Corrimal High School, a place of achievement and celebration. [*Time expired.*]

SIR DAVID MARTIN RESERVE ACCESS

Ms MOORE (Bligh) [12.36 p.m.]: Rushcutters Bay Maritime Reserve, renamed the Sir David Martin Reserve, is located between Yarranabbe Park and Rushcutters Bay Park and was transferred from the Commonwealth to the State 20 years ago for public recreation. Over the past two decades successive State governments have failed to honour the terms of the agreement, so the public has not had access to this harbour foreshore land. It again appears that action is being taken to threaten that Commonwealth deed to the State and to overturn the clearly established, hard-fought-for and community-endorsed planning framework for the reserve.

Nearly six months after the Olympic and Paralympic Games, the Sir David Martin Reserve is still fenced off from the public, and the temporary facilities have not been removed by the Olympic Co-ordination Authority. Private yachting interests are again staking out a claim for this public harbour foreshore land, and the Government has undertaken a number of actions, without any consultation, that reverse existing commitments for the site.

In January the Premier announced an Olympic venue management task force to review permanent Olympic venues and develop a management plan by July 2001. Although not included in the Premier's public announcement, unbeknown to the community the task force is also reviewing the future of the temporary Olympic sailing facility at Rushcutters Bay. Why this review, given existing Government commitments about the area's future with regard to this public harbour land? Why is the task force developing long-term plans for the temporary Olympic facility, even though management of the reserve should be transferred at the end of March 2001 to Woollahra Municipal Council, which is responsible for the adjacent parklands?

Last November the Minister for Land and Water Conservation, who is responsible for the reserve under the Crown Lands Act, told me he would instruct the Sir David Martin Reserve Trust, a temporary trust, that it

was in caretaker mode and that it was not to make any long-term decisions affecting the future of the reserve. The Minister also said he would investigate transferring the reserve to the council, ahead of the planned deadline if possible, so that the public could benefit. Why then was the Sir David Martin Reserve Trust dissolved in January? Why has the Minister appointed, by gazettal and without any prior notification or consultation, an administrator from the Department of Land and Water Conservation? Why is an administrator needed if the Government intends to honour its commitment to the public to transfer the reserve to Woollahra Council to administer the land for public benefit?

Prior to the Olympic Games and following extensive community consultation, it was agreed that the 100-berth marina at the temporary Rushcutters Bay sailing facility would be removed. The agreed Olympic legacy was a 10-berth marina for community access to sailing for groups with special needs. Specific commitments were made to maintain more than 75 per cent of the reserve as public open space and to reinstate public foreshore access—for the general community, not for an elitist yachting group. A massive 100-berth marina and associated facilities operated by a private yachting organisation is totally at odds with the Commonwealth-State agreement that transferred the land for public recreation, and it is contrary to the endorsed plan of management for the reserve for public use.

The development consent for the marina required that the temporary facilities be removed by 31 March. Why then has the Olympic Co-ordination Authority [OCA] asked the Director-General of the Department of Urban Affairs and Planning to extend the development consent until 30 June? This application is a breach of faith and should be dealt with as a totally fresh application with full consultation. The OCA, under the Olympic Co-ordination Authority Act, has no authority to extend, in direct contradiction to the terms of the original application, the life of the facility for a period beginning six months after the Olympic Games. The temporary facility must now be removed in advance of the deadline of 31 March, just as the Government met its commitment to remove the temporary Bondi Beach volleyball stadium.

In August 2000 the Minister for Urban Affairs and Planning, announced that marina developments on Sydney Harbour were State significant developments and would require ministerial consent because he was concerned about the increasingly adverse impact of marina proliferation and their cluttering of the harbour and its foreshores. The Olympic Venue Management Task Force has not announced any public consultation to ensure input from the community. It appears to be overhauling the existing community-endorsed planning framework without adequate public consultation.

To maintain good faith with the community over the future of the reserve, I call on the Premier to immediately remove the temporary Olympic facilities at Rushcutters Bay; immediately transfer the management of the trust to Woollahra Council; instruct the Olympic Venue Management Task Force to work within the existing community-endorsed planning framework; ensure that the task force undertakes comprehensive public consultation, particularly with local residents and Woollahra Council; and to at last honour the Commonwealth-State agreement to return this land—this important harbour foreshore land—to the public for public benefit, not to a private yachting elitist group. If that were to proceed, it would be a major scandal.

Private members' statements noted.

[Mr Acting-Speaker (Mr Mills) left the chair at 12.41 p.m. The House resumed at 2.15 p.m.]

CORPORATIONS LAW AMENDMENT REFERENCE

Ministerial Statement

Mr CARR (Maroubra—Premier, Minister for the Arts, and Minister for Citizenship) [2.15 p.m.]: In connection with the referral of the power to enact a Commonwealth Corporations Law, the Government proposes that the Parliament refer to the Commonwealth the power to make express amendments to the Commonwealth Corporations Law, the text of which is to be tabled in the Parliament. This "amendment reference" will apply to the matters of formation of corporations, corporate regulation and the regulation of financial products and services. Critically, the amendment reference will be able to be terminated without terminating the initial reference of the power to enact the tabled text. The proposed Commonwealth legislation will ensure that New South Wales remains a referring State, even if it terminates the amendment reference, provided that: termination is effected by the Governor fixing a day by proclamation as the day on which the amendment reference terminates; the day fixed is at least six months after the proclamation; and the amendment references of all referring States terminate on the same day.

The ability to terminate the amendment reference without terminating the initial reference or ceasing to be a referring State will provide a referring State, including New South Wales, with the means to ensure that the Commonwealth abides by both the spirit and the letter of the corporations agreement. The corporations agreement will ensure that the referring States are consulted without any amendments to the tabled text. The corporations agreement will also ensure that when the Commonwealth does not have existing constitutional power in respect of amendments to the tabled text, the referring States are able to vote on whether to approve the amendments.

Mrs CHIKAROVSKI (Lane Cove—Leader of the Opposition) [2.18 p.m.]: The bill to which the Premier has just referred is a matter that has been the subject of some negotiation for a little while between the State and the Commonwealth. As the Premier outlined, one of the reasons the legislation is coming into this House is that, if there is a referral from the State, the Commonwealth cannot pass the legislation in its Parliament. I congratulate the State Government on being prepared to be the first State to refer this power to the Commonwealth and on being the first to pass legislation that will allow the reference to occur.

People should understand that this bill has arisen because of a constitutional problem. The High Court has interpreted the existing Corporations Law in such a way that there is now some doubt about whether existing arrangements are allowed under our Constitution and under existing law. That situation cannot be allowed to continue. We cannot allow the corporations of New South Wales—indeed, corporations across Australia—to operate in uncertainty. We cannot allow them to have their very existence undermined by the effect of a High Court decision. As I understand it, there are two additional pending High Court decisions. In those circumstances it is important for this State to co-operate with the Commonwealth to ensure that corporations of this country are allowed to operate in a manner that is effective for their employees and for the consumers who use their products.

It is important for the Commonwealth and the States to work together to make sure that we legislate effectively for corporate organisations across the country. The Coalition recognises that certainly States' rights arise in all manner of things. For example, the Coalition would object to any reference of this State's criminal powers to the Commonwealth. However we recognise that because corporations operate on a nationwide basis, it makes sense that the laws that govern them operate on a nationwide basis. Therefore the appropriate Parliament to pass laws related to the governance of corporations is the Commonwealth Parliament.

I have therefore indicated to my shadow Minister who has carriage of this matter, just as I have indicated to Joe Hockey who is the Minister responsible at Commonwealth level for the passage of this legislation, that the New South Wales Coalition will support the passage of this legislation, subject to a couple of matters that are still under negotiation and which I understand are related to some of the objects outlined in the bill. When the Coalition has an assurance from the Attorney General that those matters will be finalised, the House can be assured that the Coalition will support this legislation. I congratulate the Commonwealth Government on taking this action.

PREMIER'S HISTORY AWARDS

Ministerial Statement

Mr CARR (Maroubra—Premier, Minister for the Arts, and Minister for Citizenship) [2.20 p.m.]: In November 1999 I was fortunate to be awarded the Fulbright Foundation's fiftieth anniversary distinguished fellow award. It was a great honour. The award included a \$50,000 scholarship. I decided that that should be divided into five distinct \$10,000 scholarships named the Premiers History Awards. More than 70 teachers applied for the awards, and the five winners have just returned from their separate trips to the United States and met with me. Bruce Dennett from Baulkham Hills undertook a study of the modern American presidency. He was lucky enough to meet and have lunch with Jimmy Carter and his wife, Rosalyn. I heard that the honourable member for Murray-Darling has claimed that Jimmy Carter is Country Labor!

Mr Amery: That is probably right.

Mr CARR: What one can learn from American history!

[Interruption]

An application from the honourable member for Baulkham Hills will be considered, too. Kerry Essex from Kyogle High School examined the effect of white settlement on native Americans in South Dakota and

conducted a very full program. He also visited the Pine Ridge Indian Reservation that gave rise to the American Indian movement and the site of the infamous Wounded Knee massacre.

Mr O'Farrell: He didn't take Walt, did he?

Mr CARR: Walt can take care of himself. I would never beg to disagree with Walt. Phillip Sheldrick from the Robert Townson High School in Campbelltown studied the rise of racism in the 1920s. Judy Adnum, who was with the Whitebridge High School in Newcastle and who now works in Ryde, studied race relations and visited the Martin Luther King Museum and other establishments. Justin Briggs of Doonside Technology High School studied Chinese migration to the United States. Many hundreds of students will benefit for years from the enrichment that these high school teachers have gained. This would have been a one-off opportunity because I received only \$50,000, not \$50,000 a year.

However, I come to the good news for history teachers in New South Wales: Mr Frank Lowy—the chairman and chief executive of Westfield—has announced that he will support the history awards for the next three years to the tune of \$150,000. Frank Lowy has given a great deal to good causes in Australia. He is well known for his generosity, especially in support of educational initiatives. United Airlines has kindly agreed to fly this year's five history teachers to the United States of America. Another 15 teachers of history in New South Wales Schools will be able to travel to the United States of America to enhance their teaching. I applaud Westfield and United Airlines for realising this and ensuring that these awards continue. I commend this as a model to all corporations that want to make a contribution to the public good. Advertisements have already begun appearing in major newspapers, calling for the next round of applications. The deadline for these applications is 20 April.

Mrs CHIKAROVSKI (Lane Cove—Leader of the Opposition) [2.24 p.m.]: I join with the Premier in congratulating both United Airlines and Mr Frank Lowy, who is well known to probably every honourable member of this House for his generous contributions to all walks of life in this State, on their generosity. Frank Lowy is a generous supporter of various charities and it comes as no surprise to anyone that he would support an initiative that ensures that teachers are given an opportunity to enhance their skills—in this case, history teachers.

I also join with the Premier in his endorsement of the corporate world. It is interesting that the Premier is now following the lead of our Prime Minister, who has made a public call for corporate Australia to loosen its purse strings and support a number of worthwhile causes. Obviously the Premier also believes that that is a worthwhile thing to do. I am sure that all honourable members of this House would agree that corporate Australia has a responsibility to show a generosity of spirit as well as donations in supporting causes, charities and indeed children in our State and country. Corporate Australia makes a lot of profit in this country and it has an obligation to give something back. I congratulate Frank Lowy and United Airlines, and I congratulate the Premier on following the lead of John Howard.

DAIRY INDUSTRY DEREGULATION

Ministerial Statement

Mr AMERY (Mount Druitt—Minister for Agriculture, and Minister for Land and Water Conservation) [2.26 p.m.]: On Thursday and Friday I will attend what is known as the Agriculture and Resource Management Council of Australia and New Zealand [ARMCANZ] meeting in Wellington, New Zealand. As honourable members know, it is a very interesting meeting. At that meeting I will support a call by dairy farmers to collectively bargain with processors and supermarkets, through the Australian Dairy Industry Council and with the approval of the Australian Competition and Consumer Commission, on the farm gate price of milk. At Friday's meeting the Queensland Government will propose that the current dairy industry adjustment package be expanded by extending the levy system for an extra year, that is, extending the consumer payment of 11¢ a litre over nine instead of eight years. That proposal assumes that the current \$1.6 billion-plus package contains insufficient funds to address the impact of dairy deregulation on dairy farmers.

I will provide the House with a table and chart, based on estimated figures, which gives an indication of how the \$1.6 billion-plus package is distributed. Honourable members will note that New South Wales consumers already pay a disproportionate amount into the package—\$508 million. New South Wales dairy farmers receive \$330 million before income tax. The main beneficiaries are Victorian dairy farmers, who receive about \$740 million before income tax. It is interesting to note from the table that the second highest

beneficiary from that package is the Federal Government Treasury with a \$380 million profit windfall from income tax. New South Wales dairy farmers are the third highest beneficiaries with a benefit of \$330 million.

I am concerned that any further cash assistance to dairy farmers, whether from the Federal Government, industry or the adjustment package, will only increase the windfall to the Federal Treasury. Clearly, dairy farmers would benefit more by getting a better price for their product, particularly if the assistance from the dairy structural adjustment scheme were tax-free. I therefore call on the Commonwealth to waive the income tax and return it to dairy farmers where it belongs. For the benefit of members of the National Party who have raised this issue, New South Wales does not charge stamp duty on these payments. However, I am led to believe that other States that impose such a charge have waived their usual stamp duty requirements. The Federal Government should follow suit and waive the \$380 million income tax. I seek leave to table a document entitled "Allocation of Dairy Funds to the Federal Government and States—Dairy Structural Adjustment Package", dated 9 March 2001.

Leave granted.

Document tabled.

Mr SLACK-SMITH (Barwon) [2.30 p.m.]: On behalf of the Opposition, I support the attendance of the Minister at the meeting of the Agricultural Resource Management Council of Australia and New Zealand. In recent times the New South Wales dairy industry has suffered an amazing and traumatic upheaval caused by the deregulation of the industry throughout Australia. The move was led by Victoria and endorsed by the New South Wales Government, which passed legislation to deregulate the New South Wales dairy industry. It is important that New South Wales dairy farmers have the right and capability to trade their milk anywhere they like. The operations of many New South Wales dairy farmers have been hampered by processors, retailers and other organisations. Today, the price of milk exported overseas from New South Wales is about 37¢ per litre, with many of the State's producers receiving only 24¢ for their milk. The market must be opened up to give producers, not processors, access to export markets and to enable them to obtain the best possible price for their product.

DISTINGUISHED VISITOR

Mr SPEAKER: I acknowledge the presence in the gallery of the Mayor of Dubbo, who is accompanied by the Hon. Tony Kelly.

PETITIONS

North Head Quarantine Station

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

State Taxes

Petition praying that the Carr Government establishes a public inquiry into State taxes, with the objective of reducing the tax burden and creating a sustainable environment for employment and investment in New South Wales, received from **Mr Debnam**.

Cronulla Police Station Upgrading

Petition praying that the House restores to Cronulla a fully functioning police patrol and upgrades the police station, received from **Mr Kerr**.

Surry Hills Policing

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

Inner East Sydney Policing

Petition praying that the House prevents the closure of Woolloomooloo, Paddington, Redfern and four other inner eastern suburbs police stations and praying for adequate police resources, including uniformed foot patrols, in the inner east area, received from **Ms Moore**.

Eastern Suburbs Police and Community Youth Club Closure

Petition praying that the House stops the Board of the Police and Community Youth Club New South Wales Ltd from closing and selling the Eastern Suburbs Police and Community Youth Club, received from **Ms Moore**.

Malabar Policing

Petition praying that the House notes the concern of Malabar residents at the closure of Malabar Police Station and praying that the station be reopened and staffed by locally based and led police, received from **Mr Tink**.

Randwick Police Station Downgrading

Petition praying that the House notes the concern of Randwick residents at the major downgrading and possible closure of Randwick Police Station and praying that the station be staffed 24 hours a day by locally based and led police, received from **Mr Tink**.

Mona Vale Hospital

Petition praying that Mona Vale Hospital be retained and upgraded, received from **Mr Brogden**.

Genetically Modified Food

Petition requesting an inquiry into all genetically modified food, received from **Ms Moore**.

Tumut Regional Roads Upgrade

Petition praying that regional roads in the Tumut area be upgraded and that a regional roads summit be conducted, received from **Ms Hodgkinson**.

Level Crossings Safety

Petition praying that the Government install double boom gates and lights at all level crossings in New South Wales, including at Gerogery, received from **Mr Maguire**.

Windsor Road Upgrading

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

South Dowling Street Traffic Management

Petition praying that the Roads and Traffic Authority investigates all possible traffic management options and implements measures to restore residential amenity and safety to South Dowling Street between Flinders and Oxford streets, received from **Ms Moore**.

Surry Hills Clearway Restrictions

Petition praying that the clearway restrictions on Albion, Fitzroy and Foveaux streets, Surry Hills, introduced by the Roads and Traffic Authority, be removed, received from **Ms Moore**.

M5 East Tunnel Ventilation System

Petition praying that the Government review the design of the ventilation system for the M5 East tunnel and immediately install filtration equipment to treat particulate matter and other pollutants, received from **Ms Moore**.

Wagga Wagga Electorate Fruit Fly Campaign

Petition praying that the Government resources the Fruit Fly Campaign for the years 2000, 2001, 2002 and 2003, upgrades the Wagga Wagga electorate to a fruit fly control zone, and develops and implements a fruit fly strategy to eliminate fruit fly from the electorate within the next five years, received from **Mr Maquire**.

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 will 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**.

John Fisher Park

Petition praying that the Government supports the rectification of grass surfaces at John Fisher Park, Curl Curl, and opposes any proposal to hard surface the Crown land portion of the park and Abbott Road Land, received from **Mr Barr**.

National Parks Entry Fees

Petitions praying that the proposal to introduce a \$5 entry fee per car per day into national parks be rejected, received from **Mr George, Mr Oakeshott, Mr Souris and Mr R. W. Turner**.

White City Site Rezoning Proposal

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

Bega Valley Shire Council

Petition praying that extension of the term of the administrator appointed to oversee the affairs of Bega Valley Shire Council be opposed, received from **Mr R. H. L. Smith**.

BUSINESS OF THE HOUSE

Reordering of General Business

Mr J. H. TURNER (Myall Lakes) [2.41 p.m.]: I move:

That General Business Order of the Day (for Bills) No. 10 have precedence on Thursday 8 March.

It is vital that the Roads Amendment (M5 East Road Tunnel) Bill be debated now. People living near the M5 East stack have been forced to endure a Government that will not listen to reason. The Government has ignored the expert advice in the report of its own committee, the Dix report, for which it paid \$200,000. That report clearly shows that motor vehicle emissions pose a significant danger to our health, yet this Government will still not bring on debate on this bill. It will not put a filtration plant in the stack at Turrella. This matter must be debated. The Government has not responded to calls from residents, members on this side of the Parliament or people throughout the State.

This debate is not only about the M5 East road tunnel; it is about proposed tunnels to be built throughout this State and, indeed, in Sydney. It is estimated that when the M5 East is completed it will carry between 70,000 and 80,000 vehicles a day. Those vehicles will contribute thousands of tonnes of particulate matter, which will be spewed into the atmosphere and onto residents, children, pets, trees and homes. The Carr Government is silent on the matter. It is vital that this matter be debated because plans for the cross-city tunnel have been put in place, plans for the Lane Cove tunnel have been put in place, but the Government will not accept and does not understand the need for filtration. The Carr Government is imposing a health burden on the people of Sydney the likes of which we have never experienced.

The Premier claims that the Government is green, yet he intends to allow thousands of tonnes of particulate matter to spew out all over New South Wales, particularly in Sydney, from traffic that will go through these tunnels. That is complete and utter economic vandalism! We must debate this issue now because the Minister stated publicly that, as a family man, he would not allow his family to live near the M5 East stack. However, he is prepared to ignore all these people who are living near the stack. What a hypocrite! The Minister must be brought to account. He must explain why he is prepared to put at risk the lives of people in Turella and, indeed, Sydney and the whole of New South Wales. The exhaust fumes and particulate matter that are spewed out are affecting people living in those areas, but he would not be prepared to let his family live there. If it is not good enough for the Minister's family, it is not good enough for the people of Sydney or, indeed, of New South Wales.

Motion agreed to.

Mr LYNCH (Liverpool) [2.44 p.m.]: I move:

That General Business Notice of Motion (General Notice) No. 298 have precedence on Thursday 8 March.

My motion is in the following terms:

That this House notes the recent decision of the High Court of Fiji in the case of Chandrika Prasad and reaffirms its support for the restoration of democracy in Fiji.

I would have thought that the precedence of this motion was patently obvious, even to members of the Opposition.

Mr SPEAKER: Order! In a moment the honourable member for Murrumbidgee will be asked to vote on the motion. I suggest that he listen to the remarks of the honourable member for Liverpool.

Mr LYNCH: Recent events in the High Court of Fiji and the failure thus far of the Fijian Parliament to reconvene has led to a degree of urgency in relation to this matter. This issue is significant for two reasons. First, there is a significant Indo-Fijian community in this State, the centre of which community is located within my electorate. Second, this is a significant issue of parliamentary democracy that affects everyone in the South Pacific region.

Mrs SKINNER (North Shore) [2.47 p.m.]: I am surprised at the honourable member for Liverpool. I thought he acknowledged the right of independent democratic nations to determine their own business. The High Court in Fiji made a determination that has nothing to do with the Parliament of New South Wales. It is a disgrace that the honourable member has asked this House to give his motion precedence when a report was released only today which talks about the adverse health impacts on the people of this State. What a shocking indictment of the Government's priorities! Because the Government has the numbers it wants Government members to give precedence to the motion of the honourable member for Liverpool.

The Auditor-General said that he has never brought down a worse report. Yet the honourable member for Liverpool is asking us to debate something that relates to the democratic right of the people of Fiji and not to the people of this State. He should get his priorities right. People in New South Wales are sick and they are at risk of dying because the Ambulance Service cannot meet their needs. It is an utter disgrace! The honourable member for Liverpool is clamouring for support for his motion. I ask Government members to cross the floor and vote with members of the Opposition. People in their electorates are amongst the worst served by the Ambulance Service, which the Auditor-General says has one of the worst response times in the country. Southern New South Wales is the worst of the lot.

Government members should tell that to their constituents. They should tell their constituents that they are not prepared to bring on debate on this issue raised by the honourable member for Liverpool. His motion should not be given precedence. The Minister for Health will go into the community and say, in his sweet and charming way, "I will have a review" or, "I will issue a report." I refer honourable members to the response by the Ambulance Service at the back of the report, which I have in my possession. It is absolute nonsense! Government members are being dishonest. The Auditor-General clearly condemns the Ambulance Service and the Government for failing to respond to numerous calls by the Coalition on numerous occasions over the last six years. Hard-working ambulance officers know that their patients are at risk.

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

Mrs SKINNER: Government members knock ambulance officers and attempt to shift the blame on to them. The Government is not prepared to be honest and to tell the people of New South Wales what is happening in relation to the Ambulance Service.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 51

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

Noes, 36

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

Pair

Mr Nagle

Mr Kerr

Question resolved in the affirmative.

Motion agreed to.

QUESTIONS WITHOUT NOTICE

DEPARTMENT OF COMMUNITY SERVICES HELPLINE

Mrs CHIKAROVSKI: My question without notice is to the Minister for Community Services. Can the Minister explain why a principal in Sydney's south-west was forced to send a seven-year-old girl who had

reported being sexually assaulted back to her home and the custody of the alleged offender after failing to get through on the Minister's helpline? Why did it take the intervention of senior Department of Education and Training officials before the department removed the child and her sister to foster care? How many more similar stories must be brought to public attention before the Minister admits helpline is a disaster?

Mrs LO PO': Over the last few days of last week the Opposition raised four cases relating to the operation of the helpline. I can advise the House that I have asked the department to look into those cases.

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

Mrs LO PO': I have been given information relating to each of those cases. In three of the cases the information provided by the Opposition appears to be incorrect. Who is surprised? In the fourth, there is no evidence to sustain the Opposition's claim. However, if members opposite can provide more details in writing, either to me or to the director-general, that matter will be further investigated. Let me provide the House with the information I have received. On Tuesday the Leader of the Opposition asked me about the case relating to a 13-year-old teenager. It was alleged that the teenager had abducted a six-year old girl from the mid North Coast caravan park and sexually assaulted her. Notification supposedly sat in the help tray for two days before being sent to the joint investigation team. I am advised that this case did not sit in a tray for two days; it was acted on by the helpline the same day. The matter was already—

Mr Hazzard: Point of order: The Minister is misleading the House, and she knows that she is misleading the House.

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

Mr Hazzard: I seek leave to table a document, which shows that the Minister is telling lies.

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

Mrs Chikarovski: Point of order: The Minister needs to understand that she is being misled by her department, because the memorandum shows the date on which the notification was taken and the date of referral. We have the memo and we can give it to the Minister.

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

Mrs LO PO': On Tuesday, the Leader of the National Party asked why it took a school principal in the Central West more than one hour and 20 minutes to get through to the helpline to report the sexual assault of a five-year-old student, only to be referred to the local Department of Community Services [DOCS] office 300 kilometres away. I am informed that efforts were made to track this case but little information has been provided. If the honourable member can provide more information, it will be investigated. The Leader of the Opposition asked for an explanation regarding school principals in south-west Sydney who had complained today about routine delays in getting help, including one case in which DOCS officers took two days to start investigating a child abuse case because the school principal believed the case was so serious that it required immediate action. I am advised that this case related to a bruise on a girl's upper arm.

The helpline immediately referred the case to the joint investigation team for assessment. The joint investigation team concluded that criminal charges should not be pursued. The following morning DOCS officers attended the school, conducted an assessment and set up support services for the family. On Wednesday the Leader of the National Party asked whether a guarantee could be given that there would be no more disasters like the Queanbeyan foster mother who, on 30 January, failed to get through to the DOCS helpline to report suspected abuse of a foster child. I am advised that the Queanbeyan community services centre investigated this case on the same day, and a report was received. Allegations of abuse could not be sustained.

Mr SPEAKER: Order! The Leader of the Opposition has asked her question. She will listen to the answer in silence.

Mrs LO PO': I draw the attention of honourable members to this: On 29 January the Department of School Education sent a memorandum to schools, which, among other things, stated:

If a principal experiences significant delays, for example 10 or 15 minutes, in making contact with a case worker on the Helpline the following interim procedures will be used to make a report on the fax...

School principals are sitting on the phone for an hour while there is a fax machine next to them. They have been directed to use the fax, but if they are sitting on the phone for an hour, it is because they choose to do so.

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

Mrs LO PO': In essence, we need to understand that we have given these people, who are mandatory reporters, another way to file reports. They can phone or, if they cannot sustain their phone call, they can use a fax. If they are staying on the phone for an hour and 10 minutes, that is their choice.

Mr SPEAKER: Order! I call the honourable member for Hornsby to order. I place the honourable member for Hornsby on three calls to order. I call the honourable member for Port Macquarie to order.

BARRISTERS BANKRUPTCY DISCLOSURE OBLIGATIONS

Mr COLLIER: My question without notice is addressed to the Attorney General. What is the Government's response to community concerns about bankrupt barristers?

Mr DEBUS: The community, members of this House and, indeed, all law-abiding members of the New South Wales bar have been appalled and disgusted by recent revelations that senior barristers—apparent pillars of society—have in fact been systematically exploiting bankruptcy provisions to avoid paying millions of dollars worth of tax. Millions of ordinary citizens across the State—shopkeepers, carpenters, miners and factory workers—travel to work every day on the bus, pack their lunches and pay off their mortgages. And they also pay their tax. No-one loves to pay tax. However, the ordinary taxpayer realises that in order to have schools, hospitals and police, he or she must pay tax.

It has been revealed that a number of barristers have—I might say, to the distress of their colleagues—come to regard the payment of tax as an optional extra. They have used their knowledge of the law not to pursue justice on behalf of their clients but to arrange their own affairs in such a way as to avoid the payment of income tax—in some cases apparently altogether and for many years. Those who practise law have an obligation to uphold the highest standards of lawful conduct. It is a travesty and a disgrace if senior barristers appear not as upholders of the law but as a rogues gallery intent on dragging the practice of law in this State into the mire.

It cannot be accepted that this state of affairs comes about through inadvertence or through the pressure of a multitude of professional cares, whatever fallacious claims may be made to that effect. The corner shop proprietor who opens his or her store at 6 o'clock in the morning and closes it at 9 o'clock at night cannot claim to the tax commissioner that he forgot to pay his tax. No more can or should members of the legal profession. It is simply not on to opt out of the taxation system. It is not on to say, "Let other people pay for the buses, the roads, and the schools."

These revelations have given the taxation office a wake-up call. I understand that taxation officials are at a loss to explain how a leading barrister can fail to lodge a return for almost a decade without being apprehended. And the Federal Government has received a long overdue wake-up call as to the consequences of its failure to address the issue of family trusts. However, there is significant action that this State Government can take, and I am determined that we will be taking every possible step.

In consultation with the chair of the Law Reform Commission, the Legal Services Commissioner and the Bar Association, my department has developed a package of regulatory and legislative reforms. Honourable members will be interested to know that today the Executive Council, the Governor in Council, approved a new regulation, which will impose the most stringent possible disclosure obligations on barristers. This is the first step in creating the toughest regime in Australia. At this point I should say that the executive of the Bar Association, and the President, Ruth McColl, SC, in particular, have been zealous in pursuing this regulatory change and have in fact suggested several crucial drafting amendments to make its application even more rigorous.

The regulation will require continuous disclosure by all barristers and solicitors of any petition for bankruptcy and an explanation, for example, whether their tax affairs are related to the bankruptcy. The regulation ensures that the Bar Council and the Law Society Council will have enough information to act against practitioners—information which the Australian Taxation Office says it is unable to provide because of its secrecy provisions. This is only a first step. Members of the House will be keen to know that the Government will also bring in a range of legislative reforms aimed at imposing the toughest possible regulatory regime upon the profession.

It is my intention to amend the Legal Profession Act to give legislative effect to the common law position that the circumstances surrounding bankruptcy fall within the definition of professional misconduct; to

provide that a barrister will be suspended and may lose the right to practise altogether if he or she fails to show cause why, notwithstanding bankruptcy, he or she is fit to practise; to expand the powers of the Law Society Council and the Bar Council to suspend or decline to issue a practising certificate to a practitioner who fails to satisfactorily explain certain conduct to the council, whether or not the conduct is connected with the practice of law; to enhance and strengthen the powers of the Legal Services Commissioner, who is the independent Ombudsman for investigation of complaints against legal practitioners; to require the Law Society Council and the Bar Council to give the Legal Services Commissioner and the Legal Profession Advisory Council notice before they make rules for the conduct of the profession; to empower the commissioner to ask the Law Society Council to review a rule for the conduct of the profession and to make recommendations to me as Attorney General to veto a proposed rule; and to amend the Defamation Act to provide that absolute privilege applies to communications made for the purposes of part 3 of the Legal Profession Act.

This amendment will ensure that a person who provides information to the Law Society or the Bar Council about a practitioner is protected from an action in defamation, even if the information does not concern a complaint that has already been made under the Act. Two reviews of critical components of the scheme will also be undertaken. First, the conduct rules for the profession, set by the Law Society Council and the Bar Council, will be reviewed independently by Professor Michael Chesterman, former Dean and Professor of Law at the University of New South Wales, to ensure that the rules promote ethical and competent conduct by the profession—not merely that they ensure the legitimate protection of the profession itself, but that they promote ethical and competent conduct by the profession. I will ask the Law Society and the Bar Association to implement the findings of Professor Chesterman's review.

Second, in consultation with the Law Reform Commission, a review will be undertaken of the composition of the legal services division of the Administrative Decisions Tribunal. I intend to enhance the representation of lay or consumer representatives on the tribunal, and specifically to enhance the expertise in financial matters available to the tribunal. That matter relates to the suggestion that is sometimes made that at the present time the legal services division of the Administrative Decisions Tribunal has the appearance of lawyers judging lawyers. The recent revelations concerning tax avoidance by barristers require a response that is both swift and comprehensive. Conduct of the kind alleged is a cancer upon the legal profession, and I am certain that the vast majority of practitioners—whose good reputation is, after all, their most valuable asset—will welcome and support these initiatives.

DEPARTMENT OF COMMUNITY SERVICES HELPLINE

Mr HAZZARD: My question is directed to the Minister for Community Services. After failing to get through on numerous occasions by telephone, on 13 February a metropolitan school principal reported by fax to the helpline a case of a 15-year-old boy who had been systematically sexually abused by an alleged serial paedophile since the boy was aged 13. Why did it take the Minister's department until Friday 3 March to respond to the principal's urgent pleas for help? How can the Minister still say that the helpline is experiencing only teething problems when there are delays of 18 days?

Mrs LO PO': Last Friday was 2 March. Given the mistake record of the Opposition through its questions, I will take the question on notice. I will come back to the honourable member for Wakehurst with the answer, as I have done in relation to other questions. We will probably find that it is half correct, or not correct, or completely wrong.

Mr Hazzard: Sadly, it is completely correct.

Mrs LO PO': Allegedly, so were the others. There is a new-found keenness from the Opposition about child protection. But when the Coalition was in government, what did it do?

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

Mrs LO PO': Let me demonstrate the former Coalition Government's credibility. There was the closure of 23, almost a quarter, of the local Department of Community Services offices. The former Coalition Government slashed 1,000 jobs. It restructured the department, and there was no money left in it. There was the removal of 77 specialist child protection counsellors. It took the lot. Not one was left standing. The former Coalition Government went into destruction: it burnt and scoured the place, closing the regional centres which provided intensive services for abused children and their families—

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

Mrs LO PO': There was the closure of Montrose at Burwood and similar centres at Newcastle and Wollongong, and the deletion of senior child abuse advisory staff in health and education. The former Coalition Government annihilated them. Police child mistreatment units at Flemington, Wagga Wagga and Campbelltown were simply closed; the former Coalition Government did not even leave them standing. The saddest indictment of the former Government was that its child protection budget was underspent by \$11.2 million in the first three years. Successive estimates committees heard of the deliberate pattern of underspending by the former Government in vital child protection and family support.

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

Mrs LO PO': By contrast, the Carr Government's record is strong and something that we can be proud of. I will investigate this matter, and I will bring it back with the holes that will be riddled in it.

SYDNEY TO HOBART YACHT RACE CORONER'S INQUEST

Mr ANDERSON: My question without notice is addressed to the Minister for Sport and Recreation. What is the Government's response to State Coroner John Abernethy's inquest into the death of six sailors who participated in the 1998 Sydney to Hobart Yacht Race?

Mr WATKINS: Members will recall that at the end of last year the State Coroner, Mr John Abernethy, released his report on the inquest arising out of the 1998 Sydney to Hobart Yacht Race. Six yachtsmen tragically lost their lives in that race. I am sure all honourable members remember the dramatic and ultimately tragic footage that dominated our television screens over that time: large yachts that simply bobbed like corks in the wide ocean; sailors in bright orange jackets waiting for help; and the courage of the rescue teams, in particular those helicopter pilots who flew so low over the waves rescuing sailors who had been washed off yachts. Coroner Abernethy wrote to me on 15 December last year asking me to take action to address certain recommendations arising from that inquest. Those recommendations were to withdraw harnesses and lanyards bearing the name Tuff Marine Australia or any derivative of that name; to require that all harnesses used by yacht crews have a crotch strap fitted; and to pursue a review of the relevant Australian Standard, AS2227.

Today I inform the House that the Government has accepted, and has already implemented, the relevant recommendations. The particular recommendations arise out of the investigation into the death of Glyn Charles, a helmsman from the *Sword of Orion*, and an incident experienced by John Campbell when he slipped out of a harness that did not have a crotch strap. Glyn Charles was lost overboard and was never recovered. He was wearing a harness that had been attached to a fixed point on the yacht by a 1.8 metre lanyard. The stitching just gave way, releasing Glyn Charles overboard while he was still wearing his harness. The particular harness in the case of Mr Charles was labelled "Tuff Marine Australia".

Evidence has indicated that it was likely that the problem products had been predominantly sold in Victoria. However, the evidence concerning supply is at best unclear and yachting is obviously a sport that crosses national and international borders. I advise the House today that that is why I signed an order under section 31 (1) (b) of the Fair Trading Act. It will have the effect of formally banning the supply of new or second-hand harnesses or lanyards labelled "Tuff Marine Australia", which do not meet Australian Standard AS2227, in accordance with Coroner Abernethy's first recommendation. Fines for breaching those orders are up to \$110,000.

John Campbell, a crewman with the yacht *Kingara*, was wearing a harness that was integrated into his jacket when a freak wave washed him overboard. Other crew members tried to drag him back on board by pulling the attached lanyards, to no avail. The harness turned inside out with the tension and he simply slipped out of his harness. The harness worn by Mr Campbell did not have a crotch strap. If it had included a crotch strap, that would have saved him from being washed away. Fortunately—perhaps miraculously—a helicopter rescue crew subsequently recovered Mr Campbell from the sea.

I also advise the House that the technical committee for the relevant Australian Standard met on 12 February to consider the coroner's recommendations. That standard was developed in 1983 and was last reviewed in 1992. On 12 February the committee agreed in principle to the coroner's second recommendation concerning crotch straps. The committee resolved that crotch or thigh straps should be a requirement and should therefore be part of the standard. In addition to this specific issue, the coroner requested a general review of the Australian Standard. After almost 10 years, that recommendation is timely.

I advise the House that the review has commenced. The committee will meet again next month to progress the matter. The Department of Fair Trading will continue to oversee this review in accordance with the coroner's recommendations. As Minister for Fair Trading and Minister for Sport and Recreation, I am especially concerned that people stay safe when undertaking a sport or recreational pursuit of their choosing. Even though some sports inherently pose greater risks than do others—and participants in those sports are often well aware of the risks—it is vital that they are as safe as they possibly can be. That is why I am pleased that the implementation of these sensible recommendations will help yachting crews stay safer when out on the water.

NEWCASTLE DISEASE CLEAN-UP COSTS

Mr SOURIS: My question without notice is directed to the Minister for Agriculture. In the light of the devastation caused by the 1999 outbreak of Newcastle disease on the Central Coast, which resulted in two million birds on 33 farms being destroyed and consequential financial hardship imposed on those poultry farmers and egg producers, will he consider waiving the clean-up costs now being officially levied against these farmers and assist in the rehabilitation of this important industry?

Mr AMERY: It is refreshing to get a question from the Leader of the National Party. The issue concerning Newcastle disease, rightly stated, is that it is the greatest exotic disease outbreak and clean-up campaign of any agricultural industry that this State has ever had. I will examine some of the points that have been raised in relation to this issue. I hope that honourable members will understand the position facing the department. There are people who are yet to pay.

Mr Souris: It looks like the answer is no.

Mr AMERY: The Leader of the National Party will get his answer. There are also people who undertook the clean-up campaign themselves. As I reveal the details, I am sure that the magnitude of the problem will become apparent. The eradication program included decontamination of infected properties. Restocking of poultry areas adjacent to Mangrove Mountain was not allowed until disinfection and owners completed disposal of the infected properties. I now come to the important part of the dilemma with which the department is now faced. Approximately 20 owners undertook the disinfection and disposal themselves at their own cost. According to my figures, approximately 46 properties, under the agreement and all the processes of Federal and State funding from the industry's point of view, had to fund their own clean-up.

As the Government and as the department, we approached those owners to make a decision from two alternatives. One was that they could clean up the devastation themselves. The other was that the department would clean it up and bill them later. Of approximately 46 property owners, 20 said that they would do it themselves at their own cost. They went ahead and did that, and that is history. However the department undertook work for 26 owners. In other words, the department was involved in cleaning up and in doing all sorts of things. The position then was that about 20 property owners said they would do their own cleaning up and 26 property owners said that the department should do it for them and they would pay for it later.

The cost of the clean-up of those properties ranged from \$8,500 to \$38,000 per property. The clean-up was conducted on 119 sheds at an average cost of \$4,240 per shed. What I am about to say is very important. We said to owners that they could clean up the mess, and some owners went ahead and did that. But those who chose to have the department conduct the clean-up under a pay-later arrangement entered into a deed of agreement. Departmental officers sat down with the farmers to work out the cost.

Mr Slack-Smith: They had no choice.

Mr AMERY: They did have a choice. I thought I had analysed and explained this to the point of tediousness.

Mrs Skinner: You are as clear as mud.

Mr AMERY: The honourable member for North Shore has already had her outpouring today and I thought she was feeling better. Let us get this stated clearly in *Hansard*. They were 46 properties and each owner was given the opportunity to clean up. Of those 46, 20 said that they would clean up their own properties and 26 said that the department should do it and that they would pay for the clean-up later. I think that most people would be able to understand what I am saying. Under the deed of agreement, I gave a concession to allow property owners a period of six months from the date of restocking of their farms to pay the costs of carrying out the disinfection and disposal work.

The concession period was extended for another 12 months while a number of issues—such as exceptional circumstances support—were determined by the Commonwealth Government. Having taken into consideration the hardships faced by the owners owing to the exotic disease outbreak, it is now necessary for the State and Federal governments to recoup their costs for the work undertaken on behalf of the owners.

[Interruption]

Is the honourable member for Lismore following this? Am I speaking slowly enough for him? Invoices have been dispatched to 26 property owners amounting to \$500,000, after allowing for considerable concessions. Because 20 of the property owners have met all the costs associated with the clean-up of the properties, the department is now requesting repayment by the other 26 property owners. The dilemma faced by the department is that if the department funds the clean-up for those 26 properly owners, what does the department do about the 20 property owners who have already funded their own clean-up?

What does the department do—go back to those 20 property owners and obtain a cost estimate or an invoice from them? The department was working with various authorities and was confronted with the problem of determining the State Government's responsibility. As all honourable members will know, all farmers were compensated for the loss of stock and rural assistance finance was provided. The Federal Government contributed some funding although it knocked back a request to classify the outbreak as an exceptional circumstance. Also confronting the department was the problem of how the industry would pay for its share of the clean up.

[Interruption]

The property owners were given a choice of two options. For the benefit of the Leader of the National Party, I repeat that 20 property owners opted to clean up their properties and 26 property owners asked the department to do it on the understanding that they would pay for the clean-up later. That was the predicament the department faced and it was not an easy problem to resolve. The department was placed in a difficult position. I understand that the honourable member for Peats and the honourable member for Wyong will be leading a delegation of chicken producers to discuss this matter with me. The predicament faced by the department is that if the department funds the clean-up operations for the remaining 26 property owners, how will that relate to other clean-up campaigns, and what will the department do in relation to the 20 property owners who have already opted to fund the clean-up out of their own pockets? That is the dilemma facing the department.

FRESHWATER SENIOR COLLEGE

Mr ASHTON: My question without notice is to the Minister for Education and Training. What is the latest information on the Government's plan to link the final year of school with TAFE and university?

Mr AQUILINA: The honourable member for East Hills is a former teacher with a keen interest in education matters. One of the greatest challenges facing education in Australia is bridging the gap between secondary and tertiary studies. The days have passed when the Higher School Certificate is all a student needs to find a job. Already tens of thousands of jobs in information technology, business, law, health and economics require university or TAFE qualifications. In most other jobs, an applicant with tertiary qualifications will be preferred to one with only the Higher School Certificate. Despite that, a gap still exists between secondary schools and tertiary institutions. All governments need to bridge that gap.

Today I released details of a plan for a specialised college to be set up in the northern area of Sydney. The senior campus of this college will offer students a chance to directly begin university and TAFE level studies while at school. It will help students get skills they need to find jobs. This is indeed a school of the future. Freshwater Senior College will have 500 year 11 and 12 students and about 300 TAFE and university undergraduates who will share classrooms and state-of-the-art equipment and laboratories. Students at the new senior college will study courses designed to give credit for later TAFE and university degrees, and will work alongside undergraduates studying for those tertiary subjects. High school courses will be restructured to make them compatible with more advanced TAFE and university study. Students at the senior college will also be offered the chance to directly study first-year courses in a range of TAFE and university subjects, saving time in their later degrees.

Each course will also be prepared with the needs of employers in mind, making sure students are job-ready immediately upon leaving school. The University of Technology, Sydney [UTS] will offer courses leading to degrees including information technology, law, business, science, engineering, education, arts and

nursing. Students choosing any of these study options will be given credits towards degrees at the UTS. Northern Sydney TAFE will offer courses leading to information and office technology, business management, accounting, marketing, hospitality and community services. Students choosing those study options will be given credit towards their TAFE studies.

The new senior college will be based at North Curl Curl on the northern beaches and will draw 500 high school students from local selective, single-sex and comprehensive high schools and several hundred undergraduates from North Sydney TAFE and UTS. Local schools will continue to offer years 7 to 12, alongside the new Freshwater Senior College. A total of \$5 million has been allocated for stage one of the planned construction and new computer facilities. Extensive consultation will now begin on the details of the senior college plan. The senior college is a major educational change, and I would encourage all parents and students to study these plans and have their say. The proposed senior college will start operation in 2003.

Information technology courses at Freshwater will be designed to exactly meet employers' requirements and make sure that students are up to date with the latest in technology and software. All classrooms will be computer networked with each other and other college campuses, including TAFE and UTS. Facilities will include a college resource centre complete with library and e-learning, a lecture theatre, an English language learning centre, sports facilities including a gymnasium, a multimedia and computer imaging facility, a performance workshop, a creative arts display area and a cafeteria.

I am pleased to announce that the former Mackellar Girls High School Principal, Mr John Hayes, has been appointed principal of the new senior college. I congratulate John Hayes, who is one of our most experienced and distinguished principals, on his selection for this new position. This is innovation in education, which will be closely watched by other education systems not only interstate but around the world. It should be emphasised that this concept plan is a working document, and is subject to public consultation. Responses are due by 11 May. I urge anyone with an interest in this area of educational improvement to obtain a copy of the details and designs for this new senior college, and make their voice heard in the consultation process that will take place during coming months. I seek leave to table a document entitled "New Horizons—Northern Beaches Secondary College—Senior Campus (Freshwater High School Site)—Concept Document."

Leave granted.

Document tabled.

PETROL TAX

Mr OAKESHOTT: My question without notice is directed to the Minister for Fair Trading. Given in the Minister's previous calls for reduced petrol prices, and now that it has been confirmed that New South Wales does receive petrol tax revenue from the Commonwealth, what has the Minister done to convince the Premier to use petrol tax revenue to match the Federal Government's 1.5¢ a litre reduction?

Mr Carr: Point of order: Was that question directed to me? There was reference to me at the end. I am just itching to point out what happened to the Prime Minister's Federal cuts to petrol prices: they have been devoured by the petrol companies.

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

Mr Tink: Point of order: This Carr is full of fuel tax.

Mr WATKINS: The Premier answered this question beautifully. The Opposition does not seem to have grasped the fundamentals about petrol in Australia.

Mr SPEAKER: Order! I place the honourable member for Bega on three calls to order. I call the Deputy Leader of the Opposition to order for the second time.

Mr WATKINS: Petrol pricing has been a Commonwealth responsibility for more than a decade. State taxes on petrol were ruled to be unconstitutional in August 1997 and the States have not taxed petrol since that time. As an interim measure, between August 1997 and July 2000 the Commonwealth increased its excise on petrol in accordance with previous State taxes. But from 1 July last year when the GST commenced, that arrangement stopped. Again, to make it crystal clear, the State does not receive petrol taxes from the Commonwealth.

PASTORAL AND AGRICULTURAL CRIME WORKING PARTY

Mr BLACK: My question without notice is to the Minister for Police. What is the latest information on the Government's pastoral and agricultural crime working party?

Mr WHELAN: The honourable member for Murray-Darling has a profound interest in rural crime needs. It is a continuing priority of this Government to pay special attention to the needs of our rural and regional communities, and law enforcement is no exception.

Mr SPEAKER: Order! There is too much audible conversation in the Chamber.

Mr WHELAN: Last year I received representations from New South Wales Farmers and honourable members on both sides of the House regarding a number of law enforcement issues of particular concern to farmers. The issues of greatest concern included the theft of livestock and agricultural products such as chemicals and farm equipment. I met with the Minister for Agriculture and representatives of the New South Wales Farmers Association to discuss these matters. That meeting gave rise to the formation of the Pastoral and Agricultural Crime Working Party. The House may recall that the terms of reference of that working party were to identify best practice in investigations and training, to identify laws affecting rural crime and recommend any required changes, to investigate methods of stock identification to assist in preventing theft or recovering stock, and to examine crime prevention strategies and other relevant issues.

The working party examined crime specifically related to farming, such as theft of stock, grain and wool, agricultural machinery, herbicides and chemicals. I want to take this opportunity to thank all those who participated in the working party. In particular, I thank Mr John Warre and Mr Joe Lane of the New South Wales Farmers Association. Ms Elaine Barkley of the University of New England deserves special thanks for her expert advice. I thank also the honourable member for Dubbo, Mr McGrane, for welcoming the working party to Dubbo, where it held a public meeting and had consultations with rural police officers.

The report makes a comprehensive range of recommendations. The first of those is the retention of the transported stock statement, the paper trail for livestock movements. Shortly my colleague the Minister for Agriculture will introduce a bill to retain and regulate the system of accredited livestock transportation documents. This was a significant concern of farmers, and its decision was confirmed by recent studies by the University of New England. I am advised that the university's Institute for Rural Futures recently found strong support for transported stock statements. Police and farmers agree that those statements are vital to deterring and apprehending stock thieves.

I am also pleased to announce that, from this year, a new training course is available for police officers involved in the investigation and prevention of rural crime. The first step is a residential course at the Goulburn Police Academy, and work is under way to develop a full-year post-graduate course in rural crime investigation. The working party found that one of the biggest problems is the availability of officers who understand the basics of farm practice. Farmers said they would work more effectively with a police officer who knew the difference between a Hereford and a Black Angus. With this in mind, I am happy to inform the House that a position of rural crime investigator will be created in each of the 32 non-metropolitan local area commands across New South Wales.

Mr D. L. Page: One?

Mr WHELAN: One in each of the area commands, which adds up to 32. Each of those 32 officers will receive special training to ensure they are equipped to work effectively with farmers to prevent and prosecute pastoral and agricultural crime. Already the Police Service has created a dedicated site on the internal intranet system that allows officers from around the State to access rural crime updates and detection techniques. It features an on-line version of the rural crime investigator's handbook. This includes descriptions and illustrations of major stock breeds and equipment to assist police in the detection of theft.

The Government is determined to strengthen the laws that give security to people on isolated homesteads. Trespass, unauthorised pig hunting and the poaching of feral goats, inter alia, are all of serious concern to residents of rural communities. This package will allow us to tackle rural crime more effectively than ever in the past. It will help protect and prevent farmers from becoming victims of crime. It will give police an unprecedented focus on the problems at hand, boost intelligence gathering for rural crimes, and provide police with the skills they need for the job. When a section of the community, such as in rural areas, comes to us, we

are prepared to listen and act. These measures are a good example of the Government's continuing commitment to a safer New South Wales.

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

WOLLONDILLY SHIRE SEWERAGE CONNECTION FEES

Ms SEATON: I direct a question to the Minister responsible for Sydney Water. Why has the Minister condemned Wollondilly shire to zero future jobs growth with prohibitive Sydney Water charges that require people to pay nine times more for essential sewer connections than someone building a business in the Premier's own electorate? How much of a cash windfall do you expect from Wollondilly businesses prior to determination No. 9 of the Independent Pricing and Regulatory Tribunal being implemented?

Mr YEADON: The Wollondilly situation, which the honourable member has raised before, relates to the particular geographical circumstances in that location. There is no way of making a proper comparison between the connection of sewerage services in the location to which the honourable member referred and connections to a standard metropolitan block. This matter has been investigated by Sydney Water and by my own office. It is unfortunate that the costs are higher, but the fact is that those costs are a consequence of the specific features that exist in that location.

Ms SEATON: I ask a supplementary question. In view of the Minister's answer, why has he put much-needed nursing home beds in doubt by refusing to allow Queen Victoria Memorial Hospital to connect to the Picton regional sewerage scheme?

Mr YEADON: I am not aware of the particular circumstances of that hospital. I will seek to investigate the matter and provide the honourable member with a response.

Questions without notice concluded.

GOVERNOR OF NEW SOUTH WALES

Governor's Response to Presentation of Address

The House proceeded to Government House at 3.45 p.m., there to present to the Governor its Address in acknowledgement of Her Excellency's message notifying her assumption of the administration of the Government.

The House returned at 5.00 p.m.

Mr Acting-Speaker (Mr Mills) reported that the House had presented to Her Excellency the Governor its Address in acknowledgement of Her Excellency's message notifying her assumption of the administration of the Government of the State, and that Her Excellency had been pleased to give thereto the following answer:

Office of the Governor
Sydney 7 March 2001

The Honourable the Speaker and
Members of the Legislative Assembly
of New South Wales

Thank you for your Address and your kind comments upon my appointment by Her Majesty The Queen as Her representative in the State of New South Wales.

It will be my endeavour always to strengthen the links between the Crown and the Parliament and the people of New South Wales. My husband and I will expend our energies fully and willingly in the interests of this State, and trust that we shall be able to fulfil our part in the years ahead.

I welcome this opportunity of meeting all Members of the Legislative Assembly today, and assure you of my close co-operation with you and of my earnest consideration of all matters which you may bring forward.

MARIE BASHIR
Governor

BUSINESS OF THE HOUSE

Order of Business: Suspension of Standing and Sessional Orders

Motion by Mr Whelan agreed to:

That standing and sessional orders be suspended to permit the taking of private members' statements forthwith followed by consideration of the matter of public importance.

PRIVATE MEMBERS' STATEMENTS

DEATH OF Ms MARGARET BARRY

Mrs GRUSOVIN (Heffron) [5.03 p.m.]: I wish to pay tribute in this House to Margaret Barry and express my very deep regret and the deep regret of our community and the countless people whose lives she touched, and in so many cases changed, at her death. Margaret Barry was known as "Marg" to all of us who worked with her over the years. She was the founder and driving force in the past quarter of a century of the Inner Sydney Regional Council for Social Development. It is no exaggeration to say that there was a feeling of loss, devastation and disbelief when the news came of Marg's death on 28 February, just one week ago today. Marg was instrumental in establishing many of the local organisations that today provide diverse and vital services to disadvantaged people—services that we often take for granted, the foundations of which were laid only through the determined commitment and hard work of Marg and the community activists she mentored, nurtured and inspired.

Marg Barry was truly a selfless woman who sought nothing for herself. She was a voice for those who could not speak, a fighter for those too frail and disabled to fight, and she did it so well. She always acted with integrity and commitment to social justice, and in that process she empowered those for whom she was such an effective advocate. It was Marg Barry who led the fight in 1976 to prevent the then Labor Government from implementing the Housing Commission plan for Waterloo. Jack Ferguson, as Minister for Housing, was committed to a government policy of slum clearance for Waterloo, which already had two tower blocks, and more were scheduled for construction. At that time it was unheard of—and there was certainly no obligation or requirement on government—to have community consultation or negotiation with resident action and local activist groups. That all changed when Marg challenged government and organised Community Resistance.

Through Marg Barry's leadership, community consultation became a reality. The then member for Heffron, Laurie Brereton, chaired the consultative committee that was set up. Marg said that no government could be involved in creating the slums of the future. Her arguments and tactical moves were persuasive. There was to be no more resumption of private homes in Waterloo, and no more high rise. Jack Bourke shortly departed the scene from the Housing Commission. Marg was a fearless and feared leader. She was ahead of her time. Her vision was enlightened, and it challenged the conventional wisdom of the times. She espoused community consultation and diversity of development.

Marg Barry was known for her capacity to give you heaps, especially if you were in public office. It did not matter what your politics were; if she thought you were not listening or providing effective representation she told you. She caused much heartburn to a fair share of bureaucrats. She always commanded respect and affection. We loved her greatly. Sadly, she enjoyed only one year and one month of her retirement to the Central Coast. Even during that short time she gave of herself, her knowledge and expertise to local community groups in working to achieve a better society and empower them.

To Marg's sister, Geraldine; her brother, Bill; and her niece, Martine, I express our deepest regret for their untimely loss. It was fitting that yesterday's celebration of her life at St Saviour's, Redfern, caused an extraordinary gathering of both powerful and poor people, all with the common purpose of expressing their affection and gratitude for a life well lead. I hope at some future time, in the course of consideration of New South Wales community service awards, that the Government will strike a medal or institute an award that will in some way formally recognise the work of Margaret Barry. It was her work those decades ago that put in place so many of the benefits we accept today as part of normal life. Vale Marg Barry.

WOLLONDILLY SHIRE SEWERAGE CONNECTION FEES

Ms SEATON (Southern Highlands) [5.08 p.m.]: In question time today I asked the Minister responsible for Sydney Water why, if business people want to invest in business and build a factory or office in

the Wollondilly Shire, the cost levied by Sydney Water to connect the sewer and water to that business would be approximately nine times the cost to achieve the same result in the Premier's electorate. I look forward to reading the Minister's answer in *Hansard* tomorrow because I believe he commented to the effect that it was an unfortunate situation, and that is how things are. I hope the Minister has a good look at this problem because the result is that there is absolutely no commercial incentive to locate any business or small factory in Wollondilly under such a regime. The Picton Regional Sewerage scheme was supposed to service such blocks. I am aware of one man in the Picton area who is being charged \$78,000 for connection to one industrial block, even though the sewer lines go down the street in this industrial area.

The \$78,000 charge for a 1,700 square kilometre property is based on Sydney Water's demand for a per hectare charge of \$399,000. I am grateful that the Minister for Information Technology, Minister for Energy, Minister for Forestry, and Minister for Western Sydney has entered the Chamber. I hope he will listen to what I have to say and comment upon it. I thank the Minister for attending. Compare that \$399,000 with the charge in the Premier's electorate, where the equivalent Sydney Water connection fee is \$42,000. I understand that the Minister has described the charges of about \$400,000 in my electorate and about \$40,000 in the Premier's electorate as "unfortunate". Compare also equivalent charges in Campbelltown, where the same service costs \$95,000. In Uralla the charge is \$70,000. In the Wingecarribee shire, which is admittedly not a Sydney Water zone, the cost is \$1,635 per connection. All those amounts should be compared with Picton connection charges, which are approximately \$400,000.

Faced with these exorbitant rates, investors and people hoping to bring job opportunities and industry into Wollondilly shire will think again and invest their money in the city. Once again, Wollondilly—increasingly referred to by anxious locals as no-man's land—misses out on much-needed jobs and infrastructure. Today the Minister said that we have to understand that it is more expensive to provide infrastructure in places such as Wollondilly than in densely occupied metropolitan areas. I am sure it is, but it is also grossly unfair to expect Wollondilly residents to meet, in one go, costs that have been increasing incrementally over many decades and are able to be divided among many property owners in places such as Maroubra, where the Premier lives.

If Sydney Water puts such a high priority on the Picton regional sewerage scheme, that organisation needs to understand that the scheme puts the Southern Highlands region in a totally uncompetitive environment in terms of attracting jobs and investment. The Independent Pricing and Regulatory Tribunal [IPART] has examined this matter. In determination No. 9 IPART has stated that Sydney Water cannot charge on a per hectare basis for residential water charges and that Sydney Water should not have differential rates applying across a territory. That decision will not be implemented until mid-2001 and in the meantime I would like to know whether IPART is continuing to approve those sorts of exorbitant charges and how much Sydney Water is making out of this windfall cash window.

I also want to know how much of a reduction in these development control plans [DCP] charges Sydney Water is proposing to make in Wollondilly. I also ask the Minister why the Queen Victoria Memorial Hospital site has not yet been given the go-ahead by Sydney Water to connect to the Picton regional sewerage scheme. The Queen Victoria Memorial Hospital is the only nursing home in Wollondilly, and it houses many veterans. After hard work and advocacy by the Queen Victoria Support Committee and the community, the Federal Government agreed to provide an additional 30 Commonwealth-subsidised beds. Negotiations with the South West Area Health Service have led to an agreement to build an additional facility on the existing site, which was formerly a State-owned hostel.

Further negotiations with the Leichhardt Uniting Church Aged Network [LUCAN] resulted in an agreement for the total number of beds to increase to 70, which would include bringing the outdated veterans hostel accommodation up to current standards. The sticking point is that, despite understanding that this new 70-bed facility plus the existing nursing home would be able to connect to the new Picton regional sewerage scheme, Sydney Water has failed to follow through, is still prevaricating about capacity—which was never in doubt in 1991—and is putting these hard-won 70 beds in doubt. The sewer line runs right past the boundary. We could lose these beds and the Carr Government will be responsible for the loss. My colleague the honourable member for Camden joins me in this plea. She wrote to the Minister on 21 February and others of the Minister's colleagues. She was seeking an urgent resolution of this issue. A recent letter from the support committee to the Minister for Health, Mr Knowles, makes this point:

Now the probability is that LUCAN, if they have to walk away because necessary services cannot be given at every government level, then the Commonwealth subsidised hostel beds for the elderly patients ... to enjoy will be forfeited or be removed.

It is important to resolve this issue. I look forward to the Minister's co-operation.

Mr YEADON (Granville—Minister for Information Technology, Minister for Energy, Minister for Forestry, and Minister for Western Sydney) [5.13 p.m.]: Sydney Water has received representations from the Queen Victoria Memorial Hospital. In responding to these representations, Sydney Water has indicated that extensions of the sewerage scheme to include lots zoned "rural residential" is dependent upon the reuse water scheme being proven and Sydney Water receiving permission from the Department of Urban Affairs and Planning [DUAP]. The contract between Sydney Water and TransUtilities does not prohibit extending the scheme to include lots zoned "rural residential".

With respect to future expansion of the Picton sewerage treatment plant [STP] service area, Sydney Water understands that Wollondilly Shire Council is preparing a land use strategy. When the strategy is finalised, Sydney Water will complete the planning for the second stage of the STP in consultation with the council so that its planned growth can be accommodated. The Department of Urban Affairs and Planning [DUAP] must agree to change the conditions of approval in the environmental impact statement [EIS] for any areas outside the service area to be connected to the scheme.

If the review of the scheme performance is satisfactory, Sydney Water will prepare all the necessary documentation for DUAP to enable the application to proceed by September-October 2001. Sydney Water will consult with the council to determine which rural residential lots should be included in the scheme. This will determine whether major new infrastructure is required to service the lots zoned "rural residential". In some cases a major sewer carrier may need to be extended or augmented and in other cases a house service line only may be required. In both instances—and I emphasise "in both instances"—the costs of connection will need to be funded by the landowner.

MAITLAND ELECTORATE POLICING

Mr PRICE (Maitland) [5.14 p.m.]: I join in this debate to raise a matter in relation to policing in a number of suburbs and country towns in the electorate of Maitland. Although I have communicated with the Minister for Police and with the acting superintendent of police in Maitland, I am still receiving complaints, not so much about the absence of police but more about slow responses to what appears to be an increasing level of juvenile crime in the Beresfield and Woodberry areas of my electorate. It is a matter of considerable concern to me that, having added in December 1999 approximately seven police officers to the strength of the command and immediately prior to that having had the Beresfield police station upgraded, a significant number of complaints continues to be received, to which there appears to be little response on the ground, so to speak.

As I said earlier, I have raised the matter with the acting superintendent on several occasions. I am extremely concerned that complaints of the type I have described continue to occur when it appears that police are very close to full strength in the area. The reaction of the community to increased juvenile crime is one of anxiousness. I suggest that the absence of the Worimi detention facility is contributing to the problem because some police officers from the Maitland district are required to perform escort duties when prisoners are transported from Maitland to not just Newcastle but also Kariong, which is the nearest detention centre for young offenders. This places unusual strains on the electorate's police strength.

The most recent set of complaints relates to a spate of vandalism and minor criminal activities in the town of Dungog, which is a considerable distance from Maitland. I understand that the regular police strength in Dungog is two police officers but that late last year one of the officers retired. Neither of the two positions is filled by a permanent appointment. Although one police officer who is still on duty in Dungog is living in the residence, his duties take him out of the area when he is needed to replace other officers in areas such as Gresford and Clarence Town. This is a matter of considerable concern to local traders in the main street of Dungog, who have suffered fairly severe damage and break-ins. Dungog has not experienced substantial criminal activity over the years and, although the incidents are relatively infrequent, they are causing disquiet which is exacerbated when a call for assistance is transferred to Maitland, half an hour's drive away, and when it is not always possible to obtain an officer from nearby Gresford or Clarence Town.

Significant concerns are being expressed by the community and such concerns affect me because, as I mentioned earlier, although the police strength for the area appears to be adequate to cover the district, the effectiveness of policing is doubtful. As the Minister for Police is present in the Chamber I make a plea to have the matter investigated as a matter of urgency. I reiterate the concern of local residents over the increase in petty crime and vandalism in my electorate. People fear for their personal safety as well as for their businesses. In a quiet country electorate such as Maitland, the level of concern should not be as severe as it presently appears to be.

The problem is reflected in High Street in Maitland, where apparently unemployed youth are causing disquiet among local shopkeepers. From time to time these matters are taken in hand by police officers on foot patrol but those patrols are becoming more and more infrequent. I express this concern on behalf of shopkeepers in Maitland Mall as well as in other districts. I hope that something can be done about these matters very rapidly because people have every right to feel safe in their homes and feel that their businesses have reasonable protection.

Mr WHELAN (Strathfield—Minister for Police) [519 p.m.]: The honourable member for Maitland is right to bring this matter to my attention and I thank him for making strong and vigorous representations on behalf of his constituents. I note the honourable member's comment that police strength is currently at an appropriate level. I note also that the distance between Dungog, Maitland and other centres poses particular difficulties for police: tyranny of distance in large electorates creates major problems for effective policing. Replacement advertisements for various jobs and tasks in the honourable member's electorate and local area command have already appeared, and I hope that they will be filled as quickly as possible.

I will ask the Commissioner of Police to provide me with a report of police operations in the area. While we acknowledge that the number of police stationed in the region is at an approved, and therefore adequate, level, the allocation of those resources in various parts of the electorate might be considered by the commissioner and by operational police. If there are outbreaks of crime, whether by juveniles or others, it is appropriate that the local area command and regional commanders focus the target action group teams that the Government has committed to the regions. I will undertake to ensure that the commissioner considers the many valid matters that the honourable member for Maitland has raised on behalf of his constituents. I will then provide a response to the honourable member so that he can advise his constituents as to the planned police action.

Mr AND Mrs PERRY COMPULSORY LAND ACQUISITION

Mr FRASER (Coffs Harbour) [5.21 p.m.]: I speak tonight on behalf of my constituents Ray and Vicky Perry of Raleigh, who also trade as C. G. Perry and Co. Abattoirs and Butchery. In 1995 land was acquired from the Perrys to build the badly needed Raleigh deviation road, which allowed the highway to bypass the village of Raleigh. When that bypass was first proposed the Roads and Traffic Authority [RTA] wanted to buy the Raleigh abattoir operated by the Perrys but, after much negotiation and consideration of the employment it provided and the fact that it served about 35 cattle producers in the area, we convinced the RTA to move the road a little to the east. It could have been shifted even further east, but the RTA decided that it was well and truly in its interests to acquire the hill owned by the Perrys on which was situated a licensed quarry. Under the just terms legislation, on 3 November 1995 the RTA acquired lots 7 to 12 inclusive and lots 18 and 19, deposited plan 852143 at Raleigh. Although the Perrys were not happy about the acquisition—they struggled through the road construction period—their abattoir continued to operate. I recently received a letter from the Perrys, which states:

Dear Mr Fraser,

We were ordered costs against the RTA on 14-8-00 by the judge. (Copy enclosed). Mrs Peatman our solicitor sent on 21-8-00 a full set of accounts to the RTA amount of \$720,278.94. To date we have not been paid. The RTA have no doubt paid their legal team and experts long ago. Ray had to mortgage the farm so that our legal team and experts could be paid. Ray has been paying \$4,800 in interest only, per month, for the last 12 months. The mortgage is due to be paid at the end of February this year, and we have no money to pay it.

It is so wrong the stress the RTA have caused us for the last six years. We have just been fighting for our rights. We had to lease the abattoir as we could not afford to carry on any more as we have had huge ongoing costs resulting from the RTA resumption. It is so bad we will have to close our butcher shop now, as we cannot afford to carry on any more.

Ray said he should have let you put the road right next to our abattoir. Remember when you came out to see us? Ray fought hard to save the abattoir as this is all he knows and loves. The RTA don't give a damn about crushing the little person.

It should not take the RTA six months and still not pay up.

We won the case, but the RTA appealed. The hearing is on 23 May this year. We should not have to wait until after May. The judge has ordered the RTA to pay.

Also dated the fifth month 1998

2. Respondent (RTA) within 2 months clean out silt from roadwork run-off in dams and drains, still not done. (Copy enclosed).

Hoping, Mr Fraser, you can help us. Things are getting serious and health wise Ray and myself can't last much longer.

Yours faithfully

V. M. Perry

This is a family of battlers who have been on their property for two generations. The court ordered that \$1.1 million in compensation plus \$700,000 in costs be paid to the Perrys, and the RTA appealed that decision. Under just terms legislation, compulsory acquisition must occur within 90 days. That is what happened. However, the RTA appealed against the court's decision.

Mr Merton: It is a disgrace.

Mr FRASER: I agree; these people have been left in a disgraceful situation. My constituents are desperate. Their health has suffered. Mrs Perry, Ray's mother, died of cancer in the intervening six years and I believe the stresses placed on that family by the RTA probably hastened her death. These people are battlers. Abattoir operators get up at the crack of dawn and work hard. The abattoir processed cattle reared by about 35 local farmers and was a great asset to the area. The Perrys then sold the meat at their butcher shop. Both of those businesses have been ruined. My constituents are paying \$4,800 per month in interest alone. That is a disgrace. I appeal to the Attorney General and to the Minister for Transport, and Minister for Roads to resolve this matter immediately. These people do not deserve this sort of treatment. They need the money that the court has awarded them, as well as costs. As my constituents have said, the RTA has paid its solicitors while the Perrys are paying \$4,800 per month in interest on their legal fees because the Government acquired their land compulsorily. It is a disgrace and the problem needs to be fixed now.

Mr MARKHAM (Wollongong—Parliamentary Secretary) [5.28 p.m.]: I have no doubt that the honourable member for Coffs Harbour has already spoken to the two Ministers he mentioned. If he has not, I advise him to do so. I agree that there should be no extension of this tough situation: this family should be paid as quickly as possible the compensation that they were justly awarded by the court. I know that the Roads and Traffic Authority has the right to appeal, but, like the honourable member for Coffs Harbour, I appeal to the Minister to expedite this matter so that this family can get on with the rest of their lives.

NRMA CHAIRMAN Mr NICHOLAS WHITLAM

Mr E. T. PAGE (Coogee) [5.27 p.m.]: As a member of the NRMA and a shareholder of NRMA Insurance, I feel compelled to draw my colleagues' attention to the vast amount of members' and shareholders' money that is being wasted by NRMA Chairman, Nick Whitlam, in his private quest to get rid of NRMA board members who disagree with him—or, for that matter, who dare to question him. Nick Whitlam uses the full resources of the NRMA to achieve his aims. He had the NRMA retain the services of a firm of lawyers, Corrs Chambers Westgarth, to pursue directors such as Richard Talbot and Anne Keating without ever declaring to the NRMA board that he had retained the firm previously as his lawyers or that in the 1995, 1997 and 1999 board election campaigns Corrs Chambers Westgarth contributed to his team's election expenses.

Mr Whitlam also appointed Corrs Chambers Westgarth, without tender, to handle the demutualisation of the NRMA—a contract worth millions of dollars. More recently, he had the NRMA appoint Corrs Chambers Westgarth to investigate the leaking of information that was embarrassing to him. Corrs Chambers Westgarth is currently representing the NRMA in opposing in court a requisition by NRMA members that aims to reveal who funded the Whitlam team at board elections. These relationships have never been declared to either the NRMA board or the courts. How many other suppliers of goods and services to the NRMA have contributed to the Whitlam team's election campaigns? This matter needs to be investigated fully by the appropriate authorities, but one can bet that it does not stop with Saatchi and Saatchi, as I reported to the House previously.

Whitlam stood over Talbot and asked him to resign, saying that he would ensure that Talbot and his family were not harmed and that settlement discussions scheduled to be held a few days later would result in the payment of his legal bills. Talbot kept his side of the deal and resigned, but his legal bills of \$528,000 arising from his challenge to the demutualisation of NRMA Insurance remain unpaid. However, Talbot was now out of Whitlam's hair. Whitlam then turned his attention to fellow director Anne Keating. His witch-hunt started last December, days after the *Australian Financial Review* printed a series of articles that showed that in 1999 he had fiddled a crucial directors' pay resolution so that crucial proxy votes against the pay resolution were not counted until a day later, when a recount was ordered. The articles also highlighted his Machiavellian attempts to gain the support of other directors in 1998 so that he could get the chief executive's job at the NRMA vacated by Malcolm Jones.

Whitlam did not get that job, largely because Anne Keating would not support him as chief executive officer and denied him a crucial vote. He has never forgiven her. But he also thought that his ambition would remain secret and was incensed when the media got hold of it and printed it. A modern day inquisition followed,

with NRMA Insurance hiring a Queen's Counsel at thousands of dollars a day, a firm of solicitors and a team of private investigators which included at least one ex-Central Intelligence Agency soft shoe. That team set about intimidating NRMA staff with its interrogations, tape recorders and demands for personal telephone records and laptop computers. It took three months to produce a report, which was inconclusive, at an estimated cost of \$1 million—and it has destroyed morale within the NRMA. There was no budget for this inquisition. There was no cap on the cost of this private Whitlam quest to find the source of an embarrassing personal leak, but one that had no impact on the business of NRMA Insurance. The full cost of the Whitlam witch-hunt has not been disclosed, but NRMA shareholders are paying because Anne Keating would not endorse him as chief executive officer in 1998.

The report, despite the cost, was inconclusive. It named a non-executive director, later identified as Keating, as responsible for a leak but did not say which leak and admitted the evidence against Keating was purely circumstantial. Contrast that with last week's leak of NRMA Insurance's dismal \$3 million half-year profit—a far more market sensitive and serious leak that would damage the share price. This time there was no push by Whitlam or the insurance board for an investigation into that leak. No Queen's Counsel, no solicitors and no ex-CIA investigators were called in to investigate that leak. The half-year profit result on a forecast full-year profit of \$276 million contained in the prospectus is dismally short of the mark. It is so dismal that it should have immediately been reported to the stock exchange as a material change to the forecast profit which NRMA Insurance Chief Executive, Eric Dodd, told shareholders only three months ago was on track. In fact, the tiny profit raises the question whether the NRMA Insurance prospectus issued last year contains seriously misleading information on expected profitability.

I, for one, want to know how the half-year profit, so skilfully leaked before its announcement, has not been investigated. I call on the Australian Securities and Investment Commission to investigate whether NRMA members were told lies last year, when they voted for demutualisation, that they could expect a \$272 million profit. In 1994, when the NRMA first tried to demutualise, members were promised an annual profit of \$262 million. In the event the demutualisation attempt was aborted, and just as well because the forecast profit evaporated almost immediately and turned into a \$139 million loss. I highlight what Terry McCrann wrote in the *Australian* today: "It's time for disaster-prone Whitlam to go."

WINDSOR ROAD UPGRADE

Mr MERTON (Baulkham Hills) [5.32 p.m.]: Last week I placed on the table for the benefit of honourable members a CD entitled "Fix It Now" about Windsor Road, which certainly is a major issue in my electorate and also in The Hills and Hawkesbury electorates. Earlier this week I moved a motion acknowledging that it was 2,222 days since the Carr Labor Government had promised to upgrade the Windsor Road to four lanes. Tonight I again refer to this important matter, because it will not go away. At this moment people will be in bumper to bumper traffic between Baulkham Hills and Windsor endeavouring to get home. It is interesting to note that approximately 400 people called the hotline of the *Hills Shire Times* to complain about the Windsor Road. They had a litany of complaints, as one would expect. I will briefly mention some of them. A person from Nelson said:

The state of the Windsor Road needs to be upgraded. 10 years is too long. We need to get our roads at least as good as those in similar areas south west of Sydney ...

Another person said:

... my message is for Mr Carr by name and hopefully Mr Carr by nature for we need your support for the Windsor Road project where motorists are suffering from fumes from near stationary cars. Accordingly the cost of misspent fuel, person hours, damage to the environment must outweigh the cost of upgrading that road. 334,691 motorists per day are suffering whilst driving in the sun in the morning and 334,691 motorists are suffering once again in the evening and driving [back].

A resident from Rouse Hill said:

I just would like to say that my husband and I have lived here for two years and we have had two car accidents on Windsor Road both not our fault. A car slamming into us doing 80 or 90 ks. Both cars were written off and in two years we are pretty scared to use the road now.

A resident from Kellyville said:

Windsor Road is a joke, anyone that lives out this way knows that. I avoid it like the plague going to work.

Someone from Baulkham Hills said:

Windsor Road is an absolute disgrace. It's like a car park in peak hour. It needs to be two lanes each way going all the way to Windsor. Please do something about it.

A resident from Kellyville said:

A comment on the road: I have seen better roads in Third World countries.

Again someone from Rouse Hill said:

I just want to say please fix this road . Every time I go out I think I am going to be next. Is my son going to be next? Please fix it. Thank you.

The Roads and Traffic Authority [RTA] is collecting \$3,200 for each block of land developed in that area. There is a potential of 80,000 lots and when that is indexed the income potential is \$250 million. The RTA counted 33,577 vehicles a day passing on the Windsor Road at Rouse Hill compared with 34,691 on the Great Western Highway at Wentworthville. The difference is that the Great Western Highway has six lanes but Windsor Road has a single lane. During December there were 13 accident calls on Windsor Road for an ambulance, 18 during November and a most serious accident in January this year. It is sad that the Government's proposal to upgrade the Windsor Road in the next six years will result in only one third of the road being upgraded to dual carriageway, with the remaining 20 kilometres continuing to be single lane.

The Minister for Roads should be condemned for his failure to respond to the concerns of people in north-western Sydney. The simple message from the people in those areas is: "Minister, fix it now." The active local newspapers, the *Hills News* and the *Hills Shire Times*, and Alan Jones, a radio commentator, are taking up the cause on behalf of the people of the area. The *Sunday Telegraph* constantly publishes articles on the Windsor Road because it is not only of concern to the people of north-west Sydney but those people who live in the rest of the State. It is a second road to western parts of the State. The Carr Government's commitment of \$200 million during 10 years is simply not good enough. It is time the mess of Windsor Road is cleaned up, not in 10 years time. Many businesses want to relocate to the north-west but they will not do so because of the Windsor Road. An article in the *Sunday Telegraph* said it right, "But it's the human cost that should propel the Government into action." [*Time expired.*]

DUBBO ROYAL FLYING DOCTOR SERVICE

Mr McGRANE (Dubbo) [5.37 p.m.]: On 24 February the Deputy Prime Minister, John Anderson, then Acting Prime Minister, officially opened the Royal Flying Doctor Service operation in Dubbo. This is the second base for the Royal Flying Doctor Service. It was a gala event with more than 450 people in attendance. It has been a long and drawn out process which began some seven years ago when a public meeting was held in Dubbo to develop a support group for the Royal Flying Doctor Service. It has taken seven years of lobbying, with the assistance of Dubbo City Council—of which I was the mayor, and I chaired the first public meeting,—and the State and Federal governments. There has been bipartisan support by all governments.

The Keating Government gave the first concrete donation in relation to the construction of the new office and hangar. The new office and hangar cost about \$850,000 to construct. The Howard Government continued the Federal Government support. The State Government has always offered financial assistance for the program. The contribution of Dubbo City Council will be approximately \$24,000 per annum and it has already contributed \$135,000 in road improvements. The official opening was held last month but the Royal Flying Doctor Service has been providing valuable medical service to the western area of New South Wales from Dubbo since 1 August 1999. This blends in well with what is happening in Dubbo with regard to the rural medical training clinic, which was announced by the Federal Government three weeks ago. It also is a joint venture between the State Government and the Federal Government.

With the basing of the Royal Flying Doctor Service in Dubbo, the clinic will add to the importance of Dubbo as a medical field of excellence. The seven years of work to get the Royal Flying Doctor Service to Dubbo started with the councils of Tamworth, Wagga Wagga and Dubbo forming the Inland Forum. Mayors, members of Parliament and development officers were involved. The first priority was to do something about the air ambulance. It seems that to do anything these days a consultant's report is needed. The consultant we appointed, a gentleman named Mick Reid, gave a great report: he said what we wanted. After preparing the report he became head of New South Wales Health. So the Inland Forum thought it was on a winner. Unfortunately, Mr Reid is not prone to taking action in regard to consultants' reports, even if they are his own.

The three mayors and three State members on the Inland Forum worked very well for seven years. The three major regions have been brought together with a bipartisan approach. Business has been generated for regional New South Wales. The three councils, members and development officers have worked for the

betterment of regional New South Wales. I put on record my appreciation and the appreciation of electors of the Dubbo area of the great job done by the local committee under the chairmanship originally of Judy Jakins, a former member of the Legislative Council, and her fund-raising committee. In the last six months the committee raised from the Dubbo area alone \$469,000 for the Royal Flying Doctor Service. People in regional New South Wales are working together to provide a much better and much-needed medical retrieval service for regional New South Wales. As the Acting Prime Minister said, we cannot have development without good infrastructure services, and one of the major services is health. The gala ball in Dubbo was a night to remember. We welcome the Royal Flying Doctor Service to Dubbo with open arms. [*Time expired.*]

CASINO STORM DAMAGE

Mr GEORGE (Lismore) [5.42 p.m.]: The honourable member for Dubbo referred to a night to remember. Six weeks ago at this time in Casino it was certainly a night to remember when the town was devastated by a storm which caused an estimated \$20 million damage. The monster storm, which blew in from the south, demolished buildings, unroofed houses, uprooted trees, brought down powerlines and smashed countless windows. However, Casino always responds. Two weeks later the North Coast was flooded. Again communities responded positively. I pay tribute to work done by the staff of the Richmond Valley Council, the police, the State Emergency Service and all the other organisations in putting back together a community that was devastated by the storm.

On the night of the storm I attended the Richmond Valley Council building, where the operational centre was headed up by duty officer David Driver. He took control and brought together all the emergency services. He was supported by Stan Taylor and other council staff, Jim McCormack and Scott Hanckel. They were supported by the local Volunteer Rescue Association, the Salvation Army, the Ambulance Service, the fire brigade, the Rural Fire Service, Telstra, NorthPower, and government agencies including the Department of Community Services. Everyone in the community pulled together. The activity at the operational centre had to be seen and experienced to be believed. The professionalism in that room enabled the devastation to be handled. The morning after the storm we were very pleased to have the Minister for Emergency Services visit the area. He immediately declared a state of natural disaster. I am pleased to see him in the Chamber.

The media, community organisations, and local, State and Federal politicians all offered support. As the representative of the State seat of Lismore I appreciate the number of people who rallied around. The morning after the storm about 300 crews that had travelled from all over New South Wales and south-east Queensland helped to put the community back together. State Rail had a team of workers there. They had been given the day off to help the community. The only business able to operate with generator power was the Casino RSM Club. It provided meals and showers to people in need. I give credit to the initiative shown by the club. By purchasing power at a reduced rate early in the year it saved \$100,000.

The money was used to install a generator rather than put into the bank or towards something else. The club made a very wise decision and I thank it for providing a necessary service to the community. During the floods the State Emergency Service rallied and the Premier visited Lismore. A natural disaster was again declared. At one radio station I was asked whether I was the member for disasters. After this fortnight I felt that I was. I cannot speak highly enough of all the organisations that supported the police, the councils and SES staff with a magnificent team of volunteers. The community felt proud and humbled at the support given to the area during a devastating period. I thank all those concerned.

Mr DEBUS (Blue Mountains—Attorney General, Minister for the Environment, Minister for Emergency Services, and Minister Assisting the Premier on the Arts) [5.47 p.m.]: I acknowledge the sentiments of the honourable member for Lismore and the honourable member for Dubbo before him. They both know the devastating effects of natural disasters on their communities. It has been a very trying summer for emergency services. Virtually every community in New South Wales has been touched by some form of natural disaster, be it a fire, flood, storm or drought. Since late October flood warnings have been current for up to 12 New South Wales river systems at any one time.

There have been numerous thunderstorms, and flood and storm damage since October has probably exceeded \$800 million. During summer four natural disasters were declared in as many weeks. I found myself on a rather rapid Cook's tour of the State as a consequence. Natural disasters were declared over a large area of the State. During that time three and a half thousand SES volunteers from units right across New South Wales responded to the community's calls for assistance and they in turn had a massive level of support from the Rural Fire Service and New South Wales Fire Brigades, and indeed from the Department of Community Services—all of those people that are associated with the welfare aspects of disaster response.

Across all flood events of the past three months the SES has assisted well over 1,000 people to be evacuated to safety. The clean-up and rebuilding resulting from these devastating events continue. I endorse the remarks of the honourable member for Lismore and the honourable member for Dubbo and extend, on behalf of the community, my heartfelt thanks to the thousands of hard-working volunteers who answered the community call for help in those times of emergency. [*Time expired.*]

CHIFLEY COLLEGE COMMUNITY HEALTH INITIATIVE

Mr ANDERSON (Londonderry) [5.49 p.m.]: I bring to the attention of the House another of the really worthwhile education initiatives in western Sydney, but particularly within the electorate of Londonderry. The Dunheved campus of Chifley college, which is within the Londonderry electorate, some months ago undertook an initiative. The Rooty Hill RSL Club had donated to the campus about \$200,000 worth of gymnasium equipment. The students, principal and teachers of the campus saw an opportunity to develop a health initiative, not just for the students of the campus or the college but for the whole of the community in and around Mount Druit.

The students, teachers and principal worked out a program to develop a business initiative to run health programs for the whole of the community, including physical fitness and exercise programs, to encourage the people of the area to involve themselves in community activities and look after their own personal health needs. This very worthwhile initiative should be encouraged. In that regard I thank the Minister for Education and Training, who contacted the school and presented it with a certificate of appreciation for the great work that it is doing.

Earlier today we heard from the Premier about the contribution by Westfield. Local business in my electorate is following the same line. When the St Mary's Leagues Club heard about this initiative it wanted to contribute to and be part of it. The leagues club contributed significant funds to help develop the program. The Lend Lease Landcom consortium, which intends to develop the Australian Defence Industries site, also heard about the initiative and made a significant contribution to help get the program off the ground. From that, one can see that the commitment of the total community to support and develop a really worthwhile initiative of this particular school.

I offer my congratulations to the school principal, because he has been behind it all the way. Jerry Gee has done many outstanding things for the school in his time there, and this is just another of those initiatives. He is ably supported by his leading teacher, Tim Lloyd. Both have worked assiduously on the proposal and as a result will come up with a program from which the whole of the community will derive benefit. I, as the local member, am particularly proud of this initiative. I say good luck to them, keep up the good work, you are doing things that make us very proud and will benefit us into the future.

Mr MARKHAM (Wollongong—Parliamentary Secretary) [5.54 p.m.]: It is great that the honourable member for Londonderry has brought these activities within his electorate to the attention of this House. That does not happen often enough as far as I am concerned. The pride that the honourable member has expressed in regard to this initiative is something with which most members of Parliament could relate at some stage or other. In many instances the public does not realise the sorts of activities in which members become involved. What has been reported to the Chamber by the honourable member is worthy of our congratulations.

PARRAMATTA TO CHATSWOOD RAIL LINK

Mr COLLINS (Willoughby) [5.54 p.m.]: I wish to speak about the proposed Parramatta to Chatswood rail link, which of course is to end in the electorate of Willoughby. In particular, I draw the attention of the House to an article that appeared in the *Sydney Morning Herald* on 6 March last and to the extremely worrying headline "Carr's prized railway may cost \$2 billion". I raise this matter because every honourable member of this House would know that the Parramatta to Chatswood rail link is the most significant and lengthy rail link project to be undertaken by a New South Wales government for something like a century. This major project involves some 27 kilometres of underground railway alone. The project is at the very centre of the Government's post-Olympic public sector infrastructure and employment program. All of a sudden we read of a major cost blowout in the proposal: it could be \$2 billion or, to paraphrase the *Sydney Morning Herald*:

Investment and construction industry leaders estimated ... that the cost in today's dollars would be about \$2 billion. Some believe it may go much higher.

I feel a sense of alarm about the project because, as a former Treasurer of New South Wales who observed at close hand the negotiations leading to the construction of the Sydney airport link, I noted in that project a significant cost blowout over a period of three or four years. The public sector contribution initially was meant to be in the region of about \$120 million, but in the three years before the change of government it ended up at something like \$480 million. The alarm bells are ringing about the Parramatta to Chatswood rail link. The Minister for Transport must reassure the people of Sydney and New South Wales about the overall cost of the project and the Government's ability to meet the cost.

Failure of the project to proceed on time would cause a slowdown of employment in the construction industry, because many people would be hanging out for work that would flow from the commencement of this project. We already know that construction of the project has not commenced. We were assured by the transport Minister, when he announced the project, that New South Wales taxpayers would be up for something like \$1.4 billion and that construction would start by the end of 1999. Here we are in March 2001 and construction has not started. Figures for the project now in play range from \$2 billion to \$2.5 billion. The public needs the assurances of the Minister, as do my constituents, in whose electorate the rail link will end.

There are a couple of other points that I want to mention briefly. I seek the Minister's public reassurance that this is not a foot in the door for a northern beaches heavy rail link. It was disclosed in discussions about the Warringah transport corridor problems that in 1994-95 the Department of Urban Affairs and Planning projected that, in order to pay for a heavy rail link through to the northern beaches, it would be necessary to settle a quarter of a million to half a million people in the Warringah peninsula area up to Pittwater. That is too high a price to pay.

I seek the Minister's reassurance that the people of this State will not be expected to pay that price. I and my constituents are looking, first, for a firm commitment from the Minister as to the commencement date of this project and, second, a commitment from the Minister that there will be complete openness about the cost projections for the proposal. It is all too common for major infrastructure projects of this kind to have rubbery figures early in the day to attract interest or commitment from a government or to attract cash flow from the public sector. There is often a significant cost blow-out at a later stage. We want to know the figures up front; we want complete openness from the Minister. Nothing less will do.

Mr MARKHAM (Wollongong—Parliamentary Secretary) [5.59 p.m.]: I have taken note of the comments of the honourable member for Willoughby. He informed me only when he came into the Chamber that he had not notified the Minister that he would be speaking. I tried to contact the Minister but, unfortunately, he is caught up in a meeting. I indicated to his office staff that tomorrow I will ensure the Minister's attention is drawn to the relevant part of *Hansard*.

COOMADITCHIE UNITED ABORIGINAL CORPORATION

Mr MARKHAM (Wollongong—Parliamentary Secretary) [6.00 p.m.]: This is the first opportunity I have had to bring to the attention of the House the annual general meeting of the Coomaditchie United Aboriginal Corporation, which I attended on Monday 11 December 2000 at 10.30 a.m. The Coomaditchie United Aboriginal Corporation is situated in the Coomaditchie Village on the Port Kembla side of Warrawong. It has been active for many years. Over the years I have attended a number of annual general meetings. Lorraine Brown, chairperson of the corporation, and her sister Narelle Thomas, the Treasurer, are both incredible artists. Roy Kennedy was elected secretary and publicity officer, and the committee members are Darryl Brown, Albert Davis, Janice Pender, Cyril (Sonny) Brown, Iriaka Ross, Debbie Apps, Angela Walton, Sylvia Campbell, Corale Pombo and Linda Cruse.

Over the years those people have done incredible work. They have rejuvenated the area of Coomaditchie and the lagoon, which is important in the Illawarra district. Some of the activities and achievements of the corporation over the past 12 months include a bush regeneration project in which native seeds were collected from indigenous plants within the area and replanted along the sand dunes behind Port Kembla beach. Another important project involves improving the water quality for Coomaditchie lagoon. Anyone who visits that area will see the wonderful bird life and extraordinary waterfowl.

Mr Slack-Smith: Can you eat them?

Mr MARKHAM: I am not a National Party member. I do not eat them.

Mr Slack-Smith: Or shoot them.

Mr MARKHAM: Or shoot them, for that matter. The corporation also has a land care and community education project which involves taking schoolchildren to the walking trail it has built. I often refer to it as a real outdoor learning area because it gives young people an opportunity to meet with Aboriginal people and listen to what they have to say and to watch what they do. Another major project involves the regeneration of a seabird habitat on Five Islands, which is off the coast of Wollongong and Port Kembla. The corporation has done tremendous work in removing noxious weeds and introducing vegetation to ensure that the habitat returns to its original state.

Lorraine and Narelle, being talented artists, were given the job by Wollongong Shire Council of painting a dreaming mural, which they called "Blue Dreaming." The mural is located on the side of a building at Belmore Basin and all visitors to Wollongong are able to view it. The mural depicts how Aboriginal people visualise the sea and the importance of the sea and life within the sea to Aboriginal people of the Illawarra, particularly Wollongong. The Coomaditchie United Aboriginal Corporation has established a horticultural training program in co-operation with the TAFE college. That program ensures that young people who work for the CDEP program have a good understanding of horticulture.

The community education project has been a wonderful initiative and hundreds of members of the Illawarra community have attended land care and Aboriginal culture awareness sessions at Coomaditchie. It is important to remember that those people have come from the local TAFE, schools and universities. At long last funding has been secured from the Department of Urban Affairs and Planning to employ staff to co-ordinate and administer the activities of the Coomaditchie United Aboriginal Corporation. That funding will sustain the project for four years.

Private members' statements noted.

STOCK THEFT

Matter of Public Importance

Mr GEORGE (Lismore) [6.06 p.m.]: I bring to the attention of the House the growing scourge of stock theft in New South Wales which is robbing farmers of their livelihoods. In the 1998-99 financial year stock theft cost this State more than \$1.4 million and, bearing in mind today's costs, that figure would now be well in excess of \$3 million. Under the Carr Government the New South Wales stock squad was abolished. As a result of that, stock theft has been on the rise—a rise that continues. In recent times there has been a spate of serious stock theft across rural electorates. Farmers deserve to know how the Carr Labor Government will tackle the growing scourge of stock theft in New South Wales. Farmers need to know that thieves will be punished. The Carr Government has sat on its hands on this issue. Although part of the rural crime working party report was tabled in this House today, I remind the Minister that it was the National Party that put pressure on the Carr Government regarding stock theft in New South Wales. In answer to those concerns the Carr Government established the rural crime working party in May last year.

I visited various parts of the State, talking to people associated with the livestock industry. I sought recommendations from them. I attended meetings at Casino, Yass, Narrandera, Mudgee, Coonabarabran, Walgett, Narrabri and Nyngan, to name only a few of the towns where meetings were held. Those meetings were held with stock producers, police, stock and station agents, livestock carriers, meat operators, abattoir members, rural counsellors and representatives of New South Wales Farmers, rural land protection boards and local government. In case the Minister does not realise it, those people are the industry. It was evident at those meetings that the first item that needed to be addressed was the stock identification system.

This matter is a priority, and it should be a matter of priority for the rural crime working party. A national stock identification system must be implemented immediately, as indicated in our submission to the working party. Earlier today the Minister for Police referred to stock statements. I ask the Minister and the rural crime working party to work in conjunction with industry and the Livestock Carriers Association when preparing stock statements. Another major issue of concern relates to the re-establishment of a stock squad. Today the Minister said in this House:

Farmers said that they would work effectively with a police officer who knew the difference between a hereford and a black angus.

Is the Minister aware that there are also red angus?

Mr Whelan: I am assuming they are not colour blind.

Mr GEORGE: Police officers who work in this industry must come from a rural background and they must have some knowledge of livestock. If they do not have that background no-one will be able to teach them anything about livestock. I refer again to what the Minister said earlier today in the House. He said that the position of rural crime investigator would be created in each of the 32 non-metropolitan local area commands across New South Wales. I am concerned that the Minister intends to appoint only 32 crime investigators. Will those positions comprise 32 members of the Police Service who are already in local area commands, or will the Minister create an additional 32 positions?

I am concerned about what will happen when those police officers have days off, for example, sick leave, stress leave and other leave to which they are entitled. Who will investigate rural crime when those officers are not available? Those officers cannot be expected to be available 24 hours a day. If they are expected to be available 24 hours a day we would require a force of super policemen. The National Party report to the rural crime working group referred also to the fact that a specialist magistrate must be appointed who understands the rural needs of this State. He or she must understand what goes on in rural areas.

Another issue that the Government must take into account is on-the-spot fines. I note that the Minister commented on that issue earlier today. How does the Minister intend to strengthen laws to give security to people in isolated homesteads? Will on-the-spot fines also be imposed on trespassers, unauthorised pig hunters and poachers of feral goats? Stock theft and rural crime are major concerns to members of the National Party and their constituents. The cost of such crime to people in rural areas is immeasurable. We must tighten up measures and immediately re-establish the stock squad. A national stock identification system must be implemented immediately. Stock statements must be available to interstate carriers.

I cannot emphasise too strongly the importance of a stock squad in New South Wales. At present people in rural areas are not able to report stock theft. Whenever they go into a police station—and this is no reflection on individual police officers; it is the system that I am addressing—police officers are not able to address their needs. The Minister said earlier that they must be able to identify whether the stock that has been stolen is a hereford or a black or red angus. The Minister must listen to the people of rural New South Wales and address this major problem. When the Minister selects people to fill the crime investigator positions to which he referred earlier, they must come from a farming background and have some understanding of the livestock industry. I hope that this matter of public importance receives the support of all honourable members.

Mr WHELAN (Strathfield—Minister for Police) [6.15 p.m.]: It is timely that this matter is being debated today. Earlier today I announced in the Parliament that the Government would adopt a series of recommendations put forward by the rural crime working party. Members of that committee—John Moore and Joe Lane of the New South Wales Farmers Association; Mr Les Tree, Director-General of Police and other police officers—dealt with a variety of issues. Let me say something about some of the recommendations which are still in the process of being developed.

The most serious aspect addressed by that committee and reported on recently by New England University was that trespass on or illegal entry into property was a bigger problem in rural New South Wales than people first imagined. It causes problems. The Government is examining that issue as it involves the serious aspect of the criminality of trespass rather than someone going onto land and accidentally shooting cattle, which is also a serious offence as a farmer has to bear the cost of that loss. The Government is working with the Attorney General and it is actively pursuing that issue.

I am sure the honourable member was jesting when he suggested that these recommendations resulted from pressure by the National Party. Quite a few Government members have received complaints from members of their local communities about rural theft as distinct from simply stock theft. We are talking about rural theft, not only about the theft of red or black angus or herefords. Rural theft is a problem that is caused through isolation or the tyranny of distance. We must confront those issues. In the ordinary course of events, and as result of these recommendations and the action taken by this Government, I am happy to try to ensure that a national approach is taken. However, that will not prevent the inaction of members of the National Party-Liberal Party Government in Canberra while we are fixing up the problem in New South Wales.

Mr Slack-Smith: Take the lead.

Mr WHELAN: We are taking the lead. We are leading the nation and we will continue to lead the nation. When these measures are formulated, which will not take too long, I will take them to the Australian Police Ministers Council as I want members of that council to understand that this is a national problem. My

colleague the Minister for Agriculture will introduce accredited livestock transportation documents. We must not underestimate the importance of those travelling stock statements. The honourable member for Lismore introduced a red herring into the debate. I want him to think seriously about calling for the re-establishment of a stock squad. It is a trap into which he should not fall. Contrary to the recommendations of the royal commission, there is nothing to be gained from having 32 officers waiting in Sydney, Dubbo and other major centres. Those officers should all be employed in rural New South Wales, and that is what the Government is doing. There will be 32 members of the New South Wales Police Service in rural New South Wales. We have record numbers of police in New South Wales. There are almost 1,000 more police in New South Wales than—

[Interruption]

No, we are right on target. There are 961—almost 1,000—more police officers than when I was appointed as Minister for Police, and they are located all over the State. That was the Government's commitment, and that commitment will be met. Honourable members opposite should not fall into the bad habit of suggesting the appointment of a stock squad. What is needed is police working with other sections of the Police Service. They will work in conjunction with the Highway Patrol; they will work with the Department of Agriculture in rural and regional towns. They will be required to work with other avenues of the Police Service when serious crime is involved. For example, for the purpose of identifying tyre tracks, horse hoofprints, fingerprints on fencing, et cetera, work with the forensic unit may be involved. They will work in concert with all of the Police Service.

We do not need the specialist squad that the honourable member for Lismore referred to. We need the whole of the Police Service—more than 13,400 officers—working together to reduce the incidence of crime, whether it be rural crime or suburban crime. The honourable member asked whether we were going to work with industry. We are certainly going to work with industry. We are working with industry and representatives of industry. Joe Lane and John Moore are both members of the committee or working party and have provided invaluable assistance. I want the committee to be regarded as an open book because this is the first time any government has examined this serious issue caused by isolation and the tyranny of distance. This is the first time that anyone has ever looked at the introduction of travelling stock statements, as the Minister for Agriculture will be doing to ensure that rural interests are protected.

The New South Wales Police Service recruits thousands of police, but the honourable member would be aware that there is an attrition level. Officers retire from the Police Service. Officers are recruited from a cross-section of the New South Wales community. It is ridiculous, frankly, to suggest that we do not recruit rural men and women who have experience of country life and who are able to determine the difference between a red angus and a black angus. I accept that I would have a little difficulty doing so, but I know that there are a lot of police officers who have had a lifetime's experience on a farm and who would be able to do it.

The Government is going to set up a new training course at Goulburn for police officers to deal with investigation and prevention of rural crime. Honourable members opposite should not decry the fact that we are developing a full-year post-graduate course in rural crime investigation. The problems associated with rural crime are linked to the feeling of alienation that people in regional and rural New South Wales experience. They are on their own and one has to feel some sympathy for a farmer and his family, particularly when the farmer may be absent and his wife, perhaps with a young child, is at home on a large property a long way from the nearest neighbour. I treat this matter very seriously.

I said there would be 32 officers but that does not necessarily mean that that is the end of it. They will come from among the existing record numbers of police that we have in New South Wales. They are going to work with industry but, of course, police officers have to have some time off. The Police Service must allow its officers to work without stress. The technical part of policing is very important to the Police Service. Although there have been a few problems associated with the Police Assistance Line, they are being fixed. Telstra has been called in to assist. That system is vital to people in rural New South Wales. It is most important for those people to be able to report crime—that is, not only serious crime, but a crime that may be regarded as important. It is designed to give the people of rural New South Wales a reporting mechanism.

The incident goes from the Police Assistance Line on to the Computer Operated Police System. It is recorded entry, which is very important. I would mention that we may be a victim of our own success because, in December and January, the Police Assistance Line received 130,000 phone calls. That is a massive number of calls and far exceeded any estimate that we had made. It might be due to a number of factors which I do not have the time now to go into, but I shall do so at some other time. I believe I have answered all the questions. This is a very good package and a very good policy.

Mr George: Are the 32 recruits extra police?

Mr WHELAN: I answered that. I said they came from existing resources, from the record number of police we have in New South Wales. But that is not the end of it. That is not necessarily to say that we are restricted to those 32. This is the first grant. *[Time expired.]*

Mr SLACK-SMITH (Barwon) [6.25 p.m.]: I think the Minister is having himself on because in 1998 there were 766 reports of stock stolen in New South Wales, compared with 234 in Queensland. In that year there was not one conviction in this State so far as stock theft was concerned, whereas Queensland had a 40 per cent success rate for convictions. The Minister referred to the tyranny of distance. The tyranny of distance in Queensland is far greater than that in New South Wales. I believe we can learn a lesson from Queensland. If the Minister is fair dinkum about stock theft he should take a leaf out of Queensland's book because at least Queensland has the runs on the board. In Queensland it is compulsory to identify stock.

That is not the case in New South Wales. We have no law in New South Wales and farmers do not have to identify their stock. They do not have to earmark. They do not have to brand—freeze brand, hind brand or hot brand. They do not have to tag their stock, or use tattoos or electro-frequency tags. They do not have to do anything. What we find first of all in the case of stock theft is that identification is extremely difficult. Unfortunately, some people in New South Wales are silly, and I believe completely irresponsible, by not having any identification at all on some of their stock. On my property we earmark and we brand. As soon as we get electro-frequency tags, we will be using that as well for identification.

Tonight, somewhere in New South Wales, if a person decides to do so, he could make \$80,000 to \$90,000 profit for one night's work—one road train of cattle. That is not bad for one night's work. The price of cattle is increasing and will continue to increase. These people are professionals; they are not amateurs simply strolling past who say, "Okay, I just want a killer. I will just knock one off." These people have spies and networks. With all due respect to the honourable member for Lismore, they are prepared to sell stolen stock. They know where to go and before first light or before the theft of the stock is discovered, these cattle could be 700 to 1,000 kilometres away. We are up against professionals.

The Minister should go into regional and rural New South Wales. He will find that they want professionals in stock theft out there. I take the Minister's point about rural theft but I consider that stock theft is the most important issue. The spies are the ones who mostly go and flog items out of sheds and out of tractors. They are the ones getting information for the big hit later on. All right, 32 professional stock squad members, rural theft members, additional to the local area command we have already. That is great. Well done! It is a good move.

Mr Whelan: I did not say that.

Mr SLACK-SMITH: You did not say that? I take it back. I retract that statement. We would like to see one additional officer in all these areas. That would be a great help because I believe the officers in the bush are overworked anyway. Giving them another responsibility is definitely a big ask. I believe we need professionals to be involved. One of the biggest problems we have is identification. We have been working on trying to get the Minister for Agriculture to agree to become proactive and introduce electro-frequency tags in New South Wales, which can be put into the stock and kept from the cradle to the plate.

Identification is important, not only for stock theft—which is a major issue—but also for exports, traceability and diseases. I hope we never have in Australia the types of diseases that are currently prevalent overseas, such as foot and mouth disease and mad cow disease. We must have identification. I refer to the travelling stock statements that are now being used. A number of people have told me that a truckie who can read and write can fudge it. Unfortunately, that is the kind of regard in which travelling stock statements are held. We had them a long time ago—they were a joke because you could write one out yourself and it was very difficult to prove anything. They must be tightened up. Police must be encouraged to attend stock sales, abattoirs, clearing sales, et cetera. The presence of police anywhere is important. If police walked through a sales yard in uniform it would make so much difference. We need the presence of police and identification. We need professionals who know the stock theft industry. These people are professionals and we need professionals to fight them. *[Time expired.]*

Mr McGRANE (Dubbo) [6.30 p.m.], by leave: I support the comments made by the honourable member for Barwon. There are two areas in regard to rural theft: one is stock and the other is on-farm theft.

Today we are dealing with stock theft. When the Minister for Police set up the working party a public hearing was held in Dubbo, as he indicated in answer to a question today. I thought that was a great public hearing because a cross-section of people involved in the stock industry were at that meeting. As has been indicated already, a good cross-section of people were on the working party—farmers organisations and the various peak bodies were involved. The Minister indicated earlier today that 32 people will specialise in stock in 32 different areas of the State. That is a start, but we have to build upon that.

I welcome the Minister's statement but, unfortunately, as the honourable member for Barwon indicated, theft in stock is a growth industry and the people doing this are professionals. As honourable members have said, a farmer can lose \$70,000 or \$80,000 overnight—the stock can be 700 or 800 kilometres away, possibly in an abattoir. The honourable member for Barwon pointed out that the big problem in New South Wales is identification. One cannot have effective policing of theft in stock unless the Department of Agriculture has a proper identification standard or policy. The two areas have to be tied together. It is so easy for people involved in the stock theft industry these days, with mobile phones and communication in the country. Most properties now have a lot of vacant land, as two or three properties may have been amalgamated into one.

Yards at these untended properties can be used and, as I have said, the people involved in the stock theft industry are professional, and they are becoming more professional. It is up to the government of the day to do something about it. It is an untenable situation. Stock is vulnerable to theft. I refer to general theft on farms. Thieves know when farmers go to town. They know when a farmer has left his property unattended. It is easy for these people to ring someone else and say, "Joe Blow is in town and he will probably be there for two or three hours. His property is vacant." They move in and load things onto trucks—the theft can be carried out within a very short time.

A property in my area was raided. The first truck became bogged, so the thieves called up another truck and loaded the stuff onto it. They left the first truck—which had been stolen—bogged, but they still got away with all the gear. These people are very organised. It is an intolerable position for the police in these areas to be involved in this. As the Minister has indicated, most police do not know the difference between one breed of cattle and the other or, in regard to sheep, the difference between mutton and lamb. It is a difficult area for the police to be involved in. They need to undertake a specialised course. I am pleased that the Minister has announced that police will undertake a special course in regard to identification. Police will be trained to be more aware of the problems associated with livestock in New South Wales. I support the motion moved by the honourable member for Lismore.

Mr GEORGE (Lismore) [6.35 p.m.], in reply: The Minister for Police referred to trespassers. Every member of this place would agree that the laws relating to trespass must be tightened up. Members on this side of the House and I will support anything that needs to be done to tighten up the laws in relation to trespassing. I agree that we are attacking rural crime. However, I am disappointed that the stock squads—or the stock police, as the Minister is going to establish them—are not additional police. The Minister has already heard in this House this afternoon from the honourable member for Maitland, in his private member's statement, that we do not have enough police on the ground. The Minister is now allocating more work to police in country areas.

The Minister stated that the area commands have been allocated enough police. However, we do not have enough police doing the hard work on the beat—they are on stress leave, sick leave and holidays. Rural New South Wales is suffering as a result. We need additional police. The rural communities and the Coalition will certainly not accept anything less than additional police to handle this problem. I have no problem with the additional police carrying out other everyday duties. However, I am concerned that investigations do not continue when a police officer who has started to handle a rural crime case needs to take days off. We need additional police, especially police who are experienced in this type of problem.

Mr Whelan: That is why you do not need a stock squad.

Mr GEORGE: I accept that we do not have to call it a stock squad, but we need to have police who are specialists in that field. I remind the Minister for Police that some police officers have a rural background, and I encourage him to seek them out and to give them this opportunity. However, we will not accept anything less than additional police—we already do not have enough police on the ground in rural and regional areas. The Minister said he was working with the industry. I make a plea that he works with the Livestock Carriers Association when he comes up with any permit in relation to the transport of livestock.

I call on the Minister for Agriculture, who is attending the Agricultural Resource Management Council of Australia and New Zealand this week, to come up with an identification system for the State and for

Australia. This issue is urgent because of the problems being experienced by other countries. We need to be on top of the identification issue, not only because of cattle theft but because we export products to other countries. With the stock identification system, producers will need some sort of support to establish and implement the national identification scheme. The Government should be more than happy to provide financial support to producers to help them establish the national identification system. Members from country electorates will not accept anything less than additional police in their areas, because we need enough police on the ground to handle problems associated with rural crime in this State.

Discussion concluded.

[Madam Acting-Speaker (Ms Beamer) left the chair at 6.41 p.m. The House resumed at 7.30 p.m.]

BUSINESS OF THE HOUSE

Order of Business: Suspension of Standing and Sessional Orders

Motion by Mr Whelan agreed to:

That standing and sessional orders be suspended to postpone motions for urgent consideration to allow consideration forthwith of the Appropriation (Budget Variations) Bill.

APPROPRIATION (BUDGET VARIATIONS) BILL

Second Reading

Debate resumed from 28 February.

Mr WEST (Campbelltown) [7.31 p.m.] (Inaugural speech): This bill recognises that things change. Problems occur that need urgent attention and, as a result, we have to change the budget. It is about accountability and transparency, understanding that as a government we must be prepared to respond to change. As the level of government that delivers the services, we must be prepared to take steps to improve the services. This bill shows that the Carr Government is willing to take the initiative when it is needed. It is of special pride to me that the Government is willing to take such action.

As a student at St Gregory's College, Campbelltown, I joined the newly formed St Vincent de Paul Conference. From there I began visiting families in Campbelltown, especially in the Claymore area, assisting with providing food and electricity. I was also, at various stages, a diocesan youth representative and a conference president, and I continue my involvement as president of the diocesan committee. This is important work, making a real difference. However, I realised that more needed to be done and the best way to help my community was to get involved in politics. So I joined the Labor Party.

The Labor Party is committed to people. It believes that everyone deserves a fair go and the right to participate in society. It is the party that is willing to take active steps to stand up for those who are getting a raw deal from the system. It was only through being part of such a party that I knew I could make a lasting difference and provide real change for the people of my area. Organisations such as St Vincent de Paul, the Salvation Army, the Smith Family, the Brotherhood of St Lawrence and Mission Australia, along with many others, work to solve many immediate problems that confront people. However, it is the role and responsibility of government to ensure that lasting and real change is made, jobs are created, training is provided, and there is a way out of the cycle of debt.

I know that the Labor Party has a proud tradition of working to make lasting change and ensuring that people get a fair share. After joining the Labor Party I was fortunate to begin working for the former member for Campbelltown, Michael Knight, allowing me to work for my community as part of the Government. During Michael's time as a Minister he not only put on the best Games ever but also continued to deliver for Campbelltown—the Campbelltown sports track and athletics stadium, the new Morgan's Gate bridge, a new fire station for St Andrews and many other essential works. To Michael and Anne I say thank you for your support and encouragement, and more importantly for what you delivered for Campbelltown.

I am humbled by the opportunity that my home town has given me. The result in the by-election is all the more humbling when I reflect on the fact that it is the result of so many people, especially the Premier, who supported and encouraged me. Of particular note is my campaign team, led ably by Karl Bitar and supported by

Eric Roozendaal, Mark Arbib, Chris Minns and everyone at head office. The campaign team included Terry Brindley and Peter Rouse. Terry and Peter not only put in the hard yards on the campaign; they were also willing to give their opinions, sometimes whether I wanted them or not. To Terry, Peter and their families I say thank you, and I look forward to doing it again in 2003.

The support given to me by everyone in the Campbelltown branch was sensational. From pre-poll, letterboxing, working on election day or simply answering questions, it is their dedication that I bring to this Parliament. To members of the neighbouring branches of the ALP in Camden, Ingleburn, Macquarie Fields and the Southern Highlands, I would like to make special mention of your efforts, and I look forward to continuing to work with you for our region.

Many other members of the party, and indeed many of my fellow members in the House, were part of this result. Premier Bob Carr, Michael Egan, Paul Whelan, Craig Knowles, John Aquilina, Carl Scully, Bob Debus, John Della Bosca, Morris Iemma and John Watkins all came out and lent their support. They campaigned tirelessly and took inquiries, and continue to give me support in this House. Many friends, businesspeople and members of the community lent a hand, offered advice and endorsed me to their friends and colleagues, some of whom are in the gallery tonight. Together we worked to ensure that Campbelltown was put first.

Behind all of this is my extended family and my friends. To my parents, Greg and Lorraine, who have always been there and helped to foster the importance of community not only in word but in action, and to my brother and sister, Michael and Belinda, who are amongst my most enthusiastic supporters and critics, thank you. I would like to record a special thanks to my wife, Tanya. As all members would agree, family support makes it all possible. Tanya walked with me throughout the campaign, supporting, encouraging and forgiving me for missing those special events. It is a pleasure, no matter how late, to come home to you and Lachlan, and I cherish your love, support and understanding.

As the member for Campbelltown I was elected to do a job. That job is to represent the people of Campbelltown. Campbelltown is a great town—a town I went to school in, I grew up in and I am now raising my family in. Campbelltown is a young and vibrant area with many people saving to buy their first home. It is therefore pleasing to see more funds allocated in this bill for the first homebuyers grant scheme, helping even more families get their feet in the front door. Indeed, I would like to place on record my appreciation of the Treasurer, who is a real supporter of home ownership in New South Wales. It is real community spirit that makes Campbelltown, from the Fisher's Ghost Festival in November to simply rallying behind each other in times of need.

Recently Campbelltown lost one of its police officers, a member of the highway patrol, Jim Affleck, to a senseless act of violence. Jim was serving his community, making our roads safe from a criminal speeding along the freeway, when he was killed. His death was a blow not only to those who knew him; it shook the Campbelltown community. I would like to express our heartfelt sympathies to Jim's wife, his family and, through his superintendent, Ben Feszczuk, his colleagues. The people of Campbelltown and indeed this State appreciate the hard work and dedication that members of the Police Service bring to the job and their commitment to keeping our communities safe. The people of Campbelltown have given me a chance to represent them. I will work to get results for Campbelltown and to make sure that our voice continues to be heard in Parliament. I know that as part of the Carr Government we will continue to get our fair share.

Mr Speaker, I stand before you today as the first member of Parliament to have been elected in Australia this millennium. With this in mind I turned my attention to the first speech in this Chamber in the new Parliament in 1901, the first after Federation. The first speech in reply to the Lieutenant Governor was from the newly elected member for Belmore, Mr George. After Federation this Parliament was looking ahead: looking to create an arbitration court to protect workers and small businesses, which it did; to improve working conditions, which it did; and to give women the vote, which it did eventually. This Parliament was using Federation to take stock and to look at what it was doing right and to re-form for the future. Government can get people working together.

It is true that not everyone wants to work together—there are always these people—but as a Government we have the ability to help the community to harness its energy and enthusiasm and to work together. The Sydney 2000 Games worked, and worked well. In fact, they were the best ever. Why? Because the Government pulled together all the organisations, private and public, and worked together with thousands of volunteers. The Olympic Roads and Transport Authority was established. Transport during the Games worked well because trains, buses, ferries and the private sector all worked together. The same approach is needed to address the big issues facing New South Wales and Campbelltown.

Transport is essential to jobs in Campbelltown. We must look at transport as one picture, as my colleague and friend Carl Scully is doing. Roads, rail, buses, ferries, freight and taxis all must be linked and working together to get people around our towns, our cities and this State. We need to take an integrated approach. I say this knowing that this may make me an honorary Green, but I can live with that! This is not simply a transport problem; it is also a planning problem. Are planners cutting across artificial department red tape and consulting with the people who supply the transport? We cannot look at transport in isolation. Have we and councils got planning right? Are our traffic problems now linked to a lack of consultation between government departments in years past? We cannot build a new suburb without affecting local roads, which in turn affect freeways, railway station parking and bus timetables. All departments must work together.

While on the subject of planning, I would like to place on record my deep concern for and opposition to future developments of gated suburbs. It is time to say "Enough" to these social experiments. These suburbs surrounded by massive fences have security guards to ensure that only certain people can come and go. I say "suburb" and not "community" as these practices are the enemy of community. Locking up people in a fortress suburb is not a healthy way to live. Government must be about working with people. In my electorate there is an area in which some great people with real community spirit live. The suburb, however, was built with a short-term life span and lack of planning. Many properties are at the end of their life span. There was no planning for transport. We cannot allow such developments to occur again. We must work with people and ensure that all members of the community have access to training, to transport and to re-form for a safer community.

The Olympics presented many opportunities and put Australia and New South Wales on show. What the world saw was a nation working together. We have a short time to harness this spirit of co-operation and get in there and build the community, build structures that work together, and make departments do the same. One area where this spirit must be embraced is education. The debate that pits local public schools against local parish schools and the like is wrong. These groups should not be seeing each other as enemies. It is time these two groups came together and recognised that each has something unique and valuable to offer, and worked together.

This debate should not be about private verses public education; it should be about the right to decent education. The public system does offer a good education. Schools are not just about government reforms, through new syllabi, for example. They need community support. Areas must be willing to get behind their local schools. People are sick and tired of the same blame game. We got a swing to the Government in the Campbelltown by-election because in New South Wales on the Labor side we are willing to work together. We will consider solutions from wherever they come. We have said it is time to turn the tables: improve the hospitals in the west and look after regional and rural communities, like the Hunter, the Illawarra and the South Coast. We have said we are willing to work with the Coalition if it comes up with concrete solutions to the problems that face us. What is required from the Opposition and the Government is solutions.

Competition is about having a go and having a fair chance. Sometimes there is a view that not everyone gets a fair go. We must constantly ask whether small businesses are getting a fair go in our local areas. Our tendering procedures must ensure that small companies can have a go at the tenders and recognise that for some jobs a small company may be the way to go. Small business also needs a fair go. What is wrong with people getting together and working towards a common goal? Absolutely nothing, because that is the spirit that holds society together. That is why there is nothing wrong with employees joining trade unions. We must ensure that people have the opportunity to seek the assistance of unions, just as there is nothing wrong with business people joining an employer group. In fact we want people working together, getting behind each other, and working for a better New South Wales. No one group or person has all the answers. There are some jobs that Government does best. Water should be protected. For safe water we need the co-operation of planning, environment, agriculture and transport. It is essential that all people have access to safe water, and Government is well placed to deliver.

The public are sick of the blame game. They do not want empty rhetoric about how terrible a situation is. Empty vessels make the loudest noise. We need people who are willing to get in there and offer solutions. No-one gets it right all the time, or always the first time. Some people now are talking of a third way. Well, I am not advocating that. Simply that as representatives of the people, the question we must ask is not why is unemployment high, but what can we do to create jobs. If we are not asking this type of question, and not putting forward our solutions, then as parliamentarians we are not doing our job. This Government is willing to ask these questions, and as a member I am willing to ask these questions of my colleagues. I do not have all the answers; I do not have all the solutions. That is why we must all work together. We must be willing to put up our solutions and listen to solutions from the community. I need all the help I can get, but I am committed to building an even better community in New South Wales.

Debate adjourned on motion by Mr R. H. L. Smith.

CONSIDERATION OF URGENT MOTIONS

Megalong Valley Super Highway

Mr SCULLY (Smithfield—Minister for Transport, and Minister for Roads) [7.51 p.m.]: The motion of which I gave notice earlier today in respect of the National Party's wish to create another super highway in the Megalong Valley is urgent. We heard the Opposition speak at length about its so-called commitment to the environment—a commitment alleged during debate on the second reading of the Nature Conservation Trust Bill. However, the National Party remains committed to a demolition job on the Blue Mountains environment. It is committed to the desecration of the Megalong Valley. The matter is urgent and should receive precedence today because it is a matter of critical importance to the future of the Blue Mountains, and this House needs to have brought to its attention the hypocrisy of the National Party. I urge the House to give this matter urgent precedence today.

Petrol Tax

Mr O'DOHERTY (Hornsby) [7.52 p.m.]: I acknowledge the presence in the gallery of my family, including James, whose ninth birthday it is today. It is urgent that this House debates my motion today, not only because it is my son's birthday—one would think that that would win me the sympathy vote of those opposite—but because it is urgent that this House debates the continual deceit by the Labor Party over petrol excise in this State. It is urgent that this House hears the facts about petrol. It is urgent that it hears that last September the New South Wales Premier, along with other Premiers, was amongst the loudest voices calling for the Commonwealth Government to cut the petrol excise by 1.5¢ per litre. Here are the newspaper headlines: "Premiers join revolt over fuel" and "PM lets premiers discuss fuel levy". An article in the *Daily Telegraph* of 3 November 2000 stated:

NSW Premier Bob Carr said federal action on fuel prices would be a sign of "co-operative federalism in Australia".

"The people of Australia want to see State and federal politicians get on with one another and solve problems by working together..." said Mr Carr.

That is commendable. It sounds like the maiden speech of the honourable member for Campbelltown, on which we congratulate him. Here is the Premier saying the same sort of thing about co-operative action on fuel prices. Now that the Premier has the chance to cut New South Wales fuel prices by 1.5¢ per litre, where is his commitment to co-operative action? There is none.

Mr Piccoli: It's gone; it's evaporated.

Mr O'DOHERTY: As the honourable member for Murrumbidgee said, it has completely gone; it has evaporated like the fuel that spills on the ground when one is filling the tank and it goes over.

Mr Piccoli: It's vaporised.

Mr O'DOHERTY: As the honourable member for Murrumbidgee says, it has simply vaporised. The Premier, together with Michael Egan, the Treasurer, continues to push this deceit that New South Wales does not get fuel tax levies. But the facts are very plain. Indeed, the Premier of Victoria, Steve Bracks, said yesterday on 3AW that the States do get a share of Federal fuel excise. Here is how it happens. In 1997 the High Court held that the States could not levy business franchise fees, so all of the States unanimously said to the Commonwealth Government, "Will you please levy this amount on our behalf and pass it straight back to us?" Of course, that is what the Commonwealth does. It comes back to New South Wales, in 2001 dollars, with 8.35¢ a litre. It is \$707 million—

Mr R. H. L. Smith: Scully doesn't want it.

Mr O'DOHERTY: As my colleague the honourable member for Bega said, the GST got the New South Wales Government out of gaol; it preserved the State's revenue. The agreement signed by all State governments and the Commonwealth Government preserves that amount into perpetuity; it is part of the guaranteed minimum amount that the States get from the Commonwealth. In fact, so important is the petrol excise that it is part of the calculation of the revenue replacement payment, which is part of the calculation of the guaranteed minimum amount. If GST revenue in any one year falls below the guaranteed minimum amount, the Federal Government tops up that amount for the States. In other words, the States are guaranteed the amount of petrol revenue by the GST arrangements.

Mr Piccoli: They top up the tank.

Mr O'DOHERTY: They top up the tank. The Commonwealth puts a tiger in the tank of New South Wales, but the Premier refuses to take the tiger by the tail and do what motorists in New South Wales want him to do, that is, cut the excise by 1.5¢ a litre. The worst aspect of this is that the Premier and the Treasurer continue to deliberately deceive the people of New South Wales. They have been caught. They know that John Howard has made a response to the people. The people of country New South Wales, and indeed the people of metropolitan New South Wales, have been saying, "We are sick of the State and Federal governments taking so much out of petrol that it now becomes uneconomical for a family to fill up the tank."

So what did John Howard do? Everyone in Australia knows that John Howard, being the man he is, apologised to the people of Australia and said he would refund them the 1.5¢ a litre and end the indexation—exactly what the Premier was calling on him to do back in November last year. Remember the so-called co-operative State and Federal approach that the Premier was calling for? John Howard has admitted that the people of Australia wanted a cut in the fuel excise, and that is precisely what he has given them. What is the Premier's response? What is Country Labor's response? Where does John Watkins, the Minister for Fair Trading, stand on the issue? On many occasions the Minister has entertained this House with his new-found concern about petrol prices. Although the Carr Government is guaranteed \$707 million in fuel excise from the Commonwealth, it refuses to give any money back to the motorists. We say it is time the Carr Government gave back 1.5¢ a litre to match what the Commonwealth has done. [*Time expired.*]

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

The House divided.

Ayes, 48

Mr Amery
Ms Andrews
Mr Aquilina
Mr Ashton
Mr Bartlett
Ms Beamer
Mr Brown
Miss Burton
Mr Campbell
Mr Collier
Mr Crittenden
Mr Debus
Mr Face
Mr Gaudry
Mr Gibson
Mr Greene
Mrs Grusovin

Mr Hickey
Mr Hunter
Mr Iemma
Mr Knowles
Mrs Lo Po'
Mr Lynch
Mr Markham
Mr Martin
Mr McManus
Ms Meagher
Ms Megarritty
Mr Mills
Mr Moss
Mr Newell
Ms Nori
Mr Orkopoulos
Mr E. T. Page

Mr Price
Dr Refshauge
Ms Saliba
Mr Scully
Mr W. D. Smith
Mr Stewart
Mr Tripodi
Mr Watkins
Mr West
Mr Whelan
Mr Woods
Mr Yeadon

Tellers,
Mr Anderson
Mr Thompson

Noes, 33

Mr Armstrong
Mr Barr
Mr Brogden
Mr Debnam
Mr George
Mr Glachan
Mr Hartcher
Mr Hazzard
Ms Hodgkinson
Mr Humpherson
Dr Kernohan
Mr Maguire

Mr McGrane
Mr Merton
Mr O'Doherty
Mr Oakeshott
Mr D. L. Page
Mr Piccoli
Mr Richardson
Mr Rozzoli
Ms Seaton
Mrs Skinner
Mr Slack-Smith
Mr Souris

Mr Stoner
Mr Tink
Mr Torbay
Mr J. H. Turner
Mr R. W. Turner
Mr Webb
Mr Windsor

Tellers,
Mr Fraser
Mr R. H. L. Smith

Pair

Mr Nagle

Mr Kerr

Question resolved in the affirmative.

MEGALONG VALLEY SUPER HIGHWAY

Urgent Motion

Mr SCULLY (Smithfield—Minister for Transport, and Minister for Roads) [8.04 p.m.]: I move:

That this House rejects the proposal by the National Party to construct a super highway through the pristine Megalong Valley.

All honourable members will remember the super highway, the plan of the Leader of the National Party to build a giant road and tunnel through the Blue Mountains. He proudly announced it. He even told the *Western Advocate*:

The Coalition will be delivering one of the greatest engineering feats since the Snowy Mountains scheme was completed.

When the Leader of the National Party was asked how much it would cost he said:

It's really almost quite unknown. It ranges from half a billion to a billion but it's such a wild guess it doesn't almost warrant explaining in that way.

But the key point is that there will be a Federal Government relationship with the State Government.

All honourable members will remember what happened. Sinclair Knight Mertz conducted studies at my direction and this is the simple maths: up to \$ 2.3 billion to build a tunnel option or \$1.8 billion for the surface option right through the national park; tolls of up to \$60 for cars and \$120 for trucks; and a taxpayer subsidy of up to \$1.5 billion. It is a matter of record that the Coalition's Federal colleagues totally rejected the plan that the Leader of the National Party said they would support. They have endorsed the Carr Government's \$360 million plan to upgrade the Great Western Highway. In fact, the Federal Government has contributed \$100 million to help deliver that affordable, sensible plan for the people of the Blue Mountains and the Central West. But the National Party is at it again. This time it has promised a feasibility study. Last November the Leader of the National Party told the *Western Advocate*:

We would adopt a corridor ... then \$1 million or \$2 million would have to be spent to investigate a route and a feasibility study would have to be done.

He stated that this would be:

Followed by design and finance choices which would determine tolls. We would commit to those initial stages.

The honourable member for Orange has decided to get in on the super highway act. It is not enough for his leader; he has to join the circus. He has his own version of the super highway. I hope another leadership challenge is not on the way. I think, colleagues, we need to call this the super highway mark II. This is what the honourable member said about his plan:

Blaxland, Lawson and Wentworth blazed the trail between Katoomba and Mount Victoria 187 years ago.

The reference to 187 years takes it into an incorrect time period. I think it was 188 years ago, but I am not going to be picky. He continued:

It was an amazing feat, however it is time to move on, look to the future, bite the bullet and commit Government funds to a new alternative route over the Blue Mountains.

What do the honourable member for Orange, the Leader of the National Party and the Leader of the Opposition have planned? I can see that honourable members are interested, as I am, as all honourable members should be. The super highway mark II plan would be a one-kilometre tunnel from Katoomba that drops 270 metres—not 27 but 270 metres—to the floor of the Megalong Valley. Like a giant lift, whoosh, down it goes to the bottom of the valley. Then a four-lane tollway would cut a swathe through farms and bushland to Lithgow. For the gradient to be safe the one-kilometre tunnel would have to be connected to an above-ground super highway supported by a giant viaduct. It is a problem. These guys opposite have absolutely no idea. Without such viaducts the Russell Turner super highway mark II tunnel would be so incredibly steep that it would be dangerous.

Trucks would risk running out of control as they descended; average family cars would be unable to ascend in the tunnel because of the dramatic gradient. I hope that the honourable member for Orange was never an engineer. Heaven help the engineers if he was! The route would have to traverse the geologically unstable

base of the cliff face near Katoomba. I ask the local member, the Attorney General, to invite the honourable member for Orange to visit the cliffs of Katoomba. Most honourable members are familiar with them but I do not think that the honourable member for Orange is familiar with Lithgow, the Blue Mountains or the Megalong Valley. His suggestion is a potential safety hazard.

Apart from the geological, environmental and construction problems, there is also the question of cost. I asked the Roads and Traffic Authority [RTA] to carry out a preliminary assessment of this madness and the advice was that this madness from the National Party would cost at least \$720 million. Tomorrow I will tell the Premier that we will have to add that amount to the spendometer. We have to add \$800 million of petrol tax to the spendometer, and now we will have to add another \$720 million to the spendometer. The total is already in excess of \$1.5 billion and we are two years away from the next State election. However, there is an alternative. The only alternative to the above-ground section, which would require massive viaducts, would be a five-kilometre tunnel. That would blow out the cost by another \$450 million. The madness continues! Such a proposal would require 27 kilometres of dual carriageway which would result in the desecration, abomination and ruination of our bushland environment as the roadway cut through bushland and farms.

Mr Acting-Speaker, I know that you, as the green member for the south-western Sydney electorate of Liverpool, would realise what the National Party has to offer. The next time you take your family to the Hydro Majestic Hotel at Medlow Bath, where super highway mark II is proposed to be constructed, and look out the window you will be able to imagine the Turner mark II super highway. What a wonderful vista for people as they sip on their chardonnay at lunch—trucks and cars trundling across a massive viaduct, an abomination on the environment. What a total destruction of the beauty and serenity of the area! The National Party concept of enjoying a cup of tea at the Hydro Majestic is looking at the Turner mark II super highway.

There is a price for that proposal: \$855 million. My ministerial staff, who are in the lobby, will add another \$131 million to the spendometer. Contrary to what the honourable member for Orange imagines, there are far fewer cars and trucks on the Great Western Highway west of Katoomba, which is exactly where he thinks the mark II super highway lemon should be built. From 18,700 cars per day west of Katoomba, the figure drops to 7,300 per day at Mount Victoria. The RTA believes that only about 5,700 cars and trucks per day would actually use the Turner madness road. The RTA estimates that to recover the cost of construction of this proposal, a toll of a staggering \$35 to \$40 each way would have to be imposed. The problem with the project is that it has had no proper consideration given to it at all. It is a harebrained scheme that has been conceived on the back of a dirty envelope. No engineering, environmental or financial assessments have been undertaken; there have been no proper assessments of any kind.

Once again, the mark II super highway, in common with the mark I super highway, is pie in the sky. I am informed that the Blue Mountains City Council has already rejected the proposal. The Bathurst City Council is yet to consider the proposal, so I urge it to heed the honourable member for Bathurst and give this proposal short shrift. The House heard many cricketing analogies last week so I suggest that this proposal—this looping full toss on the leg side—ought to be whacked over the boundary for six, because that is what it deserves. It should be treated with absolute contempt. Mr Acting-Speaker, surely you remember your cricketing days and looping full tosses over the leg side and would know that all that was required was that pull or that hook over the square leg boundary, and that is where this project ought to be sent.

This Government has a plan for the Great Western Highway and has committed the amount of \$360 million. Each time I visit the electorate of Blue Mountains or the Lithgow area I say to people in the community, "Don't take my word for it as the Minister. Just see what has happened over the last six years." The improvements that this Government has undertaken have been absolutely fantastic primarily because of the representation by the Attorney General, who represents the electorate of Blue Mountains, and the honourable member for Bathurst. They have advocated improvements in the area and have pushed for Government commitment. That commitment has been given. This Government is getting on with the job. A lot of money is being spent.

The honourable member for Bathurst has advocated that the Government should be planning for the future in relation to the Bells Line of Road. The Government will continue to work on feasibility studies with the honourable member for Bathurst to ascertain what might need to be done in the longer term. This Government has plans for examining and considering, in a rational and objective way, the proposals that have been put to it. I have informed the honourable member for Bathurst and local councils in his electorate that the Government's priority at the moment is to deal with the Great Western Highway. The plan is to provide four lanes wherever possible and, where four lanes cannot be accommodated, three lanes to Lithgow, and to do whatever we can in relation to the Mitchell Highway. This Government will continue to commit funds to that project.

I am sure that you, Mr Acting-Speaker, remember National Party proposals for water to be piped from New Guinea, and the mark I super highway? I am not sure what planet members of the National Party are on, but if they think they will be able to turn around their abysmal support in the community by harebrained and ill-conceived projects of this type, then I have some free advice for them: think again before insulting the community, the shires and everyone else with that type of nonsense.

Mr J. H. TURNER (Myall Lakes—Deputy Leader of the National Party) [8.14 p.m.]: The motion moved by the Minister for Transport, and Minister for Roads is clearly a sham. The Opposition will not dignify it by providing a lengthy response. Is this Government committed to providing roadways for the Central West, the area represented by the honourable member for Bathurst, who cannot hold a decent project in his town, as evidenced by the smelter project going north to Queensland, and the honourable member for Blue Mountains, who presides over the Great Western Highway—which has a death toll twice that of the Pacific Highway and four times that of the Hume Highway, which the Minister for Transport, and Minister for Roads has done nothing about. This debate is a sham.

The National Party is committed to ensuring that people who live in the Central West have the best access possible to road systems. Members of the National Party will explore every avenue to make that a reality. It is not National Party policy at this stage to put a road through the Megalong Valley, or anywhere else for that matter. Its policy is to ensure that people who live in the Central West have a road system that this Minister and this Labor Government has denied them. This motion is a sham. It should be treated as a sham. I treat it as a sham. Good evening!

Mr DEBUS (Blue Mountains—Attorney General, Minister for the Environment, Minister for Emergency Services, and Minister Assisting the Premier on the Arts) [8.16 p.m.]: As the honourable member for the electorate of Blue Mountains I am obviously obliged to speak to this motion, which draws attention to the crazed proposal by the honourable member for Orange and the National Party, namely, the proposal to build a super highway through the Megalong Valley—a proposal that follows their former plan to build a four-lane highway right through the towns in the Blue Mountains.

The ink is not even dry on the listing of the Blue Mountains as Australia's newest World Heritage area, yet the National Party is again revving up the bulldozers, with the Leader of the National Party behind the wheel and the honourable member for Orange strapped into the back seat, ready to plough through another part of my electorate—the historic Blue Mountains. I point out that I am not here defending constituents who actually vote for me. The last time there was a polling booth in the Megalong Valley 40 voters recorded their votes and 39 of the votes were for the Coalition. Everybody knew who it was who had voted Labor. Nevertheless, I assure members of the National Party, and in particular the honourable member for Orange, that I will defend the pristine values of the Megalong Valley while ever I am the member for Blue Mountains, and indeed, after that, if necessary.

The sheer insanity of driving a so-called super highway—a four-lane highway from Lithgow to Katoomba—up the Blue Mountains all the way through the Megalong Valley is almost impossible to understand. It is not a rational proposition. The valley has extraordinary heritage and environmental values. It is the abode of a number of threatened species. But even if none of that were true, the fact of the matter is, as the Minister for Transport, and Minister for Roads pointed out, our existing plans for the expansion of the road between Katoomba and Lithgow will adequately deal with the needs of the Central West in the immediate term.

As I am sure my colleague the honourable member for Bathurst will confirm, in the longer term there are much more rational plans to expand the road across Kurrajong Heights—the Bells Line of Road—to meet the future transport needs of the central western area of the State. As the Minister for Transport, and Minister for Roads pointed out, we currently have a plan to spend \$460 million to expand the Great Western Highway to Katoomba to four lanes and to three lanes between Katoomba and Lithgow. When work on the Katoomba-Lithgow section of the Great Western Highway is completed, black spots will be eliminated at places such as Shell Corner at Katoomba, the Medlow Bath Bridge and the area called Soldiers Pinch, between Blackheath and Mt Victoria. When the whole road—except around the villages of Blackheath and Mount Victoria—is converted into a three-lane thoroughfare, there is no doubt that we will have an acceptable transport link between the Central West and the city that will serve the needs of the area satisfactorily.

Future feasibility studies will be conducted with respect to the Bells Line of Road. The suggestion that we should build an \$850 million mega highway through a pristine part of the Blue Mountains—thus launching yet another National Party attack on that area—is almost beyond comprehension. I have attempted to alert the

Federal Minister for Transport and Regional Services to the fact that a charter company is offering joy flights in fighter planes over my electorate. Perhaps the Minister for Defence plans to send Collins class submarines up the Cox's River to signal the start of the invasion of my electorate.

Mr MARTIN (Bathurst) [8.21 p.m.]: Before I came to this place I was involved with a number of groups that examined transport links, particularly road links, across the Blue Mountains. The idea of the super highway dates back to mid-1998. The National Party held a conference in Orange on the weekend that One Nation catapulted onto the Queensland electoral scene by winning 11 seats. To create a diversion and to show that it was a party of action, the National Party dreamt up the idea of a super highway. At that stage it was planned to build the road down the middle of the Grose Valley and other pristine wilderness areas. The idea was conceived in a state of panic.

Since then the panic has subsided into stupidity. I do not know what sorts of communication problems exist on the other side of the House, but they are obviously serious. The honourable member for Lachlan and I are members of a bipartisan committee that is working on this issue with local government. We have travelled to Canberra and spoken to representatives of both the Government and the Opposition, and plan to do so again in the first week of April. The committee is championing the Bells Line of Road proposal. The Minister has provided the funds and the Maunsell McIntyre report has examined the feasibility of the Bells Line of Road as the next link across the Blue Mountains. Everybody except the National Party and the honourable member for Orange agree that there should not be a third transport corridor across the Blue Mountains.

Some \$460 million of work is being done on the Great Western Highway and those in the west will be lobbying for the Bells Line of Road to be the next transport link. The Minister has already provided a good working document on that proposal. The route was surveyed in 1823 and has proved to be quite adequate. There have been some problems, but we have resolved the difficulty with the national park. I have been working with the honourable member for Lachlan on this issue. I do not know whether he talks to the honourable member for Orange; he certainly does not talk to the Leader of the National Party or the Leader of the Opposition, because they have both visited the electorate recently and talked about spending \$2 million here and \$3 million there on other studies.

All of that work has been done; we have been pro-active in this area and pre-empted such studies. No-one doubts that it will be difficult to prioritise and secure funding for the Bells Line of Road. However, we were working towards that goal in a bipartisan manner when, for whatever reason, the honourable member for Orange came up with this proposal. It is interesting to note that about two weeks ago at a meeting of the Central West Regional Organisation of Councils [CENTROC]—which comprises 14 councils stretching from Lithgow to Parkes and Forbes, three or four of which are in the electorate of the honourable member for Orange—the honourable member advanced his proposal and the councils unanimously responded, "No way".

They said that the honourable member's proposal was a dud and refused to support it. The mayor of Cowra, which is situated in the electorate of the honourable member for Orange, moved a motion to that effect and it was carried unanimously. The honourable member cannot convince even the councils in his electorate and people in the Central West of the merits of his position. Those in the Central West must be as one on this matter: there is no point having three or four different options. There has been excellent co-operation between organisations such as the Bathurst city road links committee, of which I have been a member, CENTROC and individual councils, including the Blue Mountains City Council.

We have even spoken to the Western Sydney Regional Organisation of Councils [WSROC] about important links with city orbital roads. We are attempting to come up with a workable proposal and, to that end, the Maunsell McIntyre report was produced. There has been some argument and discussion about that report, but it is an excellent working document that goes to the heart of some of the engineering problems. It is pretty good going to get 14 councils to agree on anything, but that is what has happened in CENTROC. Only a few weeks ago the honourable member for Orange put his case to that meeting and was laughed out of the room. There is no support in the regions for this proposal. Everyone agrees that a third transport corridor through the Blue Mountains is madness on several fronts, including the environmental and financial fronts. I join the Minister in highlighting the stupidity of this proposal, which emphasises the division and lack of communication on the other side of the Chamber.

Mr McGRANE (Dubbo) [8.26 p.m.]: I highlight several points that have been made in the debate tonight. I attended a meeting in Orange that was called by the local member. That meeting was attended by councils from the Central West Regional Organisation of Councils [CENTROC] and by the honourable member

for Bathurst. As the honourable member for Bathurst said, the 14 CENTROC councils agree on the Bells Line of Road proposal. I think that was the first time all those councils agreed on prioritising that Blue Mountains crossing over the Great Western Highway. At the meeting I suggested that councils situated west of Orange, the Orana Regional Organisation of Councils, should be involved in the discussion. That has now occurred, and we agreed with the unanimous decision reached at the meeting chaired by the honourable member for Lachlan.

This alternative proposal offered by the honourable member for Orange has come out of the blue and it is disheartening to those who live west of the Great Dividing Range. Transportation links are vital to the development of both regional New South Wales and regional Australia. To have the proper infrastructure development, we must have consensus about where it should go. The meeting secured the unanimous support of councils—including those west of Orange—and proved extremely productive. We can now approach the Government and the Minister for Transport, and Minister for Roads to explain our priorities, what we want and where the money should be spent.

It is disconcerting for those we represent when alternatives are proposed. They do not know what members of Parliament or councils want. All councils west of the Blue Mountains want the Bells Line of Road upgraded. Honourable members know that the city of Sydney cannot expand much further to the south or to the north. It can expand only to the west, and that needs to have good road infrastructure. The Bells Line of Road is an alternative to the Great Western Highway. I support what has been said by the Minister. Councils in my region and the Orana group of councils are totally behind CENTROC and the honourable member for Lachlan in his proposal that the Bells Line of Road should be a number one priority for upgrading.

Mr SCULLY (Smithfield—Minister for Transport, and Minister for Roads) [8.30 p.m.], in reply: What a lazy and pathetic Opposition! It has made no attempt to explain its position on this matter. The honourable member for Orange, who put out all this material, has disappeared into the dead of night. Where is he? He should come into the Chamber and explain himself. A backbench member cannot put out material with impunity. I thought he was a member of the National Party and a member of the Opposition. The shadow Minister for Roads, who is also a member of the National Party, unannounced the policy. I am not sure whether that is policy on the run or on the reverse. This character who is known as the honourable member for Orange is right out there in lulu loopyland announcing these mad initiatives. They are similar to those announced by the Leader of the National Party before the last election, so he must be on the George Souris side of the National Party. It is real loopy stuff.

The shadow Minister for Roads has suggested that it is not National Party policy to build a road through the Megalong Valley. I do not accept that. As the shadow Minister for Roads he does not have the authority to deny that this is Opposition policy. I want the Leader of the Opposition and the Leader of the National Party to do that. They took forward to the last election the loopy super highway which was roundly rejected by the community. I do not accept this National Party fracas that is going on between a backbencher and an also-ran shadow Minister for Roads. He cannot try to convince us that this member's policy announcement has no weight. He claimed this motion is a sham. On 14 December a press release stated:

New Highway to Open up Central West.

Work on a high-speed, safe and environmentally friendly four lane divided highway over the Blue Mountains needs to be started as soon as possible, the member for Orange, Russell Turner, said today. My plan—

"My plan"! This guy is going to go places, unlike the rest of the Opposition—

My plan is to construct a gradient tunnel just west of Katoomba which will merge out onto the Megalong Valley.

At the bottom of the press release he said it is time to move on, bite the bullet, commit government funds to a new alternative route over the Blue Mountains. That is not enough. He wrote to one of his constituents: "Dear Jim". There is then a page of costings, commitments and ideas about how this madness will be implemented. There is a map. This guy has spent a lot of time on this. I do not know what he is doing in his electorate, but does he ring up John, George or Kerry and say, "I have got an idea, it is going to cost nearly \$1 billion. Before I put this out, what do you reckon, guys? Is this okay before I commit the Opposition to this lunacy?" Is the Opposition kidding? But he has sent this out without talking to anyone, or has he been used as a guinea pig to fly the kite and hope that it does not get shot down? The honourable member for Orange has got good photographs here. There is the M2 tunnel, which was 400 metres long when I last went through it, but he is talking about a five- kilometre tunnel. It is environmental madness. So far as I am aware this plan has no impact on the Blue Mountains National Park, but it is important to understand where the National Party sits in relation to the environment. In October last year the honourable member for Lachlan said:

A World Heritage listing for the Blue Mountains National Park will create a significant environmental hurdle to the development of a major highway corridor, to wit the Bells Line of Road.

That is the National Party's super highway notion: a massive motorway with a divided dual carriageway down the Bells Line of Road. The honourable member for Orange says, "No, let's have a further option through the Megalong Valley." I reject the assertion of the shadow Minister for Roads that this is not policy. I want him to take the honourable member for Orange by his collar and walk him to the eighth floor of Parliament House—I think that is where the Opposition is located; it is a long time since we have been in Opposition—and have an audience with the Leader of the Opposition and the Leader of the National Party. I want the Leader of the Opposition to put out a statement castigating and censuring the honourable member for Orange and distancing herself from this National Party loopiness. The shadow Treasurer has got to add it to his spendometer. The shadow Minister spent \$800 million today on stupidity, and he will be called to account for that. His backbencher has now added \$700 million to \$800 million to that. He cannot chuck around money like that. People will hold the Opposition to account as they will hold John Howard to account in the Ryan by-election. *[Time expired.]*

Motion agreed to.

PETROL TAX

Personal Explanation

Mr O'DOHERTY, by leave: The Minister for Transport, and Minister for Roads asserted that I had made a \$800 million commitment. I made no commitment. I simply called on the Government to make a 1.5¢ reduction in the excise that it receives from petrol. Our costing of that is \$130 million. We say it is not our commitment; we say that motorists are demanding it from the Carr Government.

APPROPRIATION (BUDGET VARIATIONS) BILL

Second Reading

Debate resumed from an earlier hour.

Mr O'DOHERTY (Hornsby) [8.37 p.m.]: I lead for the Opposition on the Appropriation (Budget Variations) Bill, which continues the process that has developed in the past few years of the Government trying to grapple with the need to obtain approval from Parliament before it spends public money. This matter has been much discussed in recent years, no better than by the Auditor-General of this State when he reported to Parliament in volume 2 of his 1998 report as follows:

The Parliament cannot with certainty establish its own timetable.

He is referring to the Government's process of appropriating money for public purposes—

It can be prorogued at any time by the Governor on the advice of the Premier, as we saw earlier on in the life of the current Government.

He is, of course, referring to the Carr Government. The Auditor-General continued:

We have also seen the Government advising the Governor not to proclaim legislation which the Government opposed, notwithstanding that the legislation has been passed by both houses.

And we have seen Government reluctant to table documents required by the Legislative Council to hold the Government responsible and accountable.

In this context, it is easier to understand why public servants might not consider Parliament's laws to be crucial when those laws conflict with a pragmatic approach to the Government's management of expenditure.

The Auditor-General was sounding an important alarm bell for the people of New South Wales. He continued:

The current Government has responded to concerns about unlawful expenditure—

And it is unlawful expenditure of public money—

by introducing proposed retrospective, validating legislation.

The bill is retrospective validating legislation to cover over unlawful expenditure by the Government without the approval of Parliament. The money has already gone; it has already been taken out of the public purse; it is spent. The Government now asks Parliament to approve what it has done unlawfully. The Auditor-General went on to say:

It [the Government] has also received Parliament's approval to move away from appropriations to programs for 1998-99 in favour of one-line appropriations to entries. This has reduced the prospects of unlawful spending, but the particular option advanced by Government has also reduced the extent of parliamentary control. The remedy thus, once again, empowers the Government at the expense of responsible or accountable government.

Those comments, which were made by the Auditor-General in 1998 are, as I said a moment ago, an important alarm bell for the people of New South Wales, who expect that the Parliament they elect will hold the Government accountable for the spending of public money—money that is collected through income tax, State taxes, and petrol excise. The Commonwealth passes back to the State 8.35¢ per litre, notwithstanding the Treasurer's deceitful denial over the last few months. The people expect that the Parliament they elect will be able to hold the Government accountable for the spending of that money.

I happily admit that the process that we have arrived at, with further budget variations bills such as the one we are now considering and the one that the Minister gave notice of the other night, together with what is available for the Treasurer to spend through his advance, which he now accounts to the Parliament for, is a step in the right direction. Under section 22 of the Public Finance and Audit Act the Governor can approve additional expenditures beyond the budget for the exigencies of government. There is much debate about what the exigencies cover. In recent years the definition has been broadened quite a bit in practice. Some of those mechanisms are improvements on the time in 1998 when the Auditor-General was warning that the Carr Government was spending money unlawfully. It is still important for the Opposition to do its job properly by sounding the alarm bell. We are not happy with the retrospective approval by the Parliament of money that has been spent.

As I will demonstrate in only a few of the items that I will touch on, matters of great public importance and large amounts of public money are involved. Sometimes they involve new policy initiatives which deserve the ventilation in Parliament rather than just a ministerial decision to spend large amounts of money from the Treasurer's fund and account for it later to Parliament in a one-line entry or, indeed, as part of an aggregated entry in the schedule at the back of the budget variations bill such as the one which is now before us.

It is not as if the New South Wales Government has been disciplined for the way it has spent or accounted for its expenditure. Indeed, the latest Auditor-General's report to the Parliament on the state of the budget showed that last year the Government collected in round terms a billion dollars more than it had budgeted for. The money went straight out the door again. Government revenue is up substantially but government expenditure is up by, from memory, a slightly larger amount than the amount collected in additional revenue. The increasing surplus this year is primarily due to the different way of calculating the ongoing liability of the State Superannuation Fund. The actuarial assumptions have changed, which has allowed Michael Egan to add several billion dollars to his budget surplus. It is only an accounting entry; it is not a real surplus. There has been a real lack of discipline this year, as there has been in previous years, by the Government in the area revenue versus spending.

That is why the appropriations process, which requires the Parliament to keep the Government accountable, is important. It is why we have worked so hard over the years to preserve the estimates committee process that was introduced by the Coalition Government prior to 1995. In a briefing from Treasury officials both yesterday and today that I was grateful to receive I raised a number of items. Other matters might be raised by my colleagues in another place. I make clear that the Opposition will not oppose the Appropriation (Budget Variations) Bill. It would be plainly silly for us to do that. Most of the money has already been spent. As the Auditor-General asked in 1998, what use is Parliament, which has the power to authorise spending, when the money has already been spent by the Government unlawfully?

There are expenditures in the bill that we agree with, but they have been spent beyond the original budget. The Opposition will refer the matter to the ongoing upper House estimates committee, General Purpose Standing Committee No. 1. As an important matter of principle we say that just as the budget each year has the benefit of full scrutiny by the Parliament's estimates committee process, additional budget variations should have that same scrutiny. I have had discussions with the chair of the committee about referring the bill to the committee when it is debated in another place. The four or five specific matters I wanted to raise include the Olympic attendance allowance. When will there be a full accounting by the Carr Government of the amount of public money that was spent on the Olympics? Every time we look there is a new appropriation for money spent on the Olympic Games.

The Olympic Games were the best ever. Sydney and Australia were showcased. However, the Government seems not to have done the job properly of promoting business in New South Wales prior to and during the Games. We should be reaping a greater benefit than we are. We are concerned that we are not already seeing the flow-through effects of the Games that there should have been. But that is a discussion for another time. We do not quibble with the Games; we won the Games for Sydney, New South Wales and Australia, and they were the best Games ever. But the taxpayers of New South Wales are entitled to ask—and the Opposition is the appropriate body to ask the question—when will we stop paying for the Games? In this bill, and without any warning from the Government, is additional Olympic expenditure of at least, at a conservative estimate, \$40 million.

I will go through how that figure is arrived at. In this bill we discover that at least another \$20 million, and probably much more than that, has been spent by the Government in additional payments to public servants who worked during the Olympic Games. Why were there additional payments? There were overtime and other penalty payments for working double shifts and so on. The public servants who worked at the Games worked very hard. They helped stage a successful Games. They worked alongside the volunteers who also worked hard for their country in staging the Games. And there is no overtime payment for volunteers. There is no additional shift allowance for the volunteers who also worked all day and all night. The mean-spirited Premier will not even mint a medallion to commemorate the work of the volunteers at the year 2000 Games in Australia.

The mean-spirited Premier is the same Premier who, one week before the Olympic Games, signed off on an award for public servants who worked at the Games to receive additional penalty payments and shift allowances. There was no public disclosure of the matter, which was quietly ratified in the Industrial Commission on 8 September, about a week before the Games began. The negotiations took place directly with the Premier's office. Negotiations were conducted in the secrecy of the Premier's office and ratified in the week before the Games when the eyes of Australia and the world were focused on other things. That decision has cost the people of New South Wales at least another \$20 million and, indeed, more than that because in this bill we can account directly for the additional expenditure in five individual agencies of government. This bill also contains expenditures for the Olympic attendance allowance in seven other agencies. But it includes that figure as an aggregate amongst other figures.

I would point out that this is money spent by the agencies. This is not money provided by the Government from some great big pool that Michael Knight left behind him. This is money to be spent by the agencies; it is in their budgets. The botanic gardens trust had to spend an extra \$17,000 and New South Wales Fire Brigades had to spend an extra \$348,000 for overtime. That was to pay for the overtime that staff from those agencies worked during the Olympic Games. Out of the Fire Brigades budget comes \$348,000 to pay for additional overtime as a result of the deal stitched up by the Premier in the week before the Games.

The Department of Health—a department that is strapped for cash; the Minister for Health is always telling us how hard he has been working to try to get more value out of the health dollar—had to spend another \$301,000 from the Minister's budget to meet overtime payments under the deal. Of course, the additional cost to the budget for the Olympic Roads and Transport Authority—not the overall wages cost, but the additional cost for overtime and shift allowances—is \$16 million. That is, \$16 million was spent unlawfully, and the Government now seeks the Parliament's approval for that unlawful spending through this further appropriations bill.

I now turn to the Police Service. Not a member of this House would do other than admit that their communities want and need more police in their local area commands. From the budget of the Police Service—which is having a great deal of trouble even maintaining its staffing levels, let alone getting the new staff that the Government promised; a department that is closing down police stations in the Premier's electorate and elsewhere throughout New South Wales—comes a further \$2.5 million for additional salary costs for police who worked at the Games. This extra cost is not to be paid for by Michael Knight, the Olympic Co-ordination Authority [OCA] or any of those agencies, but paid for by the people of New South Wales from the Police Service budget. Those additional payments total \$19 million.

Other agencies have figures accredited to them as part of a global amount appropriated by this bill. Those global amounts include the Olympic attendance figures that I have been talking about. The appropriation proposed by this bill to pay for the expenditure of all those agencies is \$26.3 million. So there is \$19 million in direct expenditure that we can account for, as well as part of the \$26 million, which together total well over \$20 million. Then there is the fact that the Government told us when handing down the budget in May last year that the Olympic Games were fully paid for. What a great day it was for democracy when Mr Egan, the Treasurer from another place, made his yearly pilgrimage down to the Legislative Assembly.

Mr Crittenden: He is coming up, not down, when he comes to this place.

Mr O'DOHERTY: I agree with the Parliamentary Secretary that Mr Egan is taking a step up when he comes to this Chamber, to the people's House. The Treasurer came to the people's House and said, "The Games are paid for—every single last cent." A great cheer went up from the Government benches. We on this side were saying, "Pull the other one!" Within a month or so Mr Egan was coming back to the Parliament and saying, "Sorry, we need another \$141 million, if that's all right with you. But then it is all paid for." Today we find that, apart from the Olympic attendance allowance—which, as I have already said, is an extra sum of more than \$20 million—the OCA has spent, after the Olympic Games that were "paid for", another \$17.8 million on what is called "temporary urban domain works".

In the briefing I received I was told that that relates to transport and people-moving related expenditure—in other words, signs at bus stops and the like. The people movement for the Games was good. But why could the Government not have budgeted for that before the staging of the Games? Why is it that the Government must come back to the Parliament now to seek approval for the over-budget spending of \$17.8 million for signs and bus stops? Why could it not have budgeted for that in the first place? Now the Government comes to the Parliament and asks for retrospective approval for that expenditure.

All of this adds to the Olympic bottom line. Bit by bit, additional costs keep eking out. Very keen to draw a line under this, the Treasurer himself, shortly after the Games were finished, came out and said, "Now we can tell you exactly how much the Games have cost," and he put a figure on it. That figure, by my calculation, is about 50 per cent under the true cost. When the Treasurer made that statement—which was, from memory, in about November last year—did he know about all this additional expenditure that the Government now comes to the Parliament to seek approval for? We are talking about more than \$20 million in additional wages and overtime for public servants and about \$17.8 million for additional bus stop signs. These are amounts not budgeted for when the Government originally told this Parliament, "With this budget the Games are fully paid for."

The Coalition does not deny that the public servants who worked hard should receive their wages. It is a good and ancient principle that the worker deserves his wages. But we do demand that the Government be more accountable for the way in which it spends public moneys. This is a very shabby exercise in the expenditure of at least \$20 million, and probably very much more than that, in additional salary costs and additional expenses to do with infrastructure works. This money should have been accounted for before it was spent. The Coalition says also that the Premier, having approved more than \$20 million in overtime payments for public servants, should now admit that he was wrong in denying a medallion for the volunteers who worked alongside those public servants.

Those volunteers worked every bit as hard as the public servants, without any payment at all. Those volunteers will tell you—and I agree—that their effort was a contribution, an investment that they made, in their country. We would all agree with that. No-one is denying it. It would be nice if the Premier, having spent more than \$20 million in overtime for public servants, minted a medallion to recognise the contribution of the Olympic volunteers. There are a lot of other matters that I would deal with, but I do not want to delay the House for too long. Another matter that concerns the Coalition—indeed it concerned the Auditor-General that there is this process of spending money first and seeking approval later—is the underspending by government departments.

One such instance is dealt with in the bill that is before the House tonight. Information technology has been an important project within the Department of Community Services for a number of years. As a former shadow Minister for community services, I know that every time the Minister is asked why it is that a child who has been reported as being at risk to one office is not matched with the database of another office, the Minister will say, as she has been saying for the past six years: "Don't worry, we're fixing that problem; we are installing a new information technology system; we will be able to computer match the records; we are centralising our databases." And so it goes on, the same excuse for six years.

We find out from the bill now before the House that the DOCS information technology project in the year 1999-2000 did not spend \$4 million of the money it was voted by this Parliament. No wonder today there is still no centralisation of those records and the information technology project of DOCS drags on! No wonder children are still at risk today! That is without doubt due in no small part to the appalling state of the information management systems within the Department of Community Services. We find out from this bill that the department did not spend about \$4 million that it was given two years ago, so the Government seeks by this bill to carry forward the amount of \$4.4 million, to be spent in the current financial year.

We want the Department of Community Services to spend this money to fix the problem. That children are at risk demands that expenditure. That practice in DOCS—I would hazard a guess that most government agencies are underspending their votes from this Parliament, especially in the capital area—has to change. Ministers like making announcements about some grand scheme. But we find out 12 months later, when we get to scrutinise the budget, that the money for the scheme was never spent. So the responsible Minister makes the same announcement the following year. I feel confident in predicting that the Minister for Community Services once again will announce that her department has allocated "another \$2.4 million" to the information technology project.

The truth will be that the department did not spend that money that was given to it the first time. One has to ask what is going wrong when that has happened in the Minister's department. Money that is critical to the improvement of information systems for the safety of children was not in fact spent. That is just one area in which such underspending occurs. I will not labour the point, but there are many other instances of similar underspending.

Another important matter retrospectively paid for in this bill is teachers' salaries, with an appropriation of \$65.7 million for teachers' salaries and the teachers' career transitional project. The status and salaries of teachers are critical matters for policy debate in New South Wales, as they are around the country. It would have been preferable for Parliament to have a say about this process at the front end of the budget, not at the back end. The Carr Government did not allocate money for teacher salary increases in the budget for the current year. Today I was advised by Treasury that it is not normal practice for government to make such a provision up-front. Prudent management would be to provide something up-front. Indeed, Parliament can easily measure the impact of the Government's approach to negotiations over the teachers' salary increase.

The fact that there was no money for teachers' salaries was just part of an extraordinary 18-month process of bitter, soul-destroying negotiations between teachers and the Government. This has sullied relations within schools and between schools, teachers and the department for a long time. It will take a long time to repair those relationships because the Government refused to negotiate and provide any money for teachers up-front. This led to real damage being done to public education in New South Wales. The career transitional matter is also a component of the \$65.7 million that the Government is seeking to appropriate. It also is an important policy matter that ought to be debated in this Parliament. I would have happily debated the matter across the Chamber with the Minister for Education and Training.

We have had many good debates about education in this Chamber and sometimes they have had fruitful results. The Opposition remains ready to have debate on teachers' status and salaries. There has been no debate on this matter because the current Government only wants to say no, whack teachers behind the eyes as the first point in the negotiation and say, "See you in the commission" and off they go. As a result, there are strikes, kids unable to go to school, teachers becoming embittered and leaving the profession, and 18 months later finally there is a begrudging settlement. It would be better to have a proactive approach and policy debates in the Parliament where the people's representatives can discuss the matter on behalf of those who put us here.

Mr Debnam: For the first time.

Mr O'DOHERTY: It would be for the first time, as the honourable member for Vacluse reminds me. It would have been better for this policy matter to be dealt with up-front rather than retrospectively. In relation to the Department of Sport and Recreation, there is a contract settlement of \$55,000. The Auditor-General raised concerns last year about out-of-court settlements by government agencies. I have written to the Chairman of the Public Accounts Committee of this Parliament asking his committee to conduct an inquiry into this critical area. These out-of-court settlements usually have secret outcomes; it is usually agreed at law that the outcome will not be revealed. These involve large amounts of public money that are never debated in the Parliament, are never aired publicly or accounted for publicly but are sums that turn up in the budget papers from time to time as part of a grossed-up figure in the agency's overall spin.

The use of out-of-court settlements, according to the Auditor-General, is increasing in New South Wales and it is time a proper inquiry was held into that practice because it is costing taxpayers millions of dollars. I do not know the full details of the contract settlement of the Department of Sport and Recreation. I was able to obtain some details in the briefing that I received today from the Treasurer and I am grateful for that, but surely that is the whole point. The Parliament needs to analyse things more fully if the Opposition is to be allowed by the Government to do its job properly of holding the Government accountable. That is another reason that the Opposition is referring this matter to the general purpose standing committee in the upper House to analyse some of the figures. An amount of \$55,000 was paid to Emolium.

I was advised today that the settlement related to a dispute between the department and this company over the resurfacing of Eastern Creek Raceway about four or five years ago—in about 1996. Apparently, the company asked for \$120,000 more but the settlement eventually reached was for \$55,000. We need to know what that related to; indeed, it is only fair that the Parliament have an opportunity to ask questions about this matter. If the Opposition had not picked it up as two words in the schedule to this bill—"contact settlement"—and asked a question about it, the public would be none the wiser. I have asked the Public Accounts Committee to investigate the matter. The chairman of the committee has written back saying that it is a matter the committee wants to investigate but does not have the resources or the time to do that at the moment. I encourage the chairman to hurry up because it is critical for Parliament to scrutinise the increasing use of out-of-court settlements in an unaccountable fashion by the Government to get itself out of problems.

Another compensation payment of \$15 million relates to government cleaning services out of the office of the Minister for Public Works and Services. Again, we discovered this recently just by accident. One must scrutinise and pick up these one-line statements. This was a one-off payment to a private company that was in dispute with its employees about the amount that they were paid to clean schools. The Government bails out this private company to the tune of \$15 million, having got out of the cleaning business years ago, and we want to know why. Indeed, so do the people of New South Wales, because \$15 million would make a good down payment on a very nice high school in my electorate or the electorate of the honourable member for Wyong. We would rather have new high schools, yet the Government has bailed out a private company to the tune of \$15 million.

I have touched on some matters, but there are scores of interesting stories about the ways in which the Government has tried to spend public money in an unaccountable fashion. As a matter of principle, accountability demands that the ongoing estimates committee of the upper House scrutinise this expenditure by the Government, as estimates committees scrutinise the budget each year. The Appropriations (Budget Variations) Bill should be treated like the Appropriations Bill—the State Budget—and the estimates committee should be able to call in public servants to obtain detailed information about some of the matters I have raised tonight and others I have not touched on. The Opposition will not oppose the bill, but we will refer it to the ongoing estimates committee in the upper House.

Mr NEWELL (Tweed) [9.07 p.m.]: I support the Appropriations (Budget Variations) Bill and make some comments on how the Appropriation Bill has affected the electorate of Tweed, in particular, the previous Appropriation Bills in the course of the last 18 months or so.

Mr O'Doherty: Point of order: The Appropriations (Budget Variations) Bill is very specific: it details the expenditure this Parliament is being asked to approve. I do not want to cut off the honourable member for Tweed, but a clear ruling must be given by the Chair. The honourable member has just said that he wants to talk about appropriations bills of the previous 18 months. They are not before the Parliament. This bill stands on its own and, therefore, the honourable member has leave to discuss only the specific items contained within this bill.

Mr ACTING-SPEAKER (Mr Mills): Order! No point of order is involved. The honourable member for Tweed is in order in referring to schedule 2. He may continue.

Mr NEWELL: This bill is to appropriate additional amounts from the Consolidated Fund for the purposes of recurrent services, capital works and services for the year 2000-01 and 1999-2000 for the purpose of giving effect to certain budget variations. I refer to some of the services that have been garnered from this Government—services that will have an effect on the Tweed electorate. The honourable member for Hornsby referred to certain aspects relating to the budget of the Minister for Police. I refer also to the wonderful budgetary allocation by the Minister for Police for the transfer of the firearms registry to Murwillumbah, in the Tweed electorate. The transfer of the firearms registry, which was opened recently, resulted in an additional 50 jobs in the Tweed electorate and particularly in Murwillumbah—a great boon to the economy.

The Minister has been most generous in the Tweed electorate. He has upgraded police stations on the North Coast, at both Tweed Heads and Kingscliff, rather than closed any down. That work, which is under way, is greatly appreciated by staff at both stations. I refer to police numbers in the Tweed electorate. The Minister did two things in that electorate to assist in getting police back on the beat. First, he provided tactical action groups for local area commands and, second, he transferred prisoner escort duties from the Police Service to the Department of Corrective Services. That posed a staffing problem for Kingscliff police station as staff at that station were seconded to transferring prisoners, mostly from Tweed Heads police station to the District Court in Lismore. That freed up a number of police officers, and, consequently, more police are on the beat.

Another massive project being undertaken by the Federal and State governments in the Tweed electorate is the Yelgun to Chinderah freeway. Two-thirds of the money is being provided by the New South Wales Government. That \$350 million freeway upgrade will result in the replacement of a disastrous and unpleasant section of road between Murwillumbah and Burringbar, known as the Burringbar Range, with 28 kilometres of dual carriageway. That freeway upgrade, which will create 200 jobs for people in the local area, will have spin-off effects for housing and businesses on the Tweed coast.

Another major project that has already proven to be of great benefit to the Tweed is the Tweed River sand bypass—an election commitment of some years ago. That project is now under way. Sand pumps have already been tested and they are ready for official commissioning. That project, which will benefit the Tweed and Gold Coast areas and the tourism industry, is a result of cross-border co-operation between Queensland and New South Wales. The bulk of the money for that project is being allocated by the New South Wales Government. I mentioned earlier that that \$30 million project had been commissioned and I referred also to the spin-offs from that project. A number of boat manufacturers have already shown an interest in the Tweed. A large number of boats would normally bypass the Tweed and go to the Gold Coast or even to Brisbane, but, because that river is now being dredged, those boats are mooring on the Tweed River and are already presenting overcrowding problems. The word has already got around that the river entrance is no longer a problem.

I referred earlier to the Minister for Transport and a \$400,000 grant from the New South Wales Government to Tweed Shire Council to assist with the upgrading and revetment of the Tweed River at Chinderah. A development application has already been lodged for Chinderah marina. A marina would not have been able to be constructed in that area if council had not upgraded and revetted river embankments to prevent erosion. The New South Wales Government allocated \$400,000 to fix that section of the embankment near the old Pacific Highway at Chinderah, and work is already under way.

A number of projects have been good for the Tweed electorate, including the redevelopment of Tweed District Hospital, which has resulted in new and better medical services in the region. Those services are being upgraded in line with capital works that will come on stream in about 18 months. I refer also to the work of the State regional development office at Tweed Heads—a great office that does tremendous work in supporting and assisting the development of new and existing businesses. The Attorney General, the Hon. Bob Debus, has allocated \$40,000 for the cross-border crime prevention plan. That plan is unique, in that Gold Coast City Council formulated a community crime prevention plan for the Tweed Heads and Coolangatta region.

Obviously Gold Coast City Council was interested directly in implementing a community crime prevention plan in the Coolangatta area to make it a better and safer haven for tourists. The council appreciated that there was no point in implementing a community plan in the Coolangatta area without doing something in the Tweed Heads area. Money will be allocated to Tweed Shire Council to implement a community crime prevention plan. It would be great if Tweed Shire Council came on board and implemented a community crime prevention plan for the whole of the Tweed shire to help areas like Murwillumbah and the Tweed coast, which have experienced some problems.

I neglected to mention two other projects. About three weeks ago the Minister for Health opened a new community health centre in Murwillumbah and a new Aboriginal and Torres Strait Islander community health centre at Tweed Heads. The State Government was involved in those projects, which are benefiting people in the Tweed and Gold Coast regions. Two weeks ago the Attorney General, and Minister for Emergency Services opened a bushfire control centre at Murwillumbah, which will cover the whole of the Tweed shire and co-ordinate responses between the large number of bush fire brigades throughout the shire. At the opening I had the opportunity to say a few words.

Last year at the Tweed Valley harvest festival—or the banana festival, as it is known—members of the bush fire brigades who were on parade pointed out just how good their equipment is now that the State Government is upgrading it. The New South Wales Commissioner of Bush Fire Services, Phil Koperberg, attended the opening of that centre with the Minister and outlined further plans for upgrading that equipment. That statement was well received in regional areas. I congratulate the Minister on the good work he is doing in that area.

The New South Wales Department of Education and Training will soon release in the Tweed coast region a discussion paper entitled "Future Directions in Educational Service Delivery". That paper, which took 12 months to prepare and will probably be released within the next three to four weeks, covers service delivery to local schools. People in that area have been looking forward with anticipation to that discussion paper and its

various options for the delivery of education services in New South Wales. The Minister for Education and Training has shown great enthusiasm and keenness about it because of the various options that will be available to people in the Tweed. I do not wish to delay the House any longer but it is my esteemed pleasure to indicate my support for the bill and I look forward to the Opposition's support for it.

Debate adjourned on motion by Mr Debnam.

BUSINESS OF THE HOUSE

Bill: Suspension of Standing and Sessional Orders

Motion by Mr Whelan agreed to:

That standing and sessional orders be suspended to allow the introduction forthwith and passage through all stages of the Corporations (Commonwealth Powers) Bill, notice of which was given this day for tomorrow.

CORPORATIONS (COMMONWEALTH POWERS) BILL

Bill introduced and read a first time.

Mr Debus tabled the following five documents, each bearing identification "as part of the tabled text" for the purposes of the Corporations (Commonwealth Powers) Bill:

Commonwealth Australian Securities and Investments Commission Bill
Commonwealth Corporations Bill Volume 1 Part 1
Commonwealth Corporations Bill Volume 1 Part 2
Commonwealth Corporations Bill Volume 2 Part 1
Commonwealth Corporations Bill Volume 2 Part 2

Second Reading

Mr DEBUS (Blue Mountains—Attorney General, Minister for the Environment, Minister for Emergency Services, and Minister Assisting the Premier on the Arts) [9.21 p.m.]: I move:

That this bill be now read a second time.

The Corporations (Commonwealth Powers) Bill forms part of a package of corporations bills which follows historic negotiations between the Commonwealth and the States to place the national scheme for corporate regulation on a secure constitutional foundation. The bill reflects the commitment of the New South Wales Government to achieving an effective, uniform system of corporate regulation across Australia. To understand this bill and the package of Corporations Law bills, it is necessary to consider the history of corporate regulation in Australia over the last 20 years.

In Australia the development of an effective system of corporate regulation has been complicated by our Federal system of government. The States and Territories are sovereign entities possessing the powers and ability to make their own laws, and for many years different requirements relating to corporate regulation existed in each State and Territory. From July 1982 corporate regulation in Australia was based on a co-operative scheme between the States, the Northern Territory and the Commonwealth, where substantially uniform legislation applied to all jurisdictions. However, towards the end of the decade emerging problems in the operation of the co-operative scheme meant that the scheme was no longer an effective means of ensuring corporate regulation in a uniform and consistent manner suitable for a changing commercial environment. There were also concerns about the need for more effective national enforcement of the corporate regulatory regime.

This lack of legislative and administrative uniformity, combined with different regulators in the States and Territories, was also hampering supervision of the share markets and thus of investor protection. To remedy these emerging problems, a new national scheme for the regulation of corporations, companies and securities was devised and it commenced operation on 1 January 1991. The current national scheme is based on the substantive Commonwealth law which applies in the Australian Capital Territory, known as the Corporations Law. This law, as in force from time to time, is applied in each State and the Northern Territory. In New South Wales the relevant legislation is the Corporations (New South Wales) Act 1990.

In order to create a national scheme certain Commonwealth features were added to the arrangements, such as the enforcement of Corporations Law offences by the Australian Securities and Investments Commission (ASIC), the Australian Federal Police (AFP) and the Commonwealth Director of Public

Prosecutions. Also, the Federal Court was given power to hear matters arising under the Corporations Law of each State by a cross-vesting scheme contained in the Corporations Acts of the Commonwealth and the States. The current scheme is underpinned by Heads of Agreement which were agreed on 29 June 1990 and a supplementary agreement, the Corporations Agreement. The Corporations Agreement, which is an intergovernmental agreement, was formally signed by the States, the Northern Territory and the Commonwealth in September 1997.

The Corporations Agreement sets out the functions, objectives and voting arrangements relating to the administration of the Corporations Law by the Ministerial Council. The agreement establishes the Ministerial Council for Corporations (MINCO), which is constituted by the relevant Commonwealth, State and Territory Ministers responsible for the national scheme law, as the primary forum where all matters relating to corporations, securities and corporate governance are discussed and voted on. The current scheme to all intents and purposes operates on a seamless, national footing. ASIC administers the Corporations Law through regional offices in each jurisdiction. The scheme has worked remarkably well. The parties to the Corporations Agreement have, in general, complied with its spirit and letter, and there has been little discord between the States and the Commonwealth about the operation of the Corporations Law in Australia.

However, recent legal challenges and decisions of the High Court of Australia have cast doubt on the constitutional framework which supports the Corporations Law. The difficulties associated with the current system of corporate regulation have been identified by the High Court in two significant cases. The first case was decided in June 1999. In *Re Wakim: Ex parte McNally* the High Court held by majority that Chapter III of the Commonwealth Constitution does not permit State jurisdiction to be conferred on Federal Courts. Effectively, this decision removed the jurisdiction of the Federal Court in most States and Territories to resolve Corporations Law matters, unless cases fall within the court's accrued jurisdiction or in certain other circumstances, and it denied litigants a choice of forum for the resolution of such disputes.

The second case was *The Queen v Hughes*, decided in May 2000. There the High Court held that the conferral of a power coupled with a duty on a Commonwealth officer or authority by a State law must be referable to a Commonwealth head of power. This means that if a Commonwealth authority, such as the Director of Public Prosecutions or ASIC, has a duty under the Corporations Law, that duty must be supported by a head of power in the Commonwealth Constitution. This decision casts doubt on the ability of Commonwealth agencies to exercise some functions under the Corporations Law.

These decisions of the High Court prompted the Standing Committee of Attorneys-General and the Ministerial Council for Corporations to meet to resolve the problems facing the national Corporations Law scheme. On 25 August 2000 Commonwealth, State and Territory Ministers reached an historic agreement in principle in Melbourne to refer to the Commonwealth Parliament the power to enact the Corporations Law as a truly national law and to make amendments to that law subject to the terms of the Corporations Agreement. Honourable members will recall that late last year the Corporations (Commonwealth Powers) Bill was introduced, and the proposed Commonwealth Corporations Bill and the Australian Securities and Investments Commission Bill were tabled. The bill before the House replaces that bill.

The former bill was tabled following extensive negotiations among the States and the Commonwealth, culminating in a joint meeting of the Ministerial Council for Corporations and the Standing Committee of Attorneys-General held in Sydney on 28 November. At that meeting the State Ministers agreed unanimously on the terms of that bill, and supported its introduction into the New South Wales Parliament. Following the introduction of the bill, further negotiations took place, and on 21 December 2000 representatives of the Victorian, New South Wales and Commonwealth governments met to resolve outstanding issues. Their discussions turned on the inclusion of specific provisions in the Corporations (Commonwealth Powers) Bill to proscribe the use of the referral for industrial relations purposes.

It was agreed at that meeting that clauses 5 and 6 of the Corporations (Commonwealth Powers) Bill would be removed from the bill and that, instead, an objects clause would be included in the bill to provide that the proposed Act was not intended to enable the making of a law pursuant to the amendment reference with the sole, or a main underlying purpose or object of regulating industrial relations. The bill before the House gives effect to that agreement. The bill reflects the commitment of the New South Wales Government to ensuring that the uncertainty that now prevails in the business community over the future of corporate regulation in Australia is resolved as quickly as possible.

The Corporations (Commonwealth Powers) Bill firstly enables the Commonwealth Parliament to enact the proposed corporations bill and the Australian Securities and Investments Commission Bill, in the form of the

bills that I have tabled in the New South Wales Parliament, as Commonwealth laws. Secondly, it enables the Commonwealth to amend those laws, or regulations made under them, in the future, as long as the amendments are confined to the matters of corporate regulation, the formation of corporations, and the regulation of financial products and services, but only to the extent of making express amendments to the bills referred to the Commonwealth Parliament. This is called the "amendment reference". It should be noted that the omission of the old clauses 5 and 6 of the bill introduced late last year in no way affects the proper construction of the amendment reference and, in particular, the concept of "corporate regulation".

The bill provides in clause 1(3) that the Act is not intended to allow for laws to be made pursuant to the amendment reference with the sole or main underlying purpose or object of regulating industrial relations matters. This exclusion is to ensure that the Commonwealth cannot use the referred powers to legislate in the area of industrial relations or to override State laws such as the Industrial Relations Act 1996. The bill provides that the reference of power is to terminate five years after the Commonwealth corporations legislation commences, or at an earlier time by proclamation. The term of the referral can also be extended beyond five years by proclamation. The States have agreed to give the referral for only five years because the referral of power by the States to the Commonwealth is not a permanent solution to the problems of the current scheme. At the request of Ministers, the Commonwealth has given a firm undertaking to examine long-term solutions to address the problems arising from the decisions of the High Court in *Wakim* and *Hughes*, including constitutional change. Those problems affect a number of intergovernmental legislative schemes. The States now look to the Commonwealth to explore options for constitutional amendment thoroughly and expeditiously, through the Standing Committee of Attorneys-General. It is anticipated that a decision will be made well before the expiry of the five-year period about the holding of a referendum on this matter.

The States can terminate the referral earlier, by proclamation, if, for example, the Commonwealth Parliament makes amendments to the corporations law which go beyond what was envisaged when the referral was made, such as in the area of the environment. The bill also provides for the termination of the power of the Commonwealth to amend the referred laws, by proclamation. However, if only the amendment reference is terminated, the effect of the Commonwealth Corporations Bill is that the State would cease to be part of the new scheme unless all of the States also revoke the reference, giving six months notice of their intention to do so. This underlines the importance of the corporations agreement, which will govern the scope of the referral. The corporations agreement is an intergovernmental agreement and in formal terms is not legally binding.

However, the States place great weight on it, and have agreed to refer powers in the terms of the bill before the House on the understanding that the Commonwealth will abide by both the spirit and the letter of the agreement. As I have indicated, the agreement will contain specific provisions to prevent the use of the referred powers for the purpose of regulating industrial relations, the environment or any other subject unanimously determined by the referring States. It will also ensure that the States are consulted about any amendments made to the Commonwealth Corporations Act, and where the Commonwealth does not have existing constitutional power, that the States will vote on whether to approve or oppose the amendments. In addition, the agreement preserves the rights of the States to make laws that modify the operation of the Corporations Act in relation to their own activities, such as, for example, the regulation of State bodies corporate. The terms of the agreement are still being negotiated among governments, but it is anticipated that the remaining matters will be resolved in the near future.

I understand that the Prime Minister will write to State Premiers, asking them to arrange for bills in similar terms to the Corporations (Commonwealth Powers) Bill to be considered by State Parliaments around Australia. It is then envisaged that the Commonwealth Parliament will enact the Corporations Bill (Commonwealth) and the Australian Securities and Investments Commission Bill (Commonwealth), using the powers conferred on it by this bill and its counterparts in other States, so that the new scheme can commence as soon as possible.

Honourable members will appreciate that a number of consequential and transitional amendments to State legislation will need to be dealt with before the new scheme commences, and I anticipate that a separate bill for this purpose will be introduced before the commencement of the new scheme. The Corporations (Commonwealth Powers) Bill, related State legislation, and the enactment by the Commonwealth Parliament of the Corporations Bill (Commonwealth) and the Australian Securities and Investments Commission Bill (Commonwealth) will, with the enactment of similar legislation in all other States, ensure that our national system of corporate regulation is placed on a sound constitutional foundation and reinforce Australia's reputation as a dynamic commercial centre in the Asia-Pacific region. I commend the bill.

Mr HARTCHER (Gosford) [9.36 p.m.]: On behalf of the Coalition I indicate support in principle for this bill. That support is attested to by the willingness of the Coalition to see the bill pass all stages at this sitting

of the Legislative Assembly. However, as I have indicated on prior matters of legislation, the Coalition reserves the right to look more carefully at the bill when it is submitted to the Legislative Council and if any amendment is determined to be appropriate the Coalition will support the amendment. The Corporations (Commonwealth Powers) Bill is part of the package of State and Commonwealth legislation designed to place the national scheme for corporate regulation on a secure constitutional foundation. From 1982 to 1991 corporate regulation in Australia was placed on a system of State, Northern Territory and Commonwealth legislation, known as the "co-operative scheme". Under that scheme substantially uniform legislation applied to all jurisdictions, with each State enacting laws that applied the basic Commonwealth legislation with State variations.

In June 1990 at Alice Springs the outline of the new scheme was settled. Commonwealth, State and Northern Territory Ministers reached heads of agreement on future corporate regulation in Australia. The heads of agreement were tabled in the Senate in December 1990 and formalised as the corporations agreement. Under the scheme, the corporations law is contained in an Act of the Commonwealth Parliament—the Corporations Act 1989—which was enacted as a law for the Australian Capital Territory. Separate laws of each State and the Northern Territory applied the corporations law of the Australian Capital Territory as a law of that State or the Northern Territory. As a result, changes made from time to time to the Corporations Law automatically apply throughout Australia.

The Corporations Law is administered generally by a Commonwealth body, the Australian Securities and Investments Commission [ASIC] established under the Australian Securities and Investments Commission Act. Each State and the Northern Territory has passed legislation applying relevant provisions of that Act, and also conferring functions relating to the administration and enforcement of the corporations law on, among others, the Commonwealth Director of Public Prosecutions and the Australian Federal Police.

Recently law challenges and decisions of the High Court of Australia have cast doubt on the constitutional framework that supports the current scheme. These doubts have been identified by the High Court in two significant cases. The first case was decided in June 1999. The High Court decision in *Re Wakim: Ex parte McNally* invalidated the cross-vesting legislation involving the transfer of State jurisdiction on the Federal courts established by the Commonwealth Jurisdiction of Courts (Cross-vesting) Act. The High Court held by a majority that chapter III of the Commonwealth Constitution does not permit State jurisdiction to be conferred on Federal courts.

In the second case, *The Queen v Hughes*, the High Court held that conferral of a power, coupled with a duty on the Commonwealth officer or authority by a State law, must be referable to a head of power under the Commonwealth Constitution. This means that if a Commonwealth authority, such as the Director of Public Prosecutions [DPP] or ASIC, had a duty under the Corporations Law, that duty must be supported by a head of power in the Constitution. This decision casts doubt on the ability of Commonwealth agencies to exercise some functions under the Corporations Law. The decision in the Hughes case has been relied upon to bring about substantial delays in regulatory and enforcement processes, and to provide a basis for challenging ASIC's or the DPP's power to continue existing proceedings.

I refer now to the reference for a new agreement with the States. At a joint meeting of the Standing Committee of Attorneys-General and the Ministerial Council for Corporations in August 2000, it was agreed in principle that States would refer to the Commonwealth sufficient legislative powers to enact the text of the Corporations Law and the Australian Securities and Investments Commission Act. In addition, the States would refer a power to amend the text in relation to the formation of companies, corporate regulation and the regulation of financial services and products. It was also agreed that the reference should terminate after five years, unless extended by proclamation.

To the disappointment of the Commonwealth and the wider business community, consensus on the details of the agreement could not be reached. A modified package of measures including the reference was developed and agreed between the Commonwealth, New South Wales and Victoria at a meeting between heads of Government on 21 December 2000. The reference would ensure that the constitutional flaws in the existing scheme could be rectified, and would dispel the damaging uncertainty which currently surrounds the Corporations Law. The bill to be passed by the New South Wales Parliament, at the request of the Commonwealth, puts into place the reference of the text of the current Corporations Law and the ASIC law and in addition a power to amend the Corporations Law and ASIC law in future. The States continue to have consultation and voting rights under the proposed new corporations agreement.

The agreement also incorporates a number of safeguards to meet State concerns about referring power to the Commonwealth. An objects clause in the State reference legislation will include a provision to the effect

that the referred powers are not be used for the purpose of the Commonwealth regulating industrial relations. The corporations agreement will specifically prohibit the use of the referred powers for the purposes of regulating industrial relations, the environment or any other matter unanimously agreed on by the parties to the agreement. Further, four States are able to reject an amendment that they agree is for a purpose outside the scope of the reference.

The Commonwealth is required to use best endeavours to ensure consultation and voting on parliamentary amendments and would be required to oppose, and refrain from moving, any such amendment that was outside the scope of the reference. For their part, the States are required to put to a vote of the Ministerial Council any amendment to State or Territory law significantly overriding the new Act. Once one State Parliament has passed the necessary referral legislation and it has received royal assent, the Commonwealth will be able to introduce a Corporations Law and ASIC law based on the referred powers. At present only New South Wales and Victoria have agreed to refer the necessary powers, but it is hoped by the Commonwealth that the other States and Territories will indicate a willingness to pass the required legislation before the commencement of the Commonwealth legislation. This will ensure that the new scheme operates throughout Australia. The Attorney has set out the details of the Act and there is no need to traverse those items. The Coalition is happy to support the bill.

Mr DEBUS (Blue Mountains—Attorney General, Minister for the Environment, Minister for Emergency Services, and Minister Assisting the Premier on the Arts) [9.42 p.m.], in reply: I thank the honourable member for Gosford, the shadow Attorney General, for his support for the bill.

Motion agreed to.

Bill read a second time and passed through remaining stages.

SPECIAL ADJOURNMENT

Motion by Mr Whelan agreed to:

That the House at its rising this day do adjourn until Thursday 8 March 2001 at 11.00 am.

BUSINESS OF THE HOUSE

Routine of Business: Suspension of Standing and Sessional Orders

Motion by Mr Whelan agreed to:

That standing and sessional orders be suspended to provide that on Thursday 8 March 2001, the routine of business shall be as follows:

11.00 a.m.	-	General Business Notices of Motions (for Bills)
	-	General Business Orders of the Day (for Bills)
12 noon	-	General Business Notices of Motions (General Notices)
2.15 p.m.	-	Routine of business; and
4.15 p.m.	-	Private members' statements.

House adjourned at 9.45 p.m.
