

# LEGISLATIVE ASSEMBLY

Thursday 29 March 2001

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

**Mr Speaker** offered the Prayer.

## BILLS RETURNED

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

Business Licences Repeal and Miscellaneous Amendments Bill  
Trade Measurement Amendment Bill

## COMMUNITY SERVICES (COMPLAINTS, REVIEWS AND MONITORING) AMENDMENT (APPLICATION) BILL

### Second Reading

**Debate resumed from 8 March.**

**Mr HAZZARD** (Wakehurst) [10.01 a.m.]: The Community Services (Complaints, Reviews and Monitoring) Amendment (Application) Bill is significant legislation. It is absolutely essential that this House pass the bill as soon as possible so that the Community Services Commission can undertake the necessary investigations into alleged breaches of Department of Community Services [DOCS] statutory duties. As I said on the last occasion that this bill was before the House, the Community Services Commission was established by legislation in 1993 under the then Coalition Government. It was landmark legislation in the sense that it provided the first external monitoring arrangements in relation to the work undertaken by the Department of Community Services.

The work undertaken by the Department of Community Services is vital to the health of the New South Wales community. That work is often at the cutting edge of the most difficult circumstances that people can find themselves in. Department of Community Services officers are to be commended for the work they do, often in very difficult—even thankless—circumstances. The Carr Government would have us believe that under its arrangements the Department of Community Services is achieving the sorts of outcomes that the community would expect that department to achieve. Far from it. As shadow Minister for Community Services, and shadow Minister for Disability Services, I receive reports almost every day from all over New South Wales indicating that the Department of Community Services is incapable of addressing the substantive issues that must be addressed to support families, or to intervene in crises to ensure ongoing support for the families.

Before I came into the Chamber this morning I received a phone call from a women's refuge. During the course of that telephone conversation I was informed of major issues to do with two families. The details would horrify the average member of the public. It almost defies belief that families can find themselves in such horrible situations. Young children are exposed to all of the possible evils that can befall young children if they are not in a nurturing and caring environment. Families look to DOCS to provide intervention, support and guidance. The community looks to DOCS to ensure that those families have the best possible chance of staying together. However, in circumstances where it is impossible for children to remain within the family structure, the community turns to the Department of Community Services to provide an alternative home placement or care placement for children who may be suffering as a result of a family breakdown.

There is no question but that there are many excellent officers working within the Department of Community Services. Those officers, though, work in extremely stressful conditions. They often work in conditions that members of the public would not believe any person should be subjected to. Because of the stressful environment—or because an officer is not able to do his or her job for other reasons—on the odd occasion the Department of Community Services becomes the subject of complaints. Those complaints may come from members of the family, friends or neighbours, or mandatory reports. At the end of the day it is extremely important for the health of New South Wales families that there be a process of independent scrutiny of those actions—or non actions—by the Department of Community Services.

There are numerous examples of circumstances in respect of which concerns have been raised and where, in the absence of an effective team of people with the necessary expertise and skill to conduct an investigation, there would be simply no hope of getting to the bottom of what went wrong. If we cannot get to the bottom of what went wrong, we cannot fix the problem. It may suit a government that is more focused on rhetoric than action to have an impotent organisation undertaking limited investigations. That is what this Government appears to be trying to achieve. I could take a week of the time of the House giving examples of cases that I am aware of where the Government has failed to have the Department of Community Services act appropriately and undertake necessary interventions.

I do not intend to take much of the time of the House, but I would like to bring to the attention of honourable members examples of cases that any member of the community would say should be investigated. Recently there was a case involving a little baby who died of peritonitis. The case was reported in the *Dubbo Liberal*. Since that time I have had discussions with a family member who has indicated to me that DOCS indeed had notifications—or, as they are called under current legislation, reports—going back an extended period of time before the baby's death. Yet, obviously, little was done. The *Dubbo Liberal* had this to say under the headings of "Fears for child's safety" and "DOCS warned of 'severe neglect' before toddler's death":

Twelve days before a toddler died of an infection caused by a blow to the stomach, a government department was told the girl was "suffering severe neglect" in the care of her mother.

The Department of Community Services (DOCS) was also told the child's grandmother was willing to assume care of 16-month-old Thalia Brockman if it was deemed necessary.

On October 28, 1998, less than two weeks after Thalia's aunt Hayley Brockman took her concerns to DOCS, the toddler was dead.

Thalia had fallen victim to peritonitis—an infection of the stomach lining which, according to medical experts, was caused by a blow to her abdomen and could have been successfully treated if she was taken to hospital prior to her death.

In Wellington Local Court last week a magistrate ruled there was not sufficient evidence for Thalia's mother Michelle Paradowski to face trial for her daughter's manslaughter.

Charging 26-year-old Ms Paradowski last May, police did not accuse her of delivering the blow that caused the infection, rather that she was criminally negligent for not taking the sick child to hospital.

During the committal hearing the court heard the young mother had taken seven valium tablets the day before her child was found dead in a Wellington flat.

A witness testified that Ms Paradowski and her boyfriend lay on a bed, metres from where the toddler was "going through something that was unbearable" in the last hours of her life.

The DOCS file on the case, obtained under the Freedom of Information Act, revealed that on October 16 Hayley Brockman notified the department that her niece was "suffering severe neglect, burns (and) bruising".

The only food the girl was fed was three-day-old toast and boiled sugar with water, the documents stated.

"She also had bruising on the head, and a cigarette burn on the finger."

A DOCS entry dated October 27 stated Ms Brockman again contacted the department and asked what they had decided to do. The department had by that time visited the child who "appeared to be healthy with no evidence of harm". The day after the report she was dead.

When questioned about their involvement in the matter yesterday, a DOCS spokesperson would only say "as with all child deaths within New South Wales, the case was immediately referred to relevant agencies, including the Coroner and the Child Death Review Team".

"The death of any child is a terrible tragedy no matter what the circumstances," the spokesperson said.

The article went on to indicate that DOCS was not able to comment further. Hayley Brockmann, according to what is said in this article, and confirmed to me by other family members, is still trying to come to terms with her niece's untimely death. She is quoted in the article as saying:

Our family thinks there are still a lot of questions that need to be answered.

Honourable members of this House will recollect that last year the Opposition sought to ask questions of the Premier and the Minister for Community Services about another little girl who died on Australia Day last year. This little girl, six-year-old Jessica Gallacher, died at the hands of a man who thought he was Christ. Very similar reports were given to DOCS. Again there was no action. Little Jessica had the misfortune of having a dad who suffered for three years before dying of cancer and a mum who was apparently not as well as she might

have been after her husband's death. Little Jessica had lived through seeing her dad dying of cancer and how her mum was trying to handle the issue. Around October-November 1999 her mother met a person whom she allowed to take up residence in their home. Jessica's mum up until that time had spoken regularly on the telephone to her family. She had a strong Italian background, where a sense of family was paramount.

Suddenly, the telephone calls stopped. Jessica's grandparents and aunt became concerned. Family members went to the Corrimal office of DOCS to report what was happening. No action was taken. Jessica's family, even though living in Corrimal, in the Illawarra, travelled to the Central Coast. There they visited Jessica and her mum before going to the Gosford office of DOCS. They had found that Jessica's toys had been put away, pictures of the family had been taken from the walls of the house, and masks which Jessica's aunt described to me as being like death masks had been put on the walls.

If the officers of the Department of Community Services [DOCS] had taken time to see the things that were seen by Jessica's grandmother and aunt, if DOCS officers had been able to take the extra steps that apparently they did not take, maybe Jessica Gallacher would be alive today. Jessica was attacked on Australia Day in 2000. She was set upon by a person who thought that he was Christ. She was sliced up so badly with a sword that her aunt later reported that the family was unable to dress her in a special dress for her funeral. That is the level of horror that occurs behind closed doors in some houses around New South Wales.

Whether it is Tahlia Brockmann, a little two-year-old girl dying in agony of peritonitis in her cot while her mother and her mother's boyfriend lie on the bed next to her, or whether it is Jessica Gallacher, dying at the hands of a madman with a sword, I say to the House, to the Minister for Community Services, and to the Premier, that it is essential that there be some form of outside scrutiny of such actions. The very best form of outside scrutiny in our State is offered through the Community Services Commission of New South Wales. I believe that that commission was aware of the case of Jessica Gallacher. I have been told that that investigation had to be stopped and sent off to the Ombudsman in November last year because of action by the Carr Government.

Just two weeks ago the grandmother of Thalia Brockman said to me, "I understood that I could send a complaint to the Community Services Commission, is that right Mr Hazzard, can I do that?" I had to say to her, "I am sorry, you cannot do that. You can send a complaint but the commission will not be able to investigate it." She said, "Well, why? I understood that the commission was the place to go." I replied, "It is because the Carr Government, the Minister for Community Services, Faye Lo Po', has done nothing to rectify an apparent legal anomaly since she wrote to the commission in November saying that it could no longer hear those sorts of matters."

These are real cases: children are no longer with us because of the alleged failings of the Department of Community Services. No-one wants a witch-hunt in that department. It is at the front end of a battle that probably never will be won in New South Wales or in similar government departments in any other State. Sadly, the fact that the helpline gets 6,800 calls a week of alleged child abuse suggests that there are huge problems behind closed doors in New South Wales—huge problems. Those calls indicate to us that whichever government is in power must be prepared to take the bad news and work through it and try to make things better.

A government cannot respond the way that this Government is responding. A government cannot simply try to shut down an agency that has been set up specifically to scrutinise the horribleness that goes on behind closed doors, the horribleness that can occur to little children. The tales of sexual and physical abuse in this area are mind boggling. The Minister's retort, when these issues were raised, was that she cares about children. I could almost repeat her mantra. She says, "little children who end up having genital warts; who end up with gonorrhoea of the throat; who end up with cigarette burns all over them". I have heard it so many times, each member of this House has heard it so many times, and I do not doubt for a minute that the Minister is concerned about those children. Any human being would be.

I do not doubt that the Minister is concerned about children. But I am saying that the Minister and the Carr Government have not been prepared to be open with the community about the problems that occur in this area, and I am saying that the Government is not able to provide the necessary solutions. The Government cannot provide solutions if it is busy hiding the facts; it just cannot do that. Minister Lo Po' is letting down the children of New South Wales. She is actually allowing the abuse to continue on a massive scale, not on an individual scale, for as long as she does not put in place the necessary procedures to ensure that there is independent scrutiny by an experienced agency. Over nearly seven years, the commission has built up the experience and acumen necessary to investigate those matters.

In a conversation I had this morning before I came into the House, I was told that in another couple of shocking examples of alleged failure by DOCS, a non-government agency had felt it necessary to ring the director-general. The director-general had promised action, a quick response, but there has been no response. The comment was made to me, one that has been made by a number of people, that unfortunately Minister Lo Po' and her director-general appear to have a much greater focus on the rhetoric, on making it look as if they are doing something, than on actually doing something. The first major step that the Minister could take to show her bona fides about what she says, to give substance to her mantra every time these issues are raised, is to reinstate the powers of the Community Services Commission. That is not a hard ask.

As I said earlier, the Minister wrote to the Community Services Commission in late November-early December last year and said, "Mr Commissioner, you do not have the powers to carry out the investigations that you have been carrying out for the last seven years. You do not have the power to investigate the deaths of children where there is an alleged breach of a statutory duty by the Department of Community Services." I have not seen the letter because the commission is an independent body. I know that I will not get that letter even if I ask for it, but I know that it exists. The Commissioner for Community Services has publicly confirmed that he wants those powers back. He needs the powers that the commission thought it had. What has been the Minister's response? I remind honourable members that this letter followed a Law Reform Commission report which was completed in 1999.

**Mr SPEAKER:** Order! It being 10.30 a.m., pursuant to sessional orders business is interrupted.

**Mr HAZZARD:** I seek leave to vary the time so that I can complete my second reading speech on this important bill.

**Leave not granted.**

## **WORKPLACE (OCCUPANTS PROTECTION) BILL**

### **Second Reading**

**Debate resumed from 16 November 2000.**

**Mr TORBAY** (Northern Tablelands) [10.31 a.m.], in reply: I am pleased that no formal opposition has been expressed in the House to the Workplace (Occupations Protection) Bill. I take this opportunity to thank all those honourable members who have spoken in support of this bill. I acknowledge the efforts of the Hon. J. S. Tingle, who drafted the original bill and successfully negotiated its passage through the upper House. I am delighted that the passage of that bill received overwhelming support. Given that there has been no formal opposition and no amendments to this bill, it is appropriate that I keep my comments brief. I simply say that the majority of support for this legislation has come, in particular, from various associations, the retail industry, the service station industry, the newsagents association, chambers of commerce and other people. I had an opportunity to distribute copies of this bill to a wide range of organisations.

The bill has received overwhelming support because the majority of people believe that shopkeepers or other people in the workplace seeking to protect themselves, their families or their employers from someone entering the workplace and wanting to commit an offence should not find themselves in a situation where they are charged with assault. Clearly, that is ridiculous. I am delighted that this legislation clears up those matters and makes it easier for employers to protect themselves, their families, their employees and their goods. They need to know that the law is on their side rather than on the side of someone seeking to commit an offence in the workplace.

The community has rightly been horribly offended at some of the offences that have been reported. One person contacted me about a case that has not been widely publicised. Hardworking people working seven days a week in a small business were confronted by someone entering their workplace and seeking to commit an offence. They subsequently took corrective action. When the police arrived at the premises they reluctantly charged these people with assault. It took two years and more than \$10,000 in appeal costs for that family to clear its name. Clearly that ridiculous situation would not have occurred if this legislation had been in place. I am pleased that members of the Government and members of the Opposition—the Liberal Party and National Party Coalition—have indicated their support for this bill. I commend the bill to the House.

**Motion agreed to.**

**Bill read a second time and passed through remaining stages.**

**CRIMES (SENTENCING PROCEDURE) AMENDMENT (LIFE SENTENCE CONFIRMATION) BILL****Second Reading**

**Debate resumed from 2 November 2000.**

**Mrs CHIKAROVSKI** (Lane Cove—Leader of the Opposition) [10.36 a.m.]: Mr Speaker—

**Mr E. T. PAGE** (Coogee) [10.36 a.m.]: I move:

That this debate be now adjourned.

**The House divided.**

**Ayes, 50**

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

**Noes, 37**

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

**Pair**

Mr McManus

Mr Piccoli

**Question resolved in the affirmative.**

**Motion for adjournment agreed to.**

**PAY-ROLL TAX AMENDMENT (COUNTRY EMPLOYMENT) BILL****Second Reading****Debate resumed from 2 November 2000.**

**Mr YEADON** (Granville—Minister for Information Technology, Minister for Energy, Minister for Forestry, and Minister for Western Sydney) [10.45 a.m.]: The Pay-roll Tax Amendment (Country Employment) Bill seeks to provide two exemptions from payroll tax. The first is for wages paid to employees of an employer conducting "value adding primary industry" that is located solely or principally in "country New South Wales". It also seeks to provide a payroll tax exemption for five years in respect of wages paid by an employer located solely or principally in "country New South Wales" to any new employees aged under 25. This Government has a proud record of achievement in assisting regional and rural businesses in New South Wales. A wide range of programs continues to attract and expand new and existing business to the bush. I would like to take the opportunity to remind honourable members of some of these initiatives.

The Government's Regional Beyond 2000 Post-Olympics Jobs Plan includes 78 public and private sector job creation projects worth over \$10 billion. Since 1999 the New South Wales Industrial Supplies head office has helped facilitate \$96 million in new business and over 2,100 direct and indirect jobs in regional New South Wales. In 1999-2000 the Regional Development Division of the Department of State and Regional Development was involved in 148 regional projects comprising a total potential investment approaching \$350 million, creating or retraining 3,650 jobs. The Regional Business Development Scheme is assisting business start-ups, expansions or relocations in regional New South Wales. In 1999-2000 the Agribusiness Alternatives program provided economic assistance to 80 projects to strengthen the State's agricultural base through diversification and alternative industry opportunities. The Business Retention and Expansion program is currently being implemented in 24 communities across the State.

The Regional Economic Transition Scheme assisted 16 projects in 1999-2000, including expansion of two businesses at Gunnedah and the relocation of two businesses to Blayney. The Country Centres Growth Strategy program is aimed at overcoming specific impediments to economic growth or opportunities for business in selected regional centres. The Country Lifestyles program is addressing the shortage of skilled labour in regional areas. Regional business investment tours are bringing potential investors to regional centres. The Aboriginal Business Link program is assisting Aboriginal businesses to qualify for small business support programs of the Department of State and Regional Development. The Hunter Advantage Fund and the Illawarra Advantage Fund are targeting investment growth and business development in these regions. The Hunter fund targets the creation of 2,500 jobs and the Illawarra fund aims to create 2,000 jobs by 2002. That is a taste of what the Government is doing to promote business activity in regional New South Wales.

From our Hunter and Illawarra Advantage Funds to our Regional Headquarters-Regional Operations Centres campaign, the Carr Government's determination to help create jobs and prosperity for regional New South Wales is one of its highest priorities. Just yesterday the Treasurer, and Minister for State Development reminded members of the upper House of another significant program which aims to create 300 new jobs and \$15 million in sales for regional enterprises over three years. The \$1.8 million New Market Expansion program for regional enterprises was recently launched by my colleague the Minister for Regional Development. The program is designed to assist companies in practical ways to break into new domestic and export markets. Each year 100 companies can apply for a one-off grant of up to \$5,000 to assist in new marketing initiatives, product development, and participation in domestic and international exhibitions.

The New South Wales Government understands the difficulties some regional businesses and organisations face in seeking new market opportunities. This program provides hands-on assistance to help overcome these difficulties. Regional businesses already taking part in this worthwhile program include Tumbarumba Blueberry Producers, the Flavours of the Harvest Food and Wine Festival Association in the Young Region, and the Hilltop Vineyard Association. The Government believes that this program and the many other programs and policies it supports are the best way to assist country industry. It is for these reasons we will not be supporting the bill before the House. Payroll tax exemption for "value-adding primary industries" as defined in the bill will not benefit small, regionally-based employers. It is more likely to benefit large corporations with a regional presence—enterprises like BHP and Western Mining, for example. While we support those companies, we believe they can manage quite fine without that sort of assistance.

Payroll tax applies only to employers with a total payroll in excess of \$600,000 each year. Most employers based in regional New South Wales do not pay payroll tax, as their payrolls do not exceed the

threshold. An exemption is not a well-targeted measure if its intention is to assist rural development, as much of the subsidy would go to existing firms rather than fostering new developments. History has shown that payroll tax concessions are an inefficient and ineffective method of promoting regional development. In the past, New South Wales and several other States have provided general payroll tax exemptions to promote regional development. All States and Territories have now abandoned this type of scheme. They have been demonstrated to be ineffective in promoting regional development. So, we are not going back; we want to keep looking to the future. This is because most firms that receive the exemption would tend to locate in country areas in any event. There would not be a significant incentive for the movement of industry to regional areas as a result of the concession.

The Government's opposition to the bill does not undermine its commitment to regional development. The Government has provided considerable payroll tax relief already for major employers in New South Wales. From 1 July 1999 the payroll tax rate was reduced from 6.85 per cent to 6.4 per cent. In the 2000-01 budget the Government announced that the reduction in payroll tax to 6.2 per cent foreshadowed in the previous year's budget was brought forward by six months to 1 January 2001. On 1 July 2002 payroll tax will be reduced again to 6 per cent. The reduction in payroll tax introduced on 1 January 2001 has brought the total reduction in the payroll tax rate since 30 June 1999 to almost 10 per cent. The total reduction in payroll tax will be over 12 per cent when the rate is reduced again on 1 July 2002. The cumulative value of all the Government's payroll tax reductions in 2002-03 to employers in New South Wales, including those with employees in regional areas, will be \$591 million a year.

In addition to these payroll tax reductions, in 1999 the Government provided a new payroll tax concession for employers of apprentices. This initiative will be beneficial for rural and regional communities by promoting employment and reducing pressures for labour force migration from regional areas. The second measure contained in the bill is also considered to be an ineffective proposal, and is therefore not supported by the Government. Again, the proposed exemption from payroll tax for wages paid to new employees aged 25 or less is poorly targeted in terms of the aims of the bill of promoting employment in country New South Wales in value-adding primary industries. Employers such as city-based retail chains may qualify because they have a large regional presence. Furthermore, as the exemption applies only to the wages of new employees aged 25 or less that increase total employment, it may lead to the dismissal of older employees so they can be replaced by younger employees in an attempt to qualify for the exemption without any increase in total employment occurring.

It should also be noted that the exemption is not confined to the wages paid to employees in rural areas. Employers with a regional presence could qualify for a payroll tax exemption for the wages of new employees aged 25 or less who are employed in city locations. In addition to the lack of economic policy justification for the proposals in the bill, they would impose a significant administrative burden on the Office of State Revenue and heavy compliance burdens on employers that seek to claim the benefit of the exemptions. The Government is committed to assisting and supporting rural and regional business through its existing programs and initiatives and therefore will not be supporting the bill.

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

## **JURY AMENDMENT (DISSENTING JUROR) BILL**

### **Second Reading**

**Debate resumed from 2 November 2000.**

**Mrs CHIKAROVSKI** (Lane Cove—Leader of the Opposition) [10.56 a.m.], in reply: This bill has been introduced because people in this State are tired of seeing expensive trials have no result. The people of this State are concerned that we have had a number of significant trials that should have reached a conclusion but because a unanimous verdict could not be reached those trials were forced to a retrial. That puts enormous strain on the victims, on their families and all those involved in prosecuting the trials. The trials have been expensive and have consumed a lot of time, and it is very frustrating for the people involved when they do not end up with a result. We introduced this bill to allow an 11 to 1 verdict. We believe that such a bill will remove the expense and inconvenience of hung juries that are unable to reach a unanimous decision. However, the bill safeguards the reasonable doubt principle. That is retained by the concept of an 11 to 1 verdict, and we strongly support that.

The bill will ensure that the legal system takes into account the pain, anger and anguish inflicted on victims of crime, their families and their friends when they are forced to endure a retrial. Apart from the costs, frustration and delays caused by mistrials, the community expects victims of crime to have a fair go before the

law. We are not putting up a unique concept. This is not something we are asking to have only in New South Wales. I refer to the excellent paper prepared by Gareth Griffith from the New South Wales Parliamentary Library Research Service. In his summary he points out that majority verdicts in criminal trials have been available in several other comparable jurisdictions for many years: in South Australia since 1927; in Tasmania since 1936; in Western Australia since 1960; in the Northern Territory since 1963; in Victoria since 1994; and in England since 1967. Dr Griffith went on:

- there does not appear to be any pressure to rescind majority verdicts in the above jurisdictions.
- arguments in favour of majority verdicts include to avoid the "rogue" or perverse juror who is unreasonable or unrepresentative of the community; to avoid the possibility of one juror being "nobbled"; and, to avoid the added costs and delays of mistrials; and that majority verdicts have not undermined the jury system in those jurisdictions where they are in force.
- further, it is argued by the proponents of majority verdicts that the criminal standard of proof beyond a reasonable doubt does not entail the requirement of unanimity. Indeed, it is argued that unanimity is not essential to any of the key functions of the jury.

Dr Griffith goes on to point out there is an opposing view, and he refers to the 1993 High Court case of *Black v Regina*, in which the High Court introduced a new model direction to juries which has the effect of requiring 12 separate verdicts. However, he also went on to point out that the New South Wales Supreme Court, in *Regina v Kolalich*, said that the Black direction to juries had produced a sharp increase in the number of jury disagreements, and seemed to suggest the need for legislative intervention. This bill meets that need for legislative intervention. The Parliament and the Premier need the courage to move to majority verdicts to ensure that families of people involved in criminal trials, and the victims, get a fair go. It is not a radical proposal but a sensible one. I commend the bill to the House.

**Question—That this bill be now read a second time—put.**

**The House divided.**

**Ayes, 37**

Mr Armstrong  
Mr Barr  
Mr Brogden  
Mrs Chikarovski  
Mr Collins  
Mr Debnam  
Mr George  
Mr Glachan  
Mr Hartcher  
Mr Hazzard  
Ms Hodgkinson  
Mr Humpherson  
Dr Kernohan

Mr Kerr  
Mr Maguire  
Mr McGrane  
Mr Merton  
Ms Moore  
Mr O'Doherty  
Mr O'Farrell  
Mr Oakeshott  
Mr D. L. Page  
Mr Richardson  
Mr Rozzoli  
Ms Seaton  
Mrs Skinner

Mr Souris  
Mr Slack-Smith  
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

**Noes, 49**

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

Ms Harrison  
Mr Hickey  
Mr Iemma  
Mr Knowles  
Mrs Lo Po'  
Mr Lynch  
Mr Markham  
Mr Martin  
Mr McBride  
Mr McManus  
Ms Meagher  
Ms Megarrity  
Mr Mills  
Mr Moss  
Mr Nagle  
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 Whelan  
Mr Woods  
Mr Yeadon

*Tellers,*  
Mr Anderson  
Mr Thompson



**Pair**

Mr Piccoli

Mr Aquilina

**Question resolved in the negative.****Motion negatived.****YOUNG OFFENDERS AMENDMENT BILL****Second Reading****Debate resumed from 17 August 2000.**

**Mr CRITTENDEN** (Wyong—Parliamentary Secretary) [11.09 a.m.]: The Government opposes the bill.

**Mr Fraser:** Why?

**Mr CRITTENDEN:** I will tell you that right now. The Young Offenders Act is an essential tool for giving young people in our society an opportunity to be dealt with for criminal behaviour in a manner appropriate to the circumstances. It is not a soft option, it is a smart option. To dilute it, as this bill proposes, is to jeopardise the efficacy of ensuring that young offenders have every opportunity to move away from criminal behaviour. The Young Offenders Act as it stands permits diverting young offenders from the courts through an integrated hierarchy of police warnings, formal cautions and youth justice conferencing. One of the important recommendations of the Drug Summit was that all minor drug matters involving juveniles should be dealt with under the Young Offenders Act.

The Drug Summit Legislative Response Act, introduced by the Government in October 1999, implemented that recommendation. It is important to note that this Act was passed with the Opposition's support. It contained no secrets; it was put on the table and Opposition members had every opportunity to propose changes to it. This bill, however, smacks of a reactionary response more than a year later. One suspects that it is aimed at cheap political gain and is certainly not well thought through. This is a very disappointing bill. Focusing on quantities in a vacuum is a distraction that clouds the issue. The tenor of the bill implies that the Opposition believes young offenders can be cautioned and diverted for dealing in drugs. That is not possible.

The Drug Summit Legislative Response Act amended the Young Offenders Act to include in its operation all summary drug offences set out in part 2, division 1 of the Drug Misuse and Trafficking Act. The possession offences were limited to possession of quantities of the prohibited drug up to the statutory small quantity set out in schedule 1 of that Act. This bill proposes to amend the Young Offenders Act so that it applies only to summary drug offences when the quantity of drugs involved is not more than 20 per cent of the statutory small quantity.

It is crucial to understand that acts of supplying—including being in possession of drugs for the purpose of supply—cannot be dealt with under the young offenders' regime. If young people are caught supplying drugs they are brought before the courts and punished accordingly. In addition, any evidence of supply could take the matter outside the regime of the Young Offenders Act. It has been put on record time and again that the diversionary schemes under the Young Offenders Act give the police more options and are designed with good policing in mind. The police retain the discretion to proceed to charge where appropriate. That discretion has not been, and will not be, removed by the Government. I cannot emphasise enough the fact that the options now available are an improvement on the old policing methods.

The Government believes the current requirement that the quantity of drug be less than the small quantity is appropriate. The restriction outlined in the Young Offenders Amendment Bill is unnecessary and would potentially lead to absurd results. The bill would mean that, whilst juvenile offenders could be dealt with under the Young Offenders Act for drug-related offences, such as dishonesty offences, they could not be dealt with for one of the least serious drug offences: possession of less than the small quantity of a drug. The proposed restriction also ignores the fact that the Young Offenders Act involves a much broader set of interventions and responses potentially more serious than mere cautioning. This is because the Act also provides for youth conferencing. The Opposition's bill fails to recognise this important distinction.

In a conference young offenders are obliged to come face to face with members of their family, the victim and the victim's family to discuss the consequences of their actions. This can be an extremely confronting and intensive process for a young person. When a young person is referred to a conference for possessing a small quantity of drugs, parents and other family members will have the opportunity to participate in analysing and making decisions about the young person's behaviour. Reducing the quantity for drug possession offences to 20 per cent of the small quantity is inconsistent with the purpose and principles of the Young Offenders Act. It also goes against the spirit of the Drug Summit.

The Government believes the Young Offenders Act is an essential tool in diverting young offenders away from the court system. It provides a means for early intervention and, accordingly, a greater chance of long-term rehabilitation. If passed, the bill introduced by the honourable member for Epping would reduce options for police. It would make the Young Offenders Act range of options impotent and underutilised. The Government opposes the bill.

**Mr FRASER** (Coffs Harbour) [11.15 a.m.]: I support the Young Offenders Amendment Bill. I shall refer to several issues raised by the honourable member for Wyong as well as the whole drugs debate. During his speech the honourable member reflected on the spirit of the Drug Summit. The Premier invited a hand-picked group of people to attend that Drug Summit and they passed many motions about issues with which they were familiar without allowing a proper discussion. Those who expressed concern during the Drug Summit—as I did—about the quantities of drugs that people are allowed to possess, were harassed and booed by other participants.

**Mr Maguire:** Harangued.

**Mr FRASER:** They were harangued by those who had been chosen to attend the summit in order to achieve a preordained result. Just this week two juveniles from the Coffs Harbour area—aged only 13 and 14—who had been picked up by the police for supplying drugs were let off with a caution. My office has received numerous telephone calls from people concerned that these juveniles who supplied drugs to others were let off with a caution. I am not sure what the caution process entails; they will probably be spoken to. Marijuana, the drug they were supplying, is one of the most dangerous drugs in society. There are those in the Government who would have us believe that it not dangerous. However, cannabinoids can be detected in the fatty tissue of the brain six months after smoking one marijuana cigarette. Unfortunately, my electorate and the Bellingen area are renowned for marijuana use. Many people who come to my office are drug affected. They suffer from paranoid schizophrenia—which is recognised as being drug induced—and their drug of choice is marijuana.

This legislation states that children should not be allowed to carry the equivalent of 30 marijuana joints. Those who smoke nicotine would not carry any more than one packet of cigarettes—about 20 cigarettes—on their person. Yet it is claimed that children in New South Wales should be allowed to carry the equivalent of 30 marijuana cigarettes in their pocket and, if they are caught, they will be cautioned. We believe that figure should be reduced by 20 per cent—or six cigarettes, which I believe is six too many. I think we have been soft on drugs for too long. Parliament has sent the wrong message to our children and to society generally that it is okay to do drugs. It is not okay.

At the rugby league judiciary hearing last night two young sportsmen who were caught with the remnants of ecstasy and cocaine in their systems said that they intended to appeal their six-month suspensions. Those sportsmen are revered by juveniles. The belief that drugs do no harm is nonsense. Those top sportsmen claimed that they did not know what they had taken during a night out at the casino, but of course they did. The drug is being taken because it is accepted by society. I am amazed at the amount of marijuana deemed to constitute a commercial quantity. It is 25 kilograms. In old terms that is about 60 pounds, the equivalent of a bale of hay.

Would people have that much for their own use? What sort of signals does that send? Anyone in possession of 25 kilograms of marijuana is obviously a commercial dealer. But 24 kilograms or 24.8 kilograms is not deemed a commercial quantity. Parliament needs to send a message to the public and our juveniles that the best answer to drugs is no. There is one way to do that: impose tougher penalties and reduce the prescribed amounts. Let these children know that, first, it is not good for them and, second, it is illegal. They should not be let off with a slap on the wrist.

The families and homes of the two children who were let off at Coffs Harbour this week should be looked into. A large proportion of children using marijuana get the idea from their own homes. I was told by a

school principal in my electorate that on some occasions he had to go to a child's home and tell the parents, "If you are going to smoke marijuana please do so outside your residence, because little Johnny is not waking up until midday. He is with us physically but he is not with us mentally because of the effects of passive marijuana smoking in the household." Children apprehended for smoking marijuana should not just be cautioned; the police should visit their homes and bring the force of the law down on their parents.

I had a very emotive argument with a young Labor hack during the Drug Summit. He was there to do everything he was told. He voted against the Coalition's efforts to put more money into drug prevention and harm. This kid—I do not think he shaved—said, "What would you know?" He was there because he was invited by the Premier and he was chairman of Young Labor. What I do know—I will repeat it for the House in this debate—is that at least three children that I knew from the time they were babies have died as a result of marijuana use. One young fellow was admitted for the umpteenth time to the psychiatric unit because he was in danger of harming himself. The unit had only nine beds and because the unit deemed that there were more urgent cases needing the beds the parents were called in—

**Mr Ashton:** They call it the Jordan Centre at Coffs Harbour.

**Mr FRASER:** Yes. I realise why you know the name. The parents were told that the centre thought it was time that the young fellow could go home. The parents said, "No, we know his actions. We know that he is suffering from drug-induced schizophrenia. We know that he has problems. We do not want him to go home." They were told, "Sorry, he does have to go home." Within four hours of his going home his mother found him in his bedroom after he hanged himself from the curtain rail." Toxicology tests showed that his drug of choice was marijuana. He was not into ecstasy, speed or other drugs. His brain had been muddled by marijuana. That mother and father are grieving the needless loss of a life because that drug was allowed to be distributed and used within our society. People said, "It is okay. Do not worry about it."

I remember talking to a police officer at Coffs Harbour courthouse. I said, "I can smell marijuana being used in here." He said, "Yes, it is the bloke in the blue suit in the corner." The policeman gave me his name. He was a solicitor practising out of the Macksville area. He was there to defend someone. When I asked, "Why don't you throw him in?" I was told, "If we throw him in he will end up with a slap on the wrist from the judge. He claims own use and he does it blatantly. It is a waste of our time and the court's resources to do something about it."

After all the crowing that the Premier has done this week with regard to Cabramatta and other places I figure that it is high time that we got serious and put our foot down and said that it is not okay to use these drugs. It is not okay for a solicitor to smoke a marijuana cigarette in the confines of a courthouse; it is not okay for him to smoke anywhere. Bellingen has a large number of people living alternative lifestyles in multiple occupancies. Their crop and drug of choice is marijuana. It is freely available. It is creating massive long-term problems in that community. Kids believed that it is okay to use it. If the long arm of the law was present and prescribed amounts were reduced dramatically, as this bill proposes, the right message could be sent. We could get the vultures away from our juveniles. They are being sent out to become dealers, who say, "You can get away with it, son. Put 28 marijuana cigarettes in your pocket, go and sell them and bring the cash back to us. Then we will give the drugs to you for nothing."

Time after time parents in my office have told me that their juvenile daughters have been utilised as sex objects by a bikie gang in Coffs Harbour. The girls have been entrapped by drugs. When drug laws say that it is okay to have 25 kilograms, 50 to 60 pounds, of marijuana before it is a commercial quantity it is understandable that the children can be trapped. Young lives are destroyed. A mother and father sat in my office within the last three months telling me about their 14-year-old daughter who was gang raped—whether she saw it as rape at the time I am not sure—by a group of bikies as a payback for drugs supplied. A man well into his forties was arrested recently—I will not mention the name of the case—for another offence because of complaints from parents of a young girl that he was using for his sexual gratification by supplying her with drugs. It is a disgrace. It is disgusting.

We are told by the Government that it has toughened the laws and provided for life sentences. I want to know how many criminals supplying drugs have been given life sentences in New South Wales. To my knowledge none have been. Yet from the day the Government was elected it said that it would do something about drugs. All it has done has been to hold the Drug Summit. The Government has claimed that it will get tough on dealers at Cabramatta but at the same time it is supporting the establishment of a shooting gallery in Kings Cross. Dealers will be supplying heroin to people to shoot up in the gallery. And the police will be

authorised to ignore that there are drug suppliers in the area. I guarantee that the heroin suppliers will have minuscule amounts so that if police pick them up they will be able to plead own use and get away with it. The Drug Court legislation is for Sydney; it is not for regional New South Wales. We were told by the Premier in his mini-budget that a detoxification unit would be set up in Coffs Harbour. That is well overdue, but if we do not have money for the full support services for detoxification and treatment—and I am talking treatment; not maintenance on methadone—we will be in trouble.

The Government could easily address this issue by legislating to reduce the amount that can be carried for personal use—I think it should be zilch anyway. A great deal of money should be poured into rehabilitation, but the Government continues to window-dress. I challenge the Government to support the bill. The honourable member for Wyong has said that the Government will not do so—I believe for spurious reasons. He quoted from what was said at the Drug Summit, which I believe was a farce. The bill gives the Government the opportunity to demonstrate that it is serious about the future of our children and about eliminating the use of illegal drugs. The Government should support the amendment proposed in the bill introduced by the honourable member for Epping and thus ensure that the message goes out to drug users, drug suppliers and children that it is not okay to do drugs. [*Time expired.*]

**Mr ASHTON** (East Hills) [11.30 a.m.]: The Government does not support the amendment proposed in the bill introduced by the honourable member for Epping. The bottom line of the honourable member for Coffs Harbour is that the amount of drugs a person should be permitted to carry should be zilch. If young people carried zilch drugs, we would be living in a perfect world. The reality is that no society—western, eastern or middle-eastern—is in that position. The bill introduced by the Government, and initially supported by the Opposition, clearly provides that young offenders need to be dealt with under a different regime and that dealing in drugs is very different to possession of minor amounts of what one might call—I do not want to use the word pejoratively—softer drugs. Reference was made to footballers. Those footballers to whom reference was made are not aged 17 or 18 years, so that argument is completely spurious. I will say more about this at another time.

**Mr ACTING-SPEAKER (Mr Lynch):** Order! I call the honourable member for Coffs Harbour to order.

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

**Pursuant to sessional orders business interrupted.**

### **CRIMES (FORENSIC PROCEDURES) LEGISLATION**

**Debate resumed from 8 March.**

**Mr WHELAN** (Strathfield—Minister for Police) [11.32 a.m.]: I move:

That this debate be now adjourned.

**The House divided.**

#### **Ayes, 50**

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

**Noes, 37**

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

**Pair**

Mr West

Mr Piccoli

**Question resolved in the affirmative.****Motion for adjournment agreed to.****JACK BEETSON "UNSUNG HERO" AWARD****Mr MARKHAM** (Wollongong—Parliamentary Secretary) [11.40 a.m.]: I move:

That this House:

- (1) congratulates Aboriginal philosopher and teacher Jack Beetson on being awarded the United Nations "Unsung Hero" award in the United Nations 2001 Year of International Dialogue Among Civilised Nations.
- (2) recognises that Mr Beetson's award was one of only 12 United Nations Awards presented to "Unsung Heroes" throughout the world.
- (3) recognises Jack Beetson as the only Australian to receive the United Nations "Unsung Hero" Award.

In January this year the United Nations named Aboriginal teacher Jack Beetson an Unsung Hero of Dialogue. This year, 2001, is the United Nations Year of International Dialogue Among Civilisations. The United Nations has identified what it refers to as "examples of human courage—the unsung heroes of dialogue who have faced adversity and looked beyond cultural, social, economic and racial issues to find a solution". Only 12 people in the world have been recognised as unsung heroes of dialogue. Jack Beetson is one of them. He shares this great honour with people such as Margaret Gibney, who, at the age of 14, wrote to Prime Minister Tony Blair about the war in Northern Ireland; Sultan Sornjee of Kenya, an ethnographer who, through the African Peace Museum, encourages indigenous communities to share their traditions of peace; and Zlata Filipovic, the teenage girl whose diary of the war in Sarajevo brought home the horror and tragedy of war as no news report ever could. The United Nations Secretary-General, Kofi Annan, has said:

I see ... dialogue as a chance for people of different cultures and traditions to get to know each other better, whether they live on opposite sides of the world or on the same street.

It is up to us, in the Year of International Dialogue Among Civilisations, to push the process of reconciliation forward by promoting a culture of respect and openness. That is what Jack Beetson does. Jack left school in Nyngan at the age of 13 and worked as a shearer, cotton chipper and labourer. He came to Tranby Aboriginal College as a student more than 15 years ago and went on to become a teacher, principal and executive director. Tranby has flourished under Jack's leadership. Generations of Aboriginal people have been nurtured, educated and given strength and confidence by Tranby Aboriginal College. It is a fine example of self-determination in education.

In addition to his work at Tranby, Jack and his family also run the Aboriginal philosophy farm Linga Longa at their home on the mid north coast. The philosophy farm is an annual forum for indigenous and non-

indigenous Australians to come together, to engage in dialogue and to learn from one another. Jack is a tireless campaigner for human rights and self-determination, and his campaign is one of communication and negotiation. As an educator, and through his Aboriginal philosophy farm, Jack has provided the means for Aboriginal people to speak out, and to share their culture and experiences. Jack's philosophy is based on people—listening, sharing and coming to a mutual understanding. He is a generous soul with a rare depth of knowledge and compassion, and he is a great deal of fun as well.

Jack has said publicly that he will use his honour as an unsung hero of dialogue to highlight the struggle of Aboriginal people for human rights, to promote reconciliation and to speak out for street kids. Jack Beetson has been doing that for more than 20 years. He will continue to do so for the rest of his life because that is Jack Beetson. Jack Beetson's involvement with Tranby Aboriginal College started many years ago. Tranby Aboriginal College is at 13 Mansfield Street, Glebe. The shadow Minister for Aboriginal Affairs and I have attended numerous functions there during the past five or six years and I have no doubt that the shadow Minister will make some reference to that later. In 1957 Reverend Hope pledged a nineteenth century house in Glebe to the Australian Board of Missions (Anglican) Christian Community Co-operative for use as a training centre for the development of co-operative practices for Aborigines.

Tranby Aboriginal College began in 1958 with eight students, one of the first independent Aboriginal adult education institutions in New South Wales. By 1995 thousands of Aboriginal students from all over Australia, as well as from the Torres Strait Islands, Papua and New Guinea, Solomon Islands, Fiji and New Zealand, had attended the college or had attended courses externally. Courses offered by Tranby include diploma courses in Aboriginal studies, legal studies and development studies, as well as the Tertiary Preparation Certificate and foundation, literacy and numeracy skills. Tranby's annual enrolment has increased from around 25 to 170 students last year. In 1998 new buildings, which are unique in their design, were added at the back of the original Victorian House, fitting in with the natural environment and reflecting Aboriginal culture and spiritual values. They are world-class buildings of which everyone at Tranby is justifiably proud.

Jack Beetson's involvement with Tranby college began in 1985 when he was a student doing his Tertiary Preparation Certificate. It was this study that enabled Jack to go to the University of Technology, Sydney, in 1989 to study for an Associate Diploma of Education, and Bachelor of Education in 1993. From 1987 to 1988 Jack taught business studies and Aboriginal cultural studies at Tranby. From 1989 to 1992 he was the Deputy Chief Executive Officer and Education Co-ordinator. From 1993 to 1996 he was the Director of Studies and since 1997 he has been Executive Director. The list of things that Jack has done is extensive and this House should be proud to support the motion.

Jack has represented Tranby college on a variety of committees, councils, and both government and non-government agencies, including the Asia South Pacific Bureau of Adult Education; the Pacific Islands Association of Non-government Organisations; the United Nations Educational, Scientific and Cultural Organisation; the Working Group on Indigenous Populations; the People and Development Working Party to the United Nations; the councils of the University of Technology, Sydney, and the Southern Cross University, Lismore—representing the New South Wales Minister for Education and Training; the Federation of Independent Aboriginal Education Providers; the Aboriginal Education Consultative Group, the State Reconciliation Committee; and Australians Against Racism.

Most importantly, for nine years Jack Beetson presented a feature radio talk-back program on ABC radio's Triple J and 2BL. In 1997 Jack co-founded the Aboriginal philosophy farm at Rollands Plains on the mid North Coast of New South Wales. In 2000 the Inaugural World Indigenous People's Philosophy Week was held with resounding success. Jack's philosophy on life is:

Life is about human rights and education, and education is a critical component for people to access these rights. The right of self-determination is also important, as a part of education. The other thing I see as important through my life are street kids. Basically what I want to do is to give street kids the opportunity that others gave me and the patience that others offered me.

What Jack Beetson has done and continues to do is incredible. His achievements include establishing the philosophy farm Linga Longa. It is easy to understand why he has been given the distinction by the United Nations of being an unsung hero. The Linga Longa Aboriginal Philosophy Farm was established by Jack and Shani Beetson in December 1996. It is the Beetsons' home as well as the venue of the Aboriginal philosophy weekend each year. Linga Longa is situated in the upper reaches of the Hastings Valley on the mid North Coast. It is a 40-hectare property in Birpai country and is open to all people all year round. Jack and Shani invite people to visit for a few hours, a day, or overnight. Linga Longa is a venue for school and cultural awareness camps catering for all ages of the life cycle. Bush tucker walks, bush medicine walks, art workshops and storytelling are among the activities offered at Linga Longa.

Every year, beginning Easter Monday, Linga Longa hosts Philosophy Week, a week of camping out under the stars or in a tent, sitting around a campfire, sharing views on spirituality, environmental protection, reconciliation and sustainability. It is an opportunity for non-indigenous and indigenous people to learn more about the indigenous culture, philosophies, values and world views. The theme of this year's philosophy weekend is "Reconciliation—Beyond the Bridge". As Jack Beetson has said, "Crossing the harbour bridge for reconciliation is only the first step. We are now required to take the plunge." I do not think that anyone in this House would disagree with that view of this incredible Aboriginal teacher and philosopher. [*Time expired.*]

**Mr HAZZARD** (Wakehurst) [11.50 a.m.]: As the New South Wales shadow Minister for Aboriginal Affairs, I have great pleasure in supporting the motion moved by the honourable member for Wollongong about this significant event. Jack Beetson is indeed a worthy recipient of the United Nations Unsung Hero Award. I have known Jack for some years through my role as shadow Minister, and he stands out in both the Aboriginal and non-Aboriginal communities as someone who is committed to trying to improve the conditions under which Aboriginal Australians live. His achievements are awesome. I first met Jack Beetson at Tranby Aboriginal College, Glebe. The honourable member for Wollongong gave some history of that college. Although it has been in existence for almost 50 years, many Sydneysiders and many Australians still do not know it is there. Tranby is the epitome of people doing it for themselves.

Despite what we hear from some quarters, Aboriginal Australians have not been given a fair go since colonisation of Australia. Much of the reason for the lack of a fair go is due to the lack of education and other opportunities for Aboriginal people. Education is a key part of improving the lot of Aboriginal Australians. The activities at Tranby are a model for the rest of Australia. Indeed, to a greater or lesser extent that model has been adopted around Australia. Tranby stands out as a best-of-the-best example of what people can do to help themselves. The college is structured in a way that reflects its history. The architectural style of the building, which was donated by Reverend Hope, is Victorian. As one walks through the front passageway towards the back area, which underwent a major refurbishment a few years ago, one walks into an area that is distinctly Aboriginal. The honourable member for Wollongong said that the building was built with an awareness of Aboriginal culture. The building has been built in circles.

**Mr Markham:** No corners.

**Mr HAZZARD:** It has no corners; it is built in circles. A great deal of Aboriginal culture is about passing on knowledge from one generation to another; it is about learning. When knowledge was passed on it was traditionally done in learning circles. The elders passed on their traditional history and education to younger people to give them a sense of self-esteem and an idea of their place in the universe. All of that happened in learning circles, and there are learning circles at Tranby. Much of what Jack Beetson and others have done has been designed to bring to Aboriginal Australians knowledge of their place in the universe, something they may have wondered about after the influence of 211 years of European culture.

The partnership of Jack Beetson and Tranby college has been a great one. When one attends Tranby on graduation days or on other special occasions one sees the fruits of the labours of so many Aboriginal and non-Aboriginal people. Aboriginal people have attained different levels at various courses at Tranby. They have been under some sense of pressure, but it is all about moving forward, achieving a little more. If one completes a course and earns a diploma that is a big bonus, but any steps taken along that path are also acknowledged. We all deserve recognition when we take extra steps in order to learn. I have seen many Aboriginal Australians benefit from the work that Jack Beetson and his colleagues have undertaken at Tranby. Their efforts are worthy of mention in this House, and not only because Jack has been given this special award by the United Nations.

The honourable member for Wollongong did not mention that the college operates without government funding. I believe it should be given government funding. Having said that, I can appreciate why it would not want to be bothered with going through all the red tape to get that funding and then having to account every year for how it has been used. The Friends of Tranby is an organisation that has been established to raise funds, and its members cheerfully go about fulfilling that purpose. The honourable member for Wollongong and I have attended many of their functions, although his association with the group is longer than mine. He should be proud of his efforts in support of both Aboriginal Australians and Tranby, and Tranby continues to exist because of the support it receives from so many people.

Jack Beetson is a quiet man. Invariably he wears a hat, and welcomes one into the Tranby community at Glebe or elsewhere. At Tranby there always seems to be a sense of Jack's presence. Many members of the Opposition are pleased that Jack has been acknowledged as one of the world's major fighters for human rights.

Jack is undoubtedly worthy of the award and on behalf of the Coalition I congratulate him on receiving it. I commend Jack and his wife for the excellent work they do at their property and at Tranby. Jack is a fighter, albeit a quiet fighter, on many fronts on behalf of Aboriginal people. I congratulate and thank him for that.

The Leader of the Opposition wants me to pass on her congratulations, and a number of other members have also asked me to do so. I will not go through the list, but the honourable member for Burrinjuck, who is present in the Chamber, would like me to pass on her congratulations, as well as the honourable member for Vacluse, who confirmed that he has known Jack Thompson for some time and believes the award is well earned. While I am on the topic of fighting, there are many areas in which Jack would like to see improvement. Last week the honourable member for Burrinjuck drew to my attention that in her view education is the big issue for Aboriginal people. If we can address the educational issues and give people a sense of self-worth, self-esteem and job skills Aboriginal Australians will be able to lead a fuller life than, in many cases, they do now.

The honourable member pointed out to me that she has written on numerous occasions to the Minister for Education and Training seeking an Aboriginal education assistant in Yass. The honourable member for Burrinjuck told me that there are three public schools in Yass but each school has less than 30 Aboriginal students, which apparently is the magic number for obtaining an Aboriginal education assistant. That is an example of the sort of problems that arise. On behalf of the honourable member for Burrinjuck and all members on this side of the House, I say that it is time the Government got practical about these issues.

It is time that the Government did what Jack Beetson and others want it to do. It is time the Government provided an education assistant to schools, such as the schools in Yass, on whose behalf the honourable member for Burrinjuck is fighting. There is a part-time assistant in the area now, but that is not good enough. We want a full-time Aboriginal education assistant. Such circumstances are repeated all over the State. Jack, we want to help you fight, we are happy to be a part of this. We support you in what you have been doing. We hope that your voice is not silenced at any stage and that you keep on fighting. We congratulate you again on the United Nations award.

**Mr MILLS** (Wallsend) [12.00 p.m.]: It is an honour for me to support the motion moved by the honourable member for Wollongong, the Parliamentary Secretary for Aboriginal Affairs, which congratulates Jack Beetson, the Aboriginal philosopher and teacher, on being awarded the United Nations Unsung Heroes Award in this the International Year of Dialogue Among Civilisations. I am also pleased to acknowledge the support of the Opposition for this motion. The award, which is great recognition of the work of Jack Beetson, was one of only 12 United Nations awards to unsung heroes throughout the world. Jack Beetson was the only Australian to receive the Unsung Hero Award. To my way of thinking, an unsung hero is someone who has not achieved fame through his outstanding work and courage.

Jack Beetson could walk down the streets of Sydney, Newcastle, Wollongong, Canberra or Melbourne and he would not be recognised. But he would turn heads in most New South Wales country towns where there are significant Aboriginal communities. He would also turn heads in Glebe and some other parts of Sydney. The unsung heroes project will involve the production by the United Nations of a series of 12, one for each month of the year, televised public service announcements—I believe they will be televised through the BBC and CNN—which will highlight people who have pursued throughout their lives tolerance of diversity and respect for other people's views, cultural beliefs, race or ways of life. These people are recognised as having made major contributions to a society based on justice, equality, understanding and co-operation.

The United Nations General Assembly decided three years ago to designate this year as the International Year of Dialogue Among Civilisations. The United Nations resolution at that time recognised the "diverse civilisational achievements of mankind, crystallising cultural pluralism and creative human diversity". The resolution emphasised the importance of tolerance in international relations and the significant role of dialogue as a means to reach understanding, to remove threats to peace, and to strengthen interaction and exchange among civilisations. Why is Jack Beetson an unsung hero? He has worked with the various indigenous delegations at the United Nations in New York and Geneva in Switzerland with the Working Group on Indigenous Populations. He led a group from the South Pacific to a United Nations meeting in New York looking at populations and development. The *Koori Mail* stated:

His views on reconciliation in Australia are wide-ranging, possibly a result of the countless number of intense discussions around the campfire at an annual retreat he hosts—

which was referred to by the Parliamentary Secretary—

for indigenous and non-indigenous people at Linga Longa Philosophy Farm.



In the article Mr Beetson said:

The annual camp-out is a great opportunity for non-indigenous and indigenous Australians to come together to talk about things such as reconciliation, Aboriginal philosophies, kinship, family values, to better relations between black and white.

The article continued:

With 2001 named by the UN as the International Year of Dialogue Among Civilisations, Mr Beetson wonders whether "civilised dialogue" in Australia is being ambushed by the Federal Government

In the article Mr Beetson also said:

Its refusal to say sorry (to the stolen generations), its refusal to sit down and listen to the hopes, aspirations and concerns of indigenous peoples in this country all make me think the reconciliation process has been railroaded.

Unfortunately, many people thought that when the reconciliation march walked across the Sydney Harbour Bridge, it was like a closing ceremony for reconciliation, which in a way frightens me.

I find that scary too. The great achievements and life works of Jack Beetson have been well outlined by the Parliamentary Secretary. I refer to a paper entitled "Adult Education and the Rights of Indigenous Peoples", which was an address by Jack Beetson to the General Assembly of the Asia South Pacific Bureau of Adult Education, which met in Darwin in December 1996. Jack gave that address as President of the Federation of Independent Aboriginal Education Providers. In his address he examined the role and responsibility of adult education in relation to the special rights of first peoples. I commend that address for reading by all honourable members. It is a pleasure to support the motion.

**Mr THOMPSON** (Rockdale) [12.05 p.m.]: In its constant efforts to promote and maintain peace in the world, the United Nations promotes issues and themes for the world community to consider and to be involved in. The year 2000 was proclaimed to be the International Year for the Culture of Peace and the period 2001-2010 was proclaimed as the International Decade for a Culture of Peace and Non-Violence for the Children of the World. It was with that background that the United Nations declared 2001 to be the United Nations International Year of Dialogue Among Civilisations. Recognising that examples are the best means to convey a message in a convincing manner, the United Nations selected from all parts of the world 12 individuals who it believed epitomised what it was wanting to demonstrate. Those 12 individuals were named "The Unsung Heroes of Dialogue". The faces, names and stories of the 12 unsung heroes will be shown worldwide in short television spots as many times as possible during this year.

In essence, the United Nations is highlighting 12 individuals from a spectrum of societies that have reached across the divide, as it were, to the other side. These people are recognised as having made major contributions to a society based on justice, equality, understanding and co-operation. Anyone who knows of Jack Beetson would surely agree that his selection by the world body as an unsung hero is most apt. Jack would not agree, such is his humility. When told of the award he was quoted as saying, "It's the most humbling thing that's ever happened to me." Jack Beetson is 44 years of age. He was born of a Wongaibon mother and a Ngemba father in Nyngan. He left school at 13 to go cotton chipping, shearing and labouring. Like most Aborigines, Jack endured great hardship, struggle and prejudice. Jack's progress in life has been remarkable. The *Sydney Morning Herald* on 18 January reported that Jack Beetson has now taught 5,000 to 6,000 Aborigines about indigenous culture. The article stated:

Before he turned to explaining indigenous ways of thinking to them, he hated whites. Long before he began hosting street kids at his Linga Longa Philosophy Farm at Rollands Plains, 400 kilometres north of Sydney, he was one himself, with a taste for drugs and other bad habits.

And so he said yesterday: "I'm not looking at myself through rose-coloured glasses ... I could name 2,000 people off the top of my head who deserve this more than me."

He thinks the thousands of others he has worked with should share his honour, from his wife Shani and their three children, to those who phoned him during nine years of regular spots on ABC radio.

Jack is an excellent communicator with a depth of knowledge, understanding and compassion that enables him to communicate readily across all boundaries of class, gender and race. He has been a tireless worker for justice and self-determination for Aboriginal people. He has travelled extensively, campaigning for the rights of all indigenous people. Jack has addressed the United Nations, the United Nations Educational Scientific and Cultural Organisation, and other international forums on indigenous issues, particularly education and specifically indigenous education. I first met Jack Beetson when I attended a function at Tranby Aboriginal

College in Glebe. Jack and Tranby are synonymous. It is hard to imagine one without the other. I refer to the logo of Tranby Aboriginal College, which is the Learning Tree. I quote from Tranby's information booklet, because it very eloquently explains what Tranby is about and, by extension, what motivates Jack Beeton:

This logo evokes a traditional place of learning—in the shelter of the great tree—a meeting place, a place of shared learning and understanding.

Tranby provides a teaching/learning environment which respects and nurtures culturally appropriate ways of sharing and gaining knowledge; holistically, intuitively, creatively, spiritually and always respectfully.

Utilising this widely recognised logo of Tranby, the College continues to promote mutual respect, understanding and acceptance with all Australians. In addition, Tranby continues to promote and maintain unity within Aboriginal and Torres Strait Islander communities and to champion the rights of all indigenous peoples throughout the world.

Thus the Learning Tree stands proudly to represent Tranby's nurturing, spiritually and culturally appropriate environment which supports indigenous Australians to pursue and strengthen their dreams and aspirations, individually and collectively.

That describes not only what Tranby college is all about but, by extension, it also very eloquently sums up what motivates Jack Beeton. I congratulate him on this great achievement of being given this United Nations award.

**Mr MARKHAM** (Wollongong—Parliamentary Secretary) [12.10 p.m.], in reply: I thank the honourable member for Wakehurst, the honourable member for Rockdale and the honourable member for Wallsend for their contributions to the debate in recognising Jack Beeton as one of the United Nations 12 unsung heroes. A speech that Jack Beeton gave in Darwin in 1996 is a very pertinent part of this debate, and it has been referred to by a number of speakers. I will read into *Hansard* the very first part of his address to indigenous people on the Adult Education and the Rights of Indigenous Peoples seminar:

Greetings, ASPBAE delegates, distinguished guests and friends.

I will begin, as is the custom amongst our people, by paying my respects to the owners of the land on which we meet, the Larrakia people, whose ancestral lands include all of what is now known as the city of Darwin. I likewise pay my respects to all the indigenous peoples of this land who have gone before me, and who, in the last 200 years, have struggled, against the genocidal invasion of this continent, to keep our peoples and our culture strong, so that we would survive. On their shoulders I stand today.

I seek leave to have the remainder of Jack's speech incorporated in *Hansard*.

### **Leave granted.**

Today has an historic significance for the recognition by adult education in this country of the rights and interests of indigenous peoples. I believe this is the first time that Australia has selected two indigenous people as its voting country delegates to the ASPBAE General Assembly, myself and Donna Ah Chee. The fact that this has happened is not an accident, or a chance occurrence. It is because of the many years of struggle that indigenous people and their non indigenous supporters have fought, both in this country and internationally, to bring forward the recognition of our special rights, as First Peoples. It is this topic, the special rights of First Peoples, in Australia and in the Asia Pacific Region, and the continued denial of those rights, to which I want to address my remarks in the brief time I have.

Indigenous peoples are sometimes called Fourth World peoples. In Australia, there are two groups of indigenous peoples, the Aboriginal peoples, and the Torres Strait Islanders. I am Aboriginal, and will speak about our situation, though some of what I say applies to Torres Strait Islanders too. We are called Fourth World peoples because although in Australia—and also in other developed countries—the dominant economy is a first world economy, our people live in conditions which are as bad, if not worse, than many third world and developing country peoples.

Make no mistake what the reason for this is—it is because we have been the victims of racist colonialism. Our lands have been invaded, our traditional systems of law and government undermined, our people killed or rounded up into government and church run settlements, our resources stolen and our cultures and languages reviled. Like the Kanaks of New Caledonia, like the East Timorese just a few hundred kilometres to our north, like the West Papuans, indeed, like most indigenous peoples in this part of the globe, the last two hundred years, since the colonisers began arriving from the northern hemisphere, has for us been a terrible time. But Aboriginal people have lived in Australia for over 50,000 years, and we are not disappearing. Ours are the longest continuous surviving cultures on this plant, and they are rich and vibrant cultures of which we are most proud.

While our cultures, our laws, our languages survive, they are today still very much under threat, as they have been since the first Europeans set foot on this continent. They are under threat because of ignorance and because of greed. Ignorance and greed lead the powerful minority of non-indigenous people who determine the course of events in this part of the world to refuse to recognise our rights to exist as a people, as First Peoples. Australia is a first world country, made rich from the plunder of our lands and resources, with a national budget many times that of developing countries, and with some of its citizens and its corporations among the wealthiest and most powerful in the world. Yet what is the situation of our people. The Aboriginal Social Justice Commissioner, Michael Dodson, compared our situation with non-indigenous Australians in these words:

- (a) *Our women are four to five times more likely to die in childbirth.*
- (b) *The children they bear are three times more like to die in infancy.*

- (c) *If they survive, our children will almost certainly suffer hearing impediments before they are even four months old..*
- (d) *They will have less access to decent medical services than any other children in the country.*
- (e) *As they grow older, they will have a significantly lower chance of getting through high school, and later, of obtaining a decent job.*
- (f) *Finally, our people have a life expectancy 20 years below that of the average Australian.*
- (g) *Indigenous people are dying at ten times the rate of the national average.*

Many delegates will be aware already of what I say, and those from other countries can surely recite similar statistics on the experiences of indigenous peoples elsewhere in the region. The question to which I ask this General Assembly to address itself, as we deliberate both on our own goals as an organisation for the 21st century, and on what we shall take forward to the UNESCO Conference in Hamburg next year, is this:

WHAT ROLE AND RESPONSIBILITY DOES ADULT EDUCATION HAVE, IN RELATION TO  
THE RIGHTS OF INDIGENOUS PEOPLES?

Firstly, I believe, we must face up to the past. Sadly, our own Australian Prime Minister recently alienated large sections of our community by failing to address the very real racism that goes deep into the European roots of this country. He mistakenly disparaged an honest assessment of the past as 'black armband' history. But it is not just indigenous peoples in Australia who have reason to remind the descendants of those who colonised this region from Europe that the past is still with us. Racism has been an unfortunate feature of the relations that have existed for far too long between north and south, between the first and the third world.

What is perhaps not so often acknowledged is that racism has an educational dimension, that the education systems brought into Asia and the Pacific in the period of colonialism were profoundly racist in their philosophies. In Australia, for example, our people were subjected to so-called education programs which systematically set out to destroy our languages, our cultural and religious beliefs, and our own law, dismissing them as primitive, heathen, and uncivilised. Even today, those who say that our peoples need for development requires us to be educated need to be very careful, careful that they are not simply continuing, in more subtle forms, the educational racism that for too long has underpinned such efforts to assist us.

As we prepare for a UNESCO Conference designed to take adult education into the 21st Century, it is timely to remind ourselves and the international adult education community that 1997 is the third year of the International Decade of the World's Indigenous Peoples. The theme of the decade as adopted by the UN General Assembly is *Towards a New Partnership*. I want to emphasise this term, partnership. We are here, as indigenous peoples, to establish a partnership among equals, not to be treated as the deserving beneficiaries of a one-way educational exchange.

Our task is to begin here to formulate an educational strategy to help make this partnership a reality. Such a program should, I believe, begin with an honest and serious study of the UN Draft Declaration of the Rights of Indigenous Peoples by the adult education community. In 1994, indigenous peoples accepted the current text of the Draft Declaration as the final expression of the minimum international standards for the protection & promotion of our fundamental rights. We therefore request that all member organisations in ASPBAE engage in a general debate on the fundamental issues and concepts reflected in the draft declaration, with a view to establishing what educational programs will be necessary to take these rights beyond statements on paper to become part of the lived reality of this region in the 21st century.

I urge this General Assembly to adopt the Draft Declaration as its own charter of the rights of indigenous peoples in our region; and furthermore, to use ASPBAE's status as an accredited NGO at the United Nations to put this position, of support for the Draft Declaration, to the Human Rights Commission of the Economic and Social Council. In other words, I am saying that the first adult educational task is to assist in the education of the international community on the nature of indigenous peoples rights—to see us not as the objects of someone else's educational assistance, but as the subjects of an educational program we have been conducting now for many years to better equip non-indigenous peoples to understand the limitations of their own world views.

To begin here and now the process of deepening our understanding as an organisation of the rights of indigenous peoples, I would like finally to go very briefly to some key articles of the Draft Declaration. Article Three states very simply, in the same terms exactly as those of the UN Charter, our right of self-determination:

*Indigenous peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic social and cultural development.*

I urge the delegates to this General Assembly to take these words into their hearts, not just as an international standard by which to measure the actions of governments, but as part of their own practice as adult educators. We have rights to freely determine our own economic social and cultural development. We accept assistance, we welcome it, we work with you all in partnership. But it is our future, it is our development, and we must determine what it will be—not governments, not international agencies like the World Bank, and not even NGO's like ASPBAE and its member organisations. The philosophy and practice of adult education with indigenous peoples must respect this right.

Skipping over the intervening articles, not because they are not relevant, but because my time is so short, I ask you to take note in particular of Articles 12-14, regarding our cultural, spiritual and linguistic identity; and Article 15, regarding education. Articles 12 & 13 expresses our right to practice and revitalise our cultural traditions, our right to protect our sacred sites, and our cultural and intellectual property rights. Article 14 recognises our right to develop and transmit to future generations our histories, languages, oral traditions, our philosophies, our writing systems and our literatures; and calls on states to take action to protect these rights.

It is important and significant that Article 15, dealing expressly with education, follows on directly from those Articles relating to our cultural, spiritual and linguistic identity. As educators, we are all aware that identity is central to learning. To deny someone's identity is to deny them their right to learn from within their own experience, their own culture; their right to *read the world*, as Freire called it, with one's own framework, rather than one imposed from outside. Article 15 declares the right of indigenous people

*to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.*

It also calls on states *"to take effective measures to provide appropriate resources for these purposes."* It is this right which my own organisation, the Federation of Independent Aboriginal Education Providers, expresses in practice. Our five members here in Australia provide education under Aboriginal community control, in our own languages, in a manner which is appropriate to our own cultures and our own ways of learning and teaching. As we say, Aboriginal education is not the same thing as education for Aborigines.

Finally, I want to direct delegates attention to Articles 25-30, which deal specifically with our rights to land and resources. For indigenous peoples, land is life. Our identities, our cultures, are inseparable from our lands. If you respect our right to educate in our own ways, to preserve and transmit our cultures, then you must also help us defend our rights to land. As we move towards the 21st century, the forces of globalisation, of structural adjustment, of economic so-called rationalism, are putting more and more pressure on the land and sea rights of indigenous peoples. We call on ASPBAE to endorse our rights as expressed in the Draft Declaration, and to stand with us against these attacks.

The Federation of Independent Aboriginal Education Providers in Australia will be conducting a workshop at a later stage in the Assembly when we will deal in more depth with these issues. However, as this is the only time we have perhaps to put our position forward for the consideration of all delegates, I will conclude by outlining three steps we believe ASPBAE could take to make concrete its commitment to indigenous peoples rights in this International Decade of the World's Indigenous Peoples.

Firstly, we propose that this General Assembly adopt the text of the United Nations Draft Declaration of the Rights of Indigenous Peoples, as expressing ASPBAE's own view as to what the minimum international standards should be for the protection and promotion of our fundamental rights, and as the standards which ASPBAE itself will seek to meet in relation to its work with indigenous peoples.

Secondly, we propose a major thematic focus of ASPBAE for the coming period, at least until the next General Assembly, should be efforts and programs to win wide support for and to implement in practice educational programs expressing the spirit of the Draft Declaration.

Finally, we urge ASPBAE to take this position into the United Nations, and to its agencies including UNESCO, adding the voices of adult education in the Asia Pacific to those of the indigenous peoples of the world, urging the immediate adoption of the Draft Declaration and of programs to implement its provisions.

Thank you for this opportunity to address you.

Jack Beeton  
December 1996

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**Mr MARKHAM:** It is a very important speech. People who want to read about Jack Beeton will appreciate what he had to say in Darwin. I heard what the honourable member for Wakehurst, the shadow Minister for Aboriginal affairs, had to say about Tranby and he is correct: I have been to many functions with him over the years, but I have been associated with Tranby and Jack Beeton for something like 12 years. But a number of other people to whom the shadow Minister referred, such as Kevin Cook and Kevin Tory, have made Tranby college what it is today. Their dedication and the dedication of many other elders from the numerous nations throughout New South Wales have helped Jack Beeton, the Executive Director of Tranby, to achieve so much. Right here and now we are in the country of the Eora people. It is very important that we recognise that. As Jack said at the start of his speech in Darwin, he recognised the people and the role they played in that part of the world.

It is important for us to recognise at every opportunity that we debate all sorts of issues in this place on Aboriginal land. The Gadigal tribe inhabited this area and the foreshores of Sydney's beautiful harbour. Jack Beeton is one of the most humble men you would ever come across. When he received this award he rang me to say, "Col, I have just been given an award by the United Nations and I wanted to tell a few people about it." That is Jack Beeton. He is an incredibly humble man, but an incredible worker and a great philosopher. Many years ago Jack said to me that when he was a boy he was a wild, uncontrollable black fella. Jack said to me, "One of my uncles took me aside one day after I got myself into some trouble and he said, 'You've got to turn your head around, boy, and you've got to start doing things for your people. You've got the ability. You've got to start doing things for your people. What you've got to remember in life, Jack, is that you're no better than any other person in the world but there is not another person in the world any better than you.'"

Jack often relates that story. It has really put him on the path to where he is today. It is quite easy to see why he became an unsung hero and why the United Nations has recognised his work. He is the only person in

Australia to receive such an award. Last weekend Rotary District 9750 recognised Jack Beetson's United Nations Award and congratulated him on his outstanding work for rotary at its annual conference held at the Wentworth Hotel. As a mark of respect, and for the first time, Rotary District 9750 included the Aboriginal flag in the flag ceremony at the opening of its annual conference on Saturday 24 March, which the Governor of Australia opened. Well done, Jack! You have the support of everyone in this Parliament. I know that this motion will be passed by all members of the New South Wales Legislative Assembly.

**Motion agreed to.**

## **BUSINESS OF THE HOUSE**

### **Notice of Motion**

**General Business Notice of Motion (General Notice) No. 2 [Young District Court Delays] called on and lapsed.**

### **STATE ENVIRONMENTAL PLANNING POLICY No. 5**

**Mr HAZZARD** (Wakehurst) [12.18 p.m.]: I move:

That this House calls on the Government to abolish SEPP 5 because of its impact on Manly, Warringah, Pittwater and Ku-ring-gai and other environmentally sensitive areas to ensure it no longer permits medium-density development under the guise of aged and disabled housing.

I gave notice of this motion on 23 September 1999, so it has taken more than a year and a half to come before the House. In that time, one can only imagine the destruction that has occurred to the urban environment in council areas, and across Sydney generally, as a result of this Government's inaction regarding the State environmental planning policy [SEPP] 5. I must admit that SEPP 5 has a reasonable aim: encouraging the development of accommodation for aged people and for those with disabilities. As the shadow Minister for Ageing, shadow Minister for Disability Services, I support the general thrust of SEPP 5. However, this Government has not come to grips with the real effects of the State environmental planning policy.

We must go back a step to examine the Government's actions regarding urban consolidation generally and to consider the damage that it has wreaked on our urban environment, despite the Premier's promise upon gaining office that he would preserve vestige bushland—the last remaining bushland areas in Sydney—and urban amenity. The Premier has allowed developers off the leash; he has given them almost a licence to print money while they destroy the urban amenity, particularly in those areas of Sydney with some remaining bushland and some sense of the green environment that the Premier likes to talk about. This Government inaction in addressing the problems arising from SEPP 5 is deliberate: It has allowed developers off the leash to push for more and more medium-density housing in areas where residents do not want it.

SEPP 53, which was introduced a couple of years after Labor came to power, applied a new and revitalised focus to medium-density development. It was about pushing as many residents as possible into areas the size of a shoe box. Then came SEPP 5, which aims to provide accommodation for aged residents and people with disabilities. That is a good aim. Unfortunately, the Government has not ensured that that is the outcome. One might ask who is residing at some retirement villages in Warringah that spring to mind—I will not name them. Are those residents aged over 55 years? It is amazing that people of Mick Jagger's age can move into so-called retirement villages.

**Mr O'Farrell:** He is of retirement age.

**Mr HAZZARD:** That is true. One so-called retirement village is built on the side of a hill that a goat would have a hard time climbing. I have heard that many of the residents of that retirement complex are well under the age of 55—in fact, they are quite young. This Government's legislation and its State environmental planning policy are a backdoor process that allows developers to build cheap—and, in some instances, shoddy—accommodation for younger people. That is an admirable aim in itself, but it is not what SEPP 5 was designed to achieve and it certainly does not justify destroying urban amenity by building additional accommodation where residents do not want it.

For example, in Forestville it is proposed to build four houses on quite small blocks that previously had only one residence. Such additional density can create real problems for local residents—it would certainly add

to traffic problems and change the tone and amenity of the area. This development is taking place under the guise of providing accommodation for the aged and for people with disabilities. As shadow Minister in this area, I fully support trying to achieve those sorts of aims. In fact, the Disability Services Act 1993—an initiative of the Coalition and another Coalition policy achievement—set out ambitious targets designed to ensure that people with disabilities receive equal treatment in the community. Section 3 (ii) of that Act refers to enabling "persons with disabilities to achieve positive outcomes, such as increased independence, employment opportunities and integration in the community."

Coalition governments have already realised those sorts of aims through policy initiatives and we would now like to see practical moves to achieve those desirable outcomes. However, this Government is taking no action to support people with disabilities or senior citizens. The Government is a policy-free zone when it comes to putting into practice the grand visions set out by the Coalition through legislation such as the Disability Services Act. The Deputy Premier, Minister for Urban Affairs and Planning, Minister for Aboriginal Affairs, and Minister for Housing tinkered at the edges last year. He conducted a review and talked to councils. However, he decided that that was a bit too hard so he made the grand announcement late last year that he intended to modify SEPP 5 and introduce great changes. However, he did absolutely zilch.

**Mr O'Farrell:** The situation is worse.

**Mr HAZZARD:** The honourable member is right. The Minister does not know what to do with SEPP 5 and, as a result, SEPP 5 developments are being permitted on rural and other non-urban land. Such developments no longer need to be close to shops and medical and community facilities; they need only to be 400 metres from transport that passes near those services. It is beyond me how that could be said to assist aged people and those with disabilities. There is no requirement for SEPP 5 developments to be situated close to weekend transport services, so the aged and people with disabilities can effectively be trapped in areas of urban consolidation—slapped into suburbia—so long as they are 400 metres from transport. There is also a loose and unenforceable provision that, if possible, development should:

... maintain reasonable neighbour amenity and appropriate residential quality.

What a lot of hogwash! The Minister talked about possibly whacking a covenant on titles to ensure that only those aged over 55 lived in such developments. As the honourable member for Pittwater asked at the time, does the Government intend to send out rangers to sight birth certificates? How ridiculous! Rangers cannot enforce other title provisions. Can honourable members imagine someone walking up the driveway and saying to a resident, "Show me your birth certificate."? He would then have to ask, "Do you live here and, if not, who does?" These developments are destroying the amenity of the areas to which the motion refers and I ask the House to condemn the Government over SEPP 5.

**Mr WOODS** (Clarence—Minister for Local Government, Minister for Regional Development, and Minister for Rural Affairs) [12.28 p.m.]: I oppose the motion moved by the honourable member for Wakehurst.

**Mr Hazzard:** You are over 55; declare an interest.

**Mr WOODS:** Excuse me, I am not over 55.

**Mr O'Farrell:** You just look like it.

**Mr WOODS:** I have had a hard life.

**Mr Hazzard:** We have a Liberal Party retirement home to put you in; you'll be right.

**Mr WOODS:** Goodness, that would be a dreadful place! As most honourable members will be aware, the population of New South Wales is ageing at a dramatic rate—most noticeably on the other side of the House. As a result, successive governments—both Labor and Liberal—have introduced policies that seek to plan for this demographic change. One of the biggest challenges is providing appropriate accommodation for an ageing population. A retired couple does not need, and more likely does not want, a four-bedroom house. Over the next 25 years we will need to find accommodation for more than 1.6 million people over 55—and we will all fit into that group. That is the problem facing our community and that is the issue government must plan for.

Since the early 1980s governments of all persuasions have implemented State environmental planning policy 5, which seeks to encourage the development of housing appropriate for both the aged and the disabled.

However, with the policy Armageddon going on in the Opposition ranks, any sensible approach to this issue has been abandoned by those opposite, particularly those who make the most noise. Last year a number of mayors approached the planning Minister about how the policy was working. They expressed considerable concern that some developers were using the policy inappropriately. When the councils and communities raised concerns with the Minister about SEPP 5 he asked for the policy to be reviewed. He did not just abandon the policy or just say no; he set out to resolve the issues being raised.

In April last year the Minister released a discussion paper on options for change in response to the concerns and invited comment on the proposals. He encouraged the community, councils and people with an interest in the issue to respond by 12 May. I am pleased to report to the House that, unlike those opposite, the community has responded to this opportunity with constructive proposals. More than a hundred submissions were received from local councils, developers, aged housing operators, resident groups and individuals. The Minister received submissions from just about everyone except from those opposite who now have something to say on the subject. When previously invited to, they did not make a submission. They had nothing to say. They expressed no view, no opinion, and no policies. This is an important issue yet they cannot put pen to paper to let us know what they think.

Last year the Minister released a new SEPP 5 that addresses the concerns raised by the community. We tightened the criteria to ensure that all SEPP 5 homes were within 400 metres of shops, community facilities and transport. All units must be built to suit the needs of older people and the disabled. We need to work together to establish how we can increase the housing available for the State's rapidly ageing population whilst at the same time ensuring that the policy is being used appropriately. Over the next 25 years the number of people across the State older than 55 will almost double, from about 1.4 million to about 2.5 million. Even the honourable member for Pittwater will fit into that group by then. In just the next five years the number of over 55s in Sydney will increase by more than 110,000. We are working to resolve these issues with a clear policy response—something the Opposition has no understanding of. We will have a thoughtful, rigorous approach to the problem. In comparison, Opposition members have no policy and no approach in any area. They have simply a knee-jerk reaction. I urge the House to reject the motion.

**Mr BROGDEN** (Pittwater) [12.33 p.m.]: Whilst we listened attentively to the comments of the Minister for Local Government, we ask where the Minister for Urban Affairs and Planning is on this occasion to defend his policy and that of the Government. It is embarrassing that the Minister cannot even defend the policy himself. The Minister for Local Government may not be 55 yet but he must be very close to it.

**Mr Woods:** Why do you say that?

**Mr BROGDEN:** Because I was in the same class at school with your son and I am 32. So you must be getting near 55. I think you need to declare your self-interest. In the notes the Minister read to the Chamber he said that under the new provisions of SEPP 5 gazetted last year the units must be within 400 metres of transport and other community services. That is wrong. The new SEPP 5 requires that the units only be within 400 metres of transport to those services. It is ridiculous that under the Government's aged and disabled housing policy units can be built as long as they are within 400 metres of a bus stop from which to catch a bus 10 kilometres down the road to a doctor, a butcher a social security office or wherever the residents need to go. That is not good enough as far as we are concerned.

The policy is a big-stick approach to an issue that legitimately will concern planners over the next 20 years. The Government has not consulted with councils or the community. The Minister may not be aware because he is not the planning Minister, but in 1997, prior to the first amendment to SEPP 5 that opened up Sydney in particular to backdoor overdevelopment, the Government introduced SEPP 53. Once again it was a big-stick approach. It forced local councils to increase housing density or face the loss of their planning powers. Just one year later, in 1998, the Government allowed more backdoor urban consolidation, more overdevelopment. But this time there was no consultation with councils. So within 12 months of the Government forcing councils to designate areas where there would be increased medium-density development the Government introduced SEPP 5, which more or less said, "Blow the policy. Don't worry about that. You can put townhouses or flats anywhere you like."

It is not a good policy. It is enormously unpopular in the community—for good reason. It is allowing medium-density development in established areas where councils have not given the go-ahead for that level of development. It is inappropriate and the policy is fatally flawed. As the honourable member for Wakehurst said so articulately in his speech on the motion, the great problem still remains: there is no capacity within the

Government to ensure that these dwellings are occupied by over 55s or disabled people. If there were such a capacity, how would it be enforced? Could rangers knock down the door to search for birth certificates to prove that the occupants are over 55? It is a ridiculous policy and it is not working. The only people who have moved forward with it are greedy developers.

I worked closely with the honourable member for Cronulla and interested Sutherland Shire councillors to stop a very bad proposed SEPP 5 development that was grossly out of keeping with the spirit of SEPP 5 but that was allowed within the rules. The advertisement for the development said nothing about aged care, people over 55 or the disabled but referred to luxury units on the waterfront at Cronulla. With the community and Sutherland council we helped to stop that proposal. It has been thrown out and I hope that the developer walked away hanging his head because it was a disgraceful attempt to destroy the character of the area. In 1999 the Coalition indicated that it would abolish the policy. We will work with communities and councils to find a better solution to the growing need for aged housing in the future. We will not use the big-stick approach the Government has adopted to destroy the character of Sydney neighbourhoods.

**Mr O'FARRELL** (Ku-ring-gai—Deputy Leader of the Opposition) [12.38 p.m.]: The mover of this motion made the point that SEPP 5 provided a backdoor means of development to unscrupulous developers in our community. I could not disagree more. It is not a back door for unscrupulous developers, but a grand entrance, with red carpet being provided by the Carr Government. The Carr Government, under its SEPP 5 policy, has provided a green light to developers to destroy areas such as the municipality of Ku-ring-gai that I represent in this Chamber. One need only visit parts of north Wahroonga, North Turramurra, Gordon, Killara, Roseville and Lindfield to see the damage that SEPP 5 developments are doing to that municipality.

I could not be more angry about this issue because in Ku-ring-gai at the present time council is trying to come to grips with the State Government's SEPP 53. As the Minister for Local Government knows, an enormous amount of work has been done by the existing council to try to identify areas that are suitable for this Government's push for high densities across the Ku-ring-gai municipality. In the meantime, though, the Government, through its flawed SEPP 5 developments, is allowing unscrupulous developers to make a quick buck. Developers identify sites outside of those areas identified in the residential strategy to put in SEPP 5 developments. The net effect is that in a quiet residential street in any one of the 12 suburbs that make up my electorate a single house will disappear and a SEPP 5 development will move in. In some cases those SEPP 5 developments have included up to 16 housing units.

That significantly alters the residential amenity of an area and the general environment. I have yet to see a single SEPP 5 development where the existing tree coverage is being protected. Bulldozers go in, trees are knocked down and holes are dug, fundamentally destroying the type of residential amenity that has been characteristic of Ku-ring-gai for so many decades. A week ago I attended the annual general meeting of the Ku-ring-gai Preservation Trust. I heard Councillor Laura Bennett, the Mayor of Ku-ring-gai Municipal Council, address those present on this point. I share the concern of the mayor and all councillors about the impact of SEPP 5 on the municipality. As the Minister for Local Government knows, there have been divisions on Ku-ring-gai council in the recent past, however, what is certain is that SEPP 5 is a flawed policy; it is destroying the community of Ku-ring-gai; it is spreading like a cancer across the municipality and it must be stopped.

Clearly, this is a well-intentioned policy but the road to hell was also paved with good intentions. There is no indication that aged and disabled people are taking up these units; in fact, it is quite the reverse. I have seen SEPP 5 developments in which people who are over 55 or disabled would have to be far more fit than I am in order to access the upper levels. When it comes to affordability, it is a complete nonsense. I have been told on a number of occasions that people have sold their houses in Ku-ring-gai because they thought they would be able to buy a SEPP 5 development and have money left over, only to discover that the SEPP 5 development is the same price. SEPP 5 developments are about as affordable as a Bob Carr election promise.

There is also little choice offered. The last time I raised this issue in the House the Minister for Urban Affairs and Planning said that I opposed accommodation options for senior people. I inform the Minister that three weeks ago I had morning tea at St Andrew's Church at Wahroonga. The 70 people present were all over 60 years of age and their biggest concern was not police, health or education but the SEPP 5 developments in Wahroonga that are destroying their community. These people are allegedly the targets of these sorts of policies yet they reject this flawed policy over which the Government is presiding.

The Minister for Local Government said that when concerns about this policy were raised the Minister for Urban Affairs and Planning asked for a review. That review has worsened the situation, as evidenced by the



comments made by the shadow Minister for Urban Affairs and Planning. Clearly, what is needed is either for SEPP 5 to be abolished—as sought by the Liberal Party—or, alternatively, for the Government to adopt the same approach with SEPP 5 as it does with SEPP 53. This will allow local councils to determine where the developments can go so they do not continue to spread like a cancer across Ku-ring-gai. Those developments are the single biggest threat to the lifestyle of the people living in my electorate.

**Mr HUMPHERSON** (Davidson) [12.43 p.m.]: I support the motion moved by the honourable member for Wakehurst. I represent two of the councils identified in the motion, Ku-ring-gai Municipal Council and Warringah Council, both of which have great concerns about the impact of SEPP 5 on the urban character of their areas. The Minister referred to declining household sizes. All members of this House and the councils referred to in the motion would acknowledge that households are diminishing in size in Sydney and elsewhere. We acknowledge the demand for diversity of housing and choice, and the need to ensure that people can relocate in the same community in which they have lived for many years. However, that can be achieved more appropriately through proper residential strategies, not the ham-fisted approach that has been condoned and encouraged by the Carr Government via SEPP 5.

Ku-ring-gai Municipal Council spent enormous resources and time in developing a residential strategy that identified appropriate areas for medium-density housing to cater for the elderly or disabled. Warringah Council has also identified appropriate areas for people in those categories, taking into account the topography and the provision of transport and other relevant services. In both cases this is being done without sacrificing the character of the suburbs, streets and adjoining homes. The Government has no empathy or affinity with or concern for what is being said by my constituents. SEPP 5 is unacceptable, although it is not being misused as such because it has been designed to be used this way by developers. The Carr Government knows full well that it is being used in this fashion because that was the intention.

In Ku-ring-gai I represent suburbs such as Gordon, St Ives, Killara, Lindfield and Roseville, where numerous SEPP 5 applications have raised the ire of the community and where the developments have destroyed the character of the streets. Generally, my electorate is characterised by considerable residential tree cover, fairly standard size dwellings of similar character, particularly those in Ku-ring-gai, which were built in the early to middle parts of the last century. The character of adjoining homes are destroyed by homes being demolished and being replaced by larger, bulky buildings that contain within them numerous dwellings. It is not surprising that people take offence to SEPP 5 applications.

Ku-ring-gai Municipal Council and Warringah Council have properly identified areas for medium-density housing. However, the developers do not seek to buy the more expensive land that is zoned for medium-density housing but seek to purchase standard residential land because it is cheaper. There is an incentive for them to buy the cheaper land where those types of developments are out of character. That type of practice is condoned by the Government's policy. The Government is more than happy to have standard residential blocks bulldozed and cleared to make way for greater density housing rather than provide appropriate housing for the disabled and elderly located near transport routes, shops and other services.

This matter has been raised with the Minister. I have been present at meetings with Ku-ring-gai Municipal Council, and Warringah Council sent a delegation to the Minister for Local Government. Both councils have made submissions but those submissions have been ignored. Both the Minister for Local Government and the Minister for Urban Affairs and Planning know that these are difficult matters. The Government is not seriously concerned about preventing development in areas where it is inappropriate. SEPP5 applies beyond the borders of Ku-ring-gai, Warringah and Pittwater. Members who represent other areas of Sydney, such as the Sutherland Shire and the St George area, have had nothing to say because they accept that SEPP5 is to be applied in the manner that this Government wants applied.

**Mr KERR** (Cronulla) [12.48 p.m.]: It was interesting to observe the reaction of the Government to what the last speaker had to say about SEPP5. This caring Government—

**Mr R. H. L. Smith:** Oh yeah!

**Mr KERR:** As the honourable member for Bega said, "Oh yeah!" By its lack of representation in the Chamber today the Government has shown its lack of interest in this matter. One would have thought that the Premier, who prides himself on being a green Premier—

**Mr Brogden:** A planning Premier.

**Mr KERR:** A planning Premier—

**Mr O'Farrell:** They call him "Hidden Tiger" in China.

**Mr KERR:** They do indeed, but only until intermission. The Premier has spoken about urban design in Sydney and the need to have a city that we can all be proud of, but what we are seeing is urban vandalism. Not one member of the Government has deigned to walk down to this Chamber to take part in the debate—except the Minister for Local Government, who is not regarded as a long-term planner by this Government. Time and again the Opposition has drawn attention to this Trojan horse of urban planning and what it is being used for. SEPP 5 will continue to be used by developers to rot the system. The Government amendments have not prevented the policy from being used to destroy the character of suburbs. SEPP 5 developments are still permitted on rural and non-urban land. SEPP 5 developments no longer need to be close to shops or medical and community facilities. They can be 400 metres from transport which passes near those services. There is no requirement for developments to be close to weekend transport and other services.

I would have thought that was basic fundamental planning. If you care about people, if you care about the way that they live, why condemn them to isolation in areas where they do not have those sorts of facilities? It is unbelievable that this could go on year after year. One has to wonder why. One has to wonder who is getting the money as a result of this neglect. The shadow Minister for Urban Affairs and Planning had to address a meeting of residents in Cronulla in relation to threats to Gunnamatta Bay. The whole of the foreshore there can be used by this Trojan horse of planning to destroy sensitive environments because they happen to be very attractive in terms of outlook—very attractive for the very few and profited from by the very few.

Why does this practice continue? One has to compare that practice against the years of preaching we heard from this Premier when he was environment Minister and what we hear from him now that he is a supposedly green Premier. Sutherland council—which is now referred to as the "nightmare on Eton Street"—has members of the Department of Urban Affairs and Planning in the very heart of its offices, assisting the council. Why is that happening? Why is that sort of collusion going on? We do not hear the mayor or the Labor councillors talking to their Labor mates about SEPP 5. They know the dangers it poses to the Sutherland Shire, but there is no criticism about what the Carr Government is doing.

There was a report by John Woodward, a former Labor mayor of North Sydney, relating to Sutherland council. What a horror story that report is! I suggest that every ratepayer should read it because it refers to the infighting that is occurring within departments at council level. The mayor has set up a people's local environmental plan [LEP]. The only problem is that there has not been much contribution by the people to the people's LEP. My authority for saying that is John Woodward's report. When one examines John Woodward's political background one sees that it is not one shared with those on this side of the House. I urge all ratepayers of Sutherland Shire to read his report. As I said, there has been no defence from members opposite about what is going on.

**Mr HAZZARD** (Wakehurst) [12.53 p.m.], in reply: I thank members who have contributed to the debate today—the honourable member for Pittwater, the shadow Minister for Urban Affairs and Planning; the Deputy Leader of the Opposition; the honourable member for Davidson; and the honourable member for Cronulla. I also thank the one and only member of the Government who was sent in here to read his prepared speech.

**Mr Woods:** And I am not 55. I might be a grandfather but I am not 55.

**Mr HAZZARD:** I note the Minister's mea culpa that he is not 55. Each of the Opposition members who spoke to this motion expressed grave concern about SEPP 5—save and except for the one solitary speaker for the Government. SEPP 5 should be abolished. I cannot make it any simpler than that. The honourable member for Cronulla expressed his very strong views and the honourable members for the electorates of Ku-ring-gai, Pittwater and Davidson expressed potent and strong views that SEPP 5 is a curse on local communities.

Warringah Council's view is that the Department of Urban Affairs and Planning's suggested amendments to SEPP 5 were simplistic and a cursory response to a very complex problem. Warringah Council is concerned that the changes do not in any way prevent inappropriate development in non-urban zones and on environmentally sensitive land. There is a lot of that type of land on the peninsula and in Ku-ring-gai, Sutherland and Cronulla. Much of Warringah's non-urban land, which is situated on the urban fringe, is under constant threat from SEPP 5 development as the State Government's policy permits housing adjacent to land zoned for urban purposes.

SEPP 5 development in non-urban areas is not consistent with the existing or desired future development of so many council areas, in particular Warringah and Pittwater non-urban land. The changes suggested by the Government late last year are next to useless. That is obvious from the fact that there has been no real response from the Government today and no-one in the Chamber to argue the case—except for the Minister who gave the pro forma speech. The Government does not understand the issue. It does not have an interest in the issue. The Premier and the Minister for Urban Affairs and Planning should be ashamed.

I note that Warringah council has been unable to arrange a meeting with the senior officers of the Department of Urban Affairs and Planning, despite requests on 1 and 16 August 2000. On 14 September the council received a response to the effect that there would be no point in meeting with senior officers from the department because it was not considered that council's views would be of any great significance to the State Government. That is the way we all feel: We feel that the State Government is not listening. I ask the House to support the motion.

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

**The House divided.**

**Ayes, 37**

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

**Noes, 48**

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

**Pair**

Mr Piccoli

Mr West

**Question resolved in the negative.**

**Motion negatived.**

[*Mr Speaker left the chair at 1.09 p.m. The House resumed at 2.15 p.m.*]

## BUSINESS OF THE HOUSE

### Committee Reports

**Mr HARTCHER:** I wish to speak on a matter concerning the business of the House. The sessional orders require that on the last sitting day of the week there be consideration of committee reports between 1 p.m. and 2 p.m. The program of the House, as published for this day, provided for committee reports to be dealt with from 1 p.m. At 1 p.m., without any prior notification to the House, Mr Speaker, you elected, instead of complying with the sessional orders of the House and your own published program, to leave the chair without any explanation. On behalf of the Opposition I ask you to explain why you defied the sessional orders of this House.

**Mr SPEAKER:** Order! The honourable member for Gosford would be aware that committee reports were dealt with until 10.25 p.m. last night. I considered that two hours was sufficient time for take-note debates on committee reports. I remind the House that, for the first time, each speaker had unlimited time to speak in those debates. That is the basis on which I left the chair.

## QUESTIONS WITHOUT NOTICE

### Supplementary Answer

#### RUSHCUTTERS BAY MARINA

**Mr CARR:** On 28 February I was asked a question by the honourable member for Bligh about the Olympic Sailing Shore Base at Rushcutters Bay. I can advise the honourable member and the House that the Rushcutters Bay site will be reinstated in accordance with undertakings given prior to the Olympic and Paralympic Games. The Olympic Venue Management Task Force, which was established by the Government to prepare a venue management policy and strategy for Olympic facilities located outside Sydney Olympic Park, has recommended to me that the facilities at the marina be restored as closely as possible to their pre-Games status. That decision is in line with my Government's objective to minimise clutter and congestion on Sydney Harbour and to control the development of marinas and slipways.

The shore base was used as a race control, crew amenity and logistics area for two pre-Olympic sailing test events and for both the Sydney Olympic and Paralympic Games, with competition venues located elsewhere in Sydney Harbour or just outside the heads. I recently toured the site with the honourable member for Bligh. Members of the yachting fraternity have made representations since the Olympics for the facility to be retained intact for use as an international regatta centre. Those suggestions initiated the task force review. The task force assessed a range of options for the possible future use of the shore base facilities. It carefully weighed up all options and recommended that the Olympic Co-ordination Authority remove the surplus marina berths and pontoons. I imagine that the residents of Rushcutters Bay and regular users of Sydney Harbour will welcome this decision. In essence, it means that the Government is honouring a commitment about the overall impact of the Olympics on Sydney Harbour, and we are going one step further.

The Government is making sure, as with its decision on the proposed marina for Elizabeth Bay, that the coves and bays of the harbour will not be cluttered up with more structures. We are going to minimise clutter and congestion on the harbour through initiatives such as this. Those initiatives also include the Government's decision that the Department of Urban Affairs and Planning take control of planning for all marina proposals for the harbour. In accordance with the original approval for the shore base, the concrete hardstanding area and 10 marina berths will be retained as an Olympic legacy. These berths will be retained principally for use by sailors with disabilities. Care, control and management responsibilities for the facility will be transferred to the Woollahra Municipal Council. Works to remove the marina berths and pontoons and to reinstall the sandstone seawalls are expected to be completed by the end of July. I have requested the Director-General of the Department of Urban Affairs and Planning to extend the date of removal until 31 July to allow the temporary facilities to be demolished and the amenity of the area to be restored.

## WAVERLEY COUNCILLOR DOMINIC WYKANAK

### Ministerial Statement

**Mr WOODS** (Clarence—Minister for Local Government, Minister for Regional Development, and Minister for Rural Affairs) [2.21 p.m.]: Honourable members will recall that on 28 February I informed the

House about Dominic Wykanak, who is the Waverley councillor dubbed the Ally McBeal of Bondi. He is the man who has racked up more than \$400,000 in legal costs against a wide range of organisations, including his own council and NBC TV. On that day I outlined his sorry tale of suing anything that moved, and I predicted that by the time I got upstairs to my office there would be a writ with my name on it from Councillor Wykanak. Sadly, he is slipping. The writ is 29 days late. Yesterday I was personally summonsed to appear in court by Councillor Wykanak. I have been subpoenaed to produce documents in the Land and Environment Court on 5 April, a sitting day. Councillor Wykanak has demanded that I produce any communications relating to the suggestion that he be designated a vexatious litigant. In the interests of New South Wales taxpayers, I will comply. But this latest development perfectly illustrates the point I made last month about Councillor Wykanak.

### VISITORS

**Mr SPEAKER:** I take this opportunity to welcome members of the Shortland Probus Club to the Parliament. I hope they enjoy their attendance this afternoon.

### PETITIONS

#### North Head Quarantine Station

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

#### Willoughby Paddocks Rezoning

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

#### 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**.

#### National Australia Bank GyMEA Branch Closure

Petition condemning the National Australia Bank's decision to close the GyMEA branch and calling on the Federal Government to pass laws that require banks to maintain minimum customer service levels, received from **Mr Collier**.

#### National Australia Bank Jannali Branch Closure

Petition condemning the National Australia Bank's decision to close the Jannali branch and calling on the Federal Government to pass laws that require banks to maintain minimum customer service levels, received from **Mr Collier**.

#### 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**.

#### 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**.

### **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**.

### **Inner East Sydney Policing Community Consultation**

Petition praying that broad community consultation take place prior to any changes being made to policing in the inner east, received from **Ms Moore**.

### **Surry Hills Policing**

Petition praying for increased police presence in the Surry Hills 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**.

### **Firearms Legislation**

Petition praying that a committee be established to review the Firearms Act, received from **Ms Hodgkinson**.

### **Self-defence Legislation**

Petition praying that the House support the Right to Self-defence Bill 2000, received from **Mr Hartcher**.

### **Northside Storage Tunnel Gas Emissions**

Petition praying for the installation of an acceptable system to address health risks associated with the discharge of sewage gases from the northside storage tunnel, received from **Mr Collins**.

### **Mona Vale Hospital**

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

### **Genetically Engineered Food**

Petition praying that the House suspends the commercial release and trials of genetically engineered crops, supports the implementation of mandatory labelling of food derived from genetic engineering and funds independent scientific research to investigate the potential risks to health and the environment, received from **Ms Moore**.

### **Non-government Schools Funding**

Petition praying that the Government reimburse the \$5 million in funding that has been withdrawn from non-government schools and reverse its decision to withdraw a further \$13.5 million in funding in 2001, received from **Mr Richardson**.

### **Queanbeyan Preschool Services**

Petition praying that funds be made available to construct a new and permanent preschool in Queanbeyan, received from **Mr Webb**.

### **Public High Schools General Operations Grants**

Petition praying that the House increase the general operations grants to public high schools, received from **Mr O'Farrell**.

### **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**.

### **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**.

### **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**.

### **Main Road 241**

Petition praying for an increase in funding to local government authorities to allow them to properly maintain Main Road 241, received from **Ms Hodgkinson**.

### **Local and Regional Roads Funding**

Petition praying that funding be increased to allow local government authorities to maintain local and regional roads, received from **Ms Hodgkinson**.

### **Kempsey and Macksville Pacific Highway Upgrade**

Petition praying that the House improve safety on the Pacific Highway and fast-track the proposed bypassing of Kempsey and Macksville, received from **Mr Stoner**.

### **National Parks Entry Fees**

Petitions praying that the proposal to introduce a \$6 entry fee per car per day into national parks be rejected, particularly in Bundjalung National Park and Iluka Nature Reserve, received from **Mr George**, **Mr Oakeshott** and **Mr Souris**.

### **Manly Lagoon Remediation**

Petition praying that funds be made available to assist in the remediation of Manly Lagoon, received from **Mr Barr**.

### **Somersby Plateau Environmental Protection**

Petition praying that the House support the protection of the environment on the Somersby Plateau, that no sandmining be permitted on the Somersby Plateau without the consent of Gosford City Council and that the proposed sandmine, to be located near the intersection of Peats Ridge Road and the F3, not be permitted to proceed, received from **Mr Hartcher**.

**Tumut River Enhancement**

Petition praying that the Government will initiate works to enhance the natural banks and aquatic environment of the Tumut River, received from **Ms Hodgkinson**.

**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**.

**Ovine Johne's Disease Program**

Petition praying for deregulation of the current Ovine Johne's Disease program and its replacement with a fair and workable alternative to facilitate trade and alleviate the social issues crippling the New South Wales sheep industry, received from **Ms Hodgkinson**.

**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**.

**QUESTIONS WITHOUT NOTICE**

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**DEPARTMENT OF COMMUNITY SERVICES HELPLINE**

**Mrs CHIKAROVSKI:** My question is directed to the Minister for Community Services. How does she justify telling Parliament on Tuesday night that helpline is working successfully when helpline operators were told late last week that the new voice mail message system that has been introduced to record child abuse notifications has resulted in delays of up to three hours even before those reports join the queue to be dealt with by a Department of Community Services [DOCS] officer? Is it not a fact that the changes introduced by the Minister have made the system even slower, putting more children's lives at risk?

**Mrs LO PO':** In the first three months of operation, I am advised that—

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

**Mrs LO PO':** I am advised that the DOCS helpline has received more than 56,000 calls, including more than 25,000 reports of suspected child abuse and neglect.

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

**Mrs LO PO':** More than 500 of these cases are so serious that they have been referred to the joint investigation response teams for criminal investigation. More than 1,000 children have been taken into care during this time. These figures are a sad indictment on our society and a vindication of this Government's strong policies on mandatory notification. The helpline is uncovering the disturbing extent of child abuse in our community, such as the case of the six-year-old girl who was reportedly so brutally sexually assaulted by her stepfather that she required pelvic surgery.



**Mr SPEAKER:** Order! I call the Deputy Leader of the Opposition to order. I call the Deputy Leader of the Opposition to order for the second time.

**Mrs LO PO':** Since the helpline commenced operation, the number of referrals to the joint investigation teams has increased by more than 25 per cent over the same period last year. These figures reinforce the importance that this Government has placed on the investment in child protection services.

**Mr SPEAKER:** Order! I call the Deputy Leader of the Opposition to order for the third time.

**Mrs LO PO':** Not only have we more than doubled annual expenditure in this vital area since we came to office following the slash-and-burn welfare policies of the last Government but also we are boosting child protection services even more. We have just announced the appointment of a further 60 child protection caseworkers who will go to the areas of highest need, including the Central Coast, the Hunter and the Illawarra. These new positions are over and above the 109 caseworker positions established at the helpline. This brings the total number of DOCS child protection caseworker positions to 1,052—a record number in this State. The Government is certainly on top of getting to the bottom of child protection. I remind those opposite that when they were in government they slashed the budget; they did not even spend the allocated budget.

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

**Mrs LO PO':** The previous Government closed DOCS offices and sacked workers.

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

**Mrs LO PO':** The Opposition has nothing to be proud of in the child protection area. Those opposite have just woken up when it comes to child protection.

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

**Mrs LO PO':** That was evidenced in the debate the other night.

**Mr Hazzard:** Point of order: The question is about three-hour waits for people who contact the Department of Community Services helpline. My point of order goes to relevance. The Minister referred to the case of a little girl who was sexually assaulted; her call did not get onto the tape for three hours. Will the Minister answer the question?

**Mr SPEAKER:** Order! There is no point of order. The honourable member for Wakehurst will resume his seat.

### PRISONERS DRUG TREATMENT

**Mr MILLS:** My question is directed to the Premier. How is the Government helping to rehabilitate prisoners who are addicted to heroin and other illegal drugs?

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

**Mr CARR:** On Tuesday I announced a new onslaught against drugs in Cabramatta. Stronger police powers may result in more people going to gaol for drug-related offences. Today I will report on what the prison system is doing to rehabilitate drug-addicted criminals. Some 70 per cent of male inmates and more than 80 per cent of female inmates are in gaol for offences related to their use of drugs or alcohol. Many are repeat offenders. Our aim is to stop the revolving door. That is why the Government has increased funding for drug programs by \$176 million. For example, we have funded 62 new residential rehab beds. Eight new drug and alcohol counsellors in rural areas have provided more than 4,000 extra counselling sessions.

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

**Mr CARR:** An additional 2,500 patients are on the methadone program. Following the Drug Summit, we allocated an additional \$23 million over four years to get prisoners off drugs. New detoxification units are being built at Parklea, Grafton and Bathurst gaols to provide improved assessment and treatment for 5,900 inmates a year. They will open later this year. This year we will also open a new transitional unit for women at

Emu Plains Correctional Centre—a project that has cost \$880,000. The unit will prepare inmates who have a history of drug abuse for release back into the community. A similar program was set up in Parramatta in 1996. Of 74 inmates released, only two have returned to prison. We have also established a new 40-bed therapeutic unit at Long Bay. The first inmates were accepted into the program last November. They have since been released. According to the Probation and Parole Service, they are all still drug free. On 1 November last year the drug buprenorphine was registered for use by the Therapeutic

Goods Administration for heroin dependency. On 23 March the Pharmaceutical Benefits Advisory Committee agreed that the drug should be subsidised in the same way as methadone. Next Monday this drug will be introduced into the Metropolitan Remand and Reception Centre at Silverwater for heroin withdrawal. I can also report that naltrexone will be made available from next month starting at the Silverwater complex. It will provide an alternative to methadone treatment. All these programs are designed to give drug-addicted inmates every chance to conquer their addiction. We are giving inmates a chance to start again. But we are also redoubling our efforts to keep drugs out of gaol and to punish those who flout the law.

Sniffer dogs and their handlers have searched more than 70,000 visitors to New South Wales prisons since the beginning of last year. They have found more than 2,370 grams of marijuana, 377 grams of heroin and 5,000 tablets. As a result, 248 visitors have been charged and banned from entering any prison in the State. There are 35 operational sniffer dogs in New South Wales. One recently detected drugs outside the Wollongong Periodic Detention Centre. This dog found 15 grams of marijuana in a tennis ball, which was wrapped in electrical tape and hidden under a rock. The dog's name is Rusty and he has the best record of drug detection of any of the sniffer dogs employed in this work.

**Mr Moss:** He should get a Premier's award.

**Mr CARR:** Rusty might get a Premier's award. In the next three months four more handlers and dogs will begin their training. We might have Rusty into the House.

**Mr SPEAKER:** No, we will not.

**Mr CARR:** I said on Tuesday that fighting drugs has to be a united effort. If we are going to win these very difficult battles against the gullibility of people and the drug dependency that results when they make mistakes we have to present a united effort. As I said on Tuesday, we are dealing with a highly addictive drug. It is coming to Australia from Afghanistan and Burma—it is all imported—and being sold on the streets of Sydney. Only a concerted, united effort by government and the community will beat it.

#### DEPARTMENT OF COMMUNITY SERVICES HELPLINE

**Mr HAZZARD:** My question is directed to the Minister for Community Services. In light of your comments to the House last Tuesday night that helpline was working successfully, can you explain how many children's lives were put at continuing risk when on Monday this week, as the head of the helpline fax team reported, "heaps of faxes" from the previous Friday had not been dealt with and a tray full of faxed reports had gone missing from her desk? Do you have any idea of how many of the hundreds of faxes went missing and how many of them required urgent attention?

**Mrs LO PO':** If the honourable member for Wakehurst has any particular issue that he wants me to look into—

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

**Mrs LO PO':** We are talking about child protection. If the honourable member for Wakehurst has any issue that needs looking at—

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

**Mrs LO PO':** The last six that he brought into the House were proven to be wrong but I am willing to look at any of the issues that the honourable member wants pursued to see whether—

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

**Mrs LO PO':** If the honourable member has any issue or issues that he wants pursued I will certainly have them investigated.

**Mr SPEAKER:** Order! I call the honourable member for Wakehurst to order for the third time. If he continues to defy the Chair I will direct that he be removed from the Chamber.

### JUMPING CASTLE SAFETY

**Ms SALIBA:** My question is to the Minister for Fair Trading, Minister for Corrective Services and Minister for Sport and Recreation. What is the Government's response to the recent death of a young girl in South Australia who was injured while playing on an inflatable jumping castle?

**Mr WATKINS:** Honourable members will no doubt recall the tragedy earlier this month in South Australia. It was a day of fun that turned to one of horror. An eight-year-old girl was thrown from a children's jumping castle after a mini-tornado lifted the jumping castle three metres into the air. This occurred at a country race meeting about 70 kilometres north of Adelaide. It was a freak accident that took place on Sunday 11 March. Tragically, the young girl died the next day at Adelaide Women's and Children's Hospital as a result of massive head injuries resulting from the fall. In total, eleven other children were hurt in the incident and five required hospital attention. The South Australian incident was the third significant instance of people being injured in inflatable jumping castle accidents in Australia since 1997. In Perth last July five children were injured when an inflatable castle collapsed. In November 1997 a mother and her two children were injured when an inflatable castle flipped over at a Hobart show.

Since the Adelaide tragedy there have been emotional calls for a complete ban on jumping castles. Let me say from the outset that I am not in favour of such drastic action. Thousands of children around Australia have enjoyed hours of fun in jumping castles. That probably applies to many of the children of honourable members and visitors to the gallery. However, in the light of the latest incident the New South Wales Government has again looked at how jumping castles can be made safer.

In New South Wales WorkCover is responsible for amusement rides, including jumping castles. According to WorkCover data there are about 1,000 jumping castles in New South Wales. Three years ago the Carr Government introduced the most stringent safety measures for amusement rides, including inflatable jumping castles. However, WorkCover, as well as the Department of Fair Trading, has raised new concerns about the need to properly anchor jumping castles, especially to counter high winds. I can advise the House today that as part of its program of inspections on amusement rides across the State, WorkCover will target the safety conditions of jumping castles.

I am advised that particular attention will be paid to the proper anchoring of jumping castles as well as the condition of roping. Shows at Newcastle and Nowra have already been inspected. It is almost time for the Royal Easter show and a major inspection has already been planned for it as well as for four large country agricultural shows—at Narrabri, Lismore, Wagga Wagga and Broken Hill. In addition, WorkCover has been asked to carry out a targeted inspection campaign on community events, that is, events held on weekends, at fetes, carnivals and community fairs. The product safety division of the Department of Fair Trading will work with WorkCover to assess whether any improvements need to be made to the standards governing the design of jumping castles.

WorkCover will release shortly a reviewed and revised safety guide on the safe operation of jumping castles. The revised guide details requirements for operators. They include guidelines on supervision, electrical requirements, and the requirement that all operators must be over 18 years of age. They include anchorage requirements such as holding down and peg arrangements, conditions of tie-down ropes and the requirement that castles should not be used in winds greater than 45 kilometres per hour. Most jumping castle operators are responsible business people, concerned with the welfare and safety of children, their customers. However, make no mistake: Failure to comply with these stiff new standards will result in fines of up to \$55,000 for individuals and up to \$550,000 for corporations. I trust that all members of this House support these sensible reforms.

### FOOT AND MOUTH DISEASE

**Mr ARMSTRONG:** My question is directed to the Minister for Agriculture, and Minister for Land and Water Conservation. How is the Minister responding to warnings by Professor Reuben Rose, Dean of the University of Sydney veterinary science faculty, that the closure of diagnostic veterinary laboratories, such as

the ones closed by the Government, has severely compromised this State's ability to control foot and mouth disease? Does this mean that our livestock industries have been placed at greater risk from this devastating disease?

**Mr AMERY:** One can draw a long bow in question time but this is the longest. The former Minister for Agriculture has asked whether the closure of veterinary laboratories and research facilities by this Government will impact on foot and mouth disease. How irresponsible! If New South Wales is vulnerable and is in some way deficient or unable to cope with an exotic disease in our State because of the number of veterinary laboratories and research facilities that we have, God help the rest of the States.

**Mr SPEAKER:** Order! I remind the honourable member for Wakehurst that he is on three calls to order.

**Mr AMERY:** No State in Australia has the comprehensive spread of veterinary laboratories and research facilities that New South Wales has. Underpinning this question, though, is the Opposition's dislike of the Government's decentralisation policies.

*[Interruption]*

The question referred to foot and mouth disease in the United Kingdom, not "foot in mouth at Marrickville". Since we have been in government we have set out a strategy that laboratories and research facilities be based in rural areas.

**Mr George:** Why are you closing Lismore then?

**Mr AMERY:** Wollongbar? I have got a good reason for that. We are not closing Wollongbar.

**Mr George:** Point of order. Wollongbar is not Lismore.

**Mr SPEAKER:** Order! The point of order is upheld.

**Mr AMERY:** If the honourable member is going to be that technical, I should point out that if he is not counting Wollongbar, then there is not a veterinary laboratory at Lismore.

**Mr George:** Point of order: I would like to inform the Minister for Agriculture that there is a laboratory in Lismore which is about to close.

**Mr AMERY:** For the information of members of the House, there are three veterinary laboratories in New South Wales run by New South Wales Agriculture. One is at Camden—Menangle—which is in the south-western part of Sydney. The second is at Wollongbar—some people call it the North Coast, call it what you like, Lismore—and the other laboratory, a substantial one, is at Orange. The department runs various other units but basically there are three laboratories. What underpins this question? First is the Government's strategy that veterinary laboratories and research stations be based in country New South Wales. When I became Minister in 1995 more than 10 per cent of New South Wales Agriculture employees were situated within 40 kilometres of the Sydney GPO. Country Labor will be interested to learn that after six years of Labor Government there is now less than 1 per cent of New South Wales Agriculture situated within 40 kilometres of the Sydney GPO.

When we decided to decentralise our research from Rydalmere in Sydney's western suburbs to the country, what was the National Party's response? At election time they generally talk about decentralisation but the National Party response to the Government decentralising the research facility from Rydalmere to nine centres of excellence was to move a motion of no confidence in me. That was the reaction of the National Party. National Party members claimed that rationalising veterinary laboratories from five to three would have an impact. I cannot remember the last time I received a letter of complaint from anywhere in New South Wales about problems with response times of veterinary laboratories.

**Mr Souris:** The Minister knows better than the professor on veterinary matters.

**Mr AMERY:** I assure the House and those involved in livestock industries that New South Wales has the most comprehensive network of veterinary laboratories and research facilities of any State in Australia. It was part of the Government's rationalisation to make sure that there was a laboratory in Armidale run by private

interests and concerns. As far as exotic disease control is concerned, New South Wales has by far the largest number of extension officers working within New South Wales Agriculture. The honourable member for Lachlan knows that as far as livestock surveillance is concerned, New South Wales has, and always has had, something that no other State has, that is, a network of rural lands protection boards—something we have had in some form, since the late 1800s.

It is appalling that a member representing a country electorate should suggest that our livestock surveillance is under some sort of threat because of our network and for that he should be condemned. It is an appalling reflection on the good work carried out by rural lands protection boards. Any member of this House representing a country electorate who suggests that livestock surveillance is under some sort of threat because of our network should be roundly condemned.

### LEVEL CROSSINGS UPGRADE

**Mr MARTIN:** My question without notice is addressed to the Minister for Roads. What is the latest information on the Government's plan to improve level crossings?

**Mr SCULLY:** There have been some terrible tragedies and some near misses at level crossings in recent times. Every member of this House will recall the tragedy at Gerogery, near Wagga Wagga, on 27 January this year, an accident that claimed the lives of five young men—Kyle Wooden, Luke Milne, Cameron Tucker, Ben Wilkins and Graham Kelly. They were young footballers on their way to Albury to see a mate play a trial match with the Melbourne Storm. It was a senseless accident and it had a profound effect on the local community, the families and the young people of Wagga Wagga. This morning near Orange there was a level crossing accident involving the Indian Pacific. I am advised that two people were in a car that collided with the front locomotive. One person was seriously injured. Both the driver and passenger of the car are in hospital.

From the earliest development of New South Wales' transport infrastructure, roads and railways have crossed paths. There are 1,002 level crossings in New South Wales, of which 330 have lights, bells or boom gates. Smaller level crossings have warning signs. Although the number of level crossing accidents has decreased in the past five years, I have remained concerned at the number of accidents that have occurred. Since July 1995 there have been 102 collisions between motor vehicles and trains at level crossings, resulting in 54 injuries and 23 fatalities. I take this opportunity to encourage all motorists to take greater care. There is an existing program to upgrade level crossings. The New South Wales Level Crossing Strategy Council—which comprises the Department of Transport, the Roads and Traffic Authority, the Rail Infrastructure Corporation and the Local Government and Shires Associations—determines sites that need improvement. Honourable members will be aware that the Government has already committed \$180,000 to the Gerogery level crossing involved in the accident in January. I understand that the work will be completed late next month.

I am pleased to inform the House that the Government has decided to double spending on level crossing safety to \$12 million over three years. This is in addition to nearly 50 level crossings which are already scheduled to be upgraded by 2003-04. A total of 130 level crossings will undergo safety improvements as a result of this investment. Priority for upgrading will be determined by the Level Crossing Strategy Council chaired by the Director-General of the Department of Transport. It will be based on accident history, risk assessments and consultation with local councils. The focus will be on more active protection at more sites. This includes more than 30 priority sites to be upgraded from warning signs to warning lights and bells. A number of areas have already been identified as needing priority upgrading, from stop signs to lights and bells.

They are Old Bangalow Road, Byron Bay, on the Casino to Murwillumbah line; Upper Burringbar Road on the Casino to Murwillumbah line; Wallerawang Road, Wallerawang, on the Main Western line; Young Road, near Parkes, on the Main Western line; Eulomogo Road and Bunyong Road, both near Dubbo, on the Main Western line; and Old Trunk Road, The Rock, on the Main South line. Further sites will be determined by the Level Crossing Strategy Council following safety assessment and consultation with local councils. These measures will help to reduce the level of risk at these crossings, making it safer for both road users and rail travellers. Following the terrible accident at Gerogery I received a letter from the honourable member for Wagga Wagga and I have spoken to him about this matter.

The honourable member certainly brought home to me just how damaging significant accidents such as that at Gerogery can be and the profound effect that they can have on the local community. The honourable member for Wagga Wagga drew to my attention the need for the Staysafe committee to examine this issue. I agree with his suggestion. I support it and thank him for his constructive involvement in this issue. Following

the concern he raised and discussions I have had—I might add that members of Country Labor have also brought to me their concerns about this safety issue where road and rail cross—I believe it is appropriate that the Staysafe committee examine the issue. I have spoken with the chairman of that committee and indicated to him that I will be making a formal reference to the Standing Committee on Road Safety to enable this examination to take place.

### **PUBLIC HOUSING VACANCIES**

**Mr HUMPHERSON:** My question is directed to the Minister for Housing. Given that more than 100,000 families throughout New South Wales are waiting for public housing, how many homes are currently vacant because prisoners without dependants are allowed to keep the property while they are serving time, provided they pay a nominal rent of just \$5 a week?

**Dr REFSHAUGE:** The honourable member for Davidson is the Opposition spokesman on housing and has been for some months. It is important for people to realise that he actually has not done much, but in the last week he seems to have woken up. This week one of the most interesting things he did was to issue a press release that said that in New South Wales we are completing fewer houses this year than in recent memory. If "recent memory" goes back only to 1995, then he is right. We are completing more houses this year—more than 3,000—compared with what the Opposition did in its last year in office. We will complete 3,054 houses this year, compared with 2,834 in the last year of the Coalition Government. To compound that, I admit that we have had difficulty in maintaining the number of houses we are completing each year because of one simple fact: the Commonwealth-State Housing Agreement is being slashed by the Federal Government every year.

I welcome the question. It enables me to highlight the failure of Federal policy. It effectively endorses the Federal Labor policy that will be taken to the election this year. I can see that we will have the honourable member on our side, urging on the Beazley government at the end of this year. Another issue raised by the honourable member was the vacancy rate. He suggested that the vacant public housing levels remain high in New South Wales. When one looks across the landscape of Australia to the different States, there is no doubt that one State stands out for having a low vacancy rate. This has recently been surveyed by the Federal Government. The State that stands out as having the lowest vacancy rate is, in fact, New South Wales. It has the lowest vacancy rate, at approximately 1.7 per cent. When one compares that with the private sector, one sees that the private sector has a vacancy rate of approximately 3 per cent. We are doing dramatically better than not only every other State in this nation; we are doing dramatically better than the private sector—and we are still looking for better ways to do it.

One of our charters, one of our responsibilities, is to look after people who are in need of public housing, people who are doing it tough. That often includes people who are desperately poor. It includes people who have a number of disabilities, and many of them are actually recently out of gaol. I presume that the Opposition is now saying that the policy it is developing is that no prisoner coming out of gaol should have public housing. The New South Wales Government does not do that. Is the Opposition suggesting that we should amend the Act? Is it suggesting that we should go against every other State and the Commonwealth-State Housing Agreement?

The press release contained another myth. It is well known—the Government announced it some 18 months ago—that public housing rents would be increased to 25 per cent of income over a period of five years. We decided to do that because every other State had raised rents to 25 per cent, including community housing and churches. The Government decided that it would not do it all in one hit, as Liberal States do, but that it would do it over time. We decided that every cent that was raised would go into maintenance. The honourable member asked a question that everyone knows about—those rents go back into housing; they do not go into consolidated revenue. He set up his leader to say that no maintenance has been done. I will read onto the record some of the maintenance that we have been doing.

**Mrs Chikarovski:** What are you doing tonight at Marrickville? Are you going to keep the high school open?

**Dr REFSHAUGE:** Ask me a question.

**Mrs Chikarovski:** I have, and you have not answered it.

**Dr REFSHAUGE:** Since we increased the rents—

**Mrs Chikarovski:** Point of order: In response to the interjection, I am happy to ask the member for Marrickville a question. What is he going to say to the parents and teachers at Marrickville High School tonight about keeping the school open?

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

**Dr REFSHAUGE:** Since last year when the first 1 per cent came through, more than 11,700 houses have been painted internally, and that is rent money going back into maintenance; 10,900 fences have been replaced or repaired, and that is rent money going back into maintenance; 27,600 security doors have been installed, and that is rent money going back into maintenance; and 57,000 window and door locks have been installed, and that is rent money going back into maintenance. And that is what we said would happen. The honourable member for Davidson has no idea of what goes on in the public housing system. I find it reasonably offensive that he picks on public housing tenants at this stage.

Changes often occur on the Opposition front bench, but rarely on this side. When the Hon. Jeff Shaw left the Parliament some changes were made, and there has been a change to the portfolio of Corrective Services. The Hon. Robert John Debus is no longer the Minister for Corrective Services—that portfolio is held by the Hon. John Anthony Watkins. Some months after that change the honourable member for Davidson is still writing to the Hon. Robert John Debus as the Minister for Corrective Services. He is the shadow Minister for Corrective Services and does not know who the Minister is!

### HIH INSURANCE

**Mr BROWN:** My question without notice is to the Minister for Fair Trading. What is the latest information on families severely disadvantaged by the collapse of HIH Insurance?

**Mr WATKINS:** I know that some of the constituents of the honourable member for Kiama and those of other members of this House are hurting after the collapse of the insurance giant, HIH Insurance. The failure of that company has created a range of serious difficulties for families and businesses throughout New South Wales. The difficulties range from professionals who had indemnity insurance to tourists who had travel insurance as well as home owners and builders covered by the Home Warranty Insurance Scheme. That is why today the Premier has written to the Prime Minister to find out exactly what the Federal Government plans to do to help New South Wales families, and those in other States, devastated by this collapse.

The New South Wales Treasurer, the Hon. Michael Egan, is currently in Canberra at a Treasurers' conference, seeking an explanation from Peter Costello. Insurance companies are meant to be regulated by the Federal Government. Regulation is supposed to mean that collapses like this do not, or cannot, happen. Clearly, the person who should have been overseeing the insurance industry in Australia is the Federal Treasurer, Peter Costello. But in 1998 Peter Costello set up the Australian Prudential Regulation Authority [APRA]. On introducing that legislation Peter Costello said:

APRA will be the prudential regulator of banks and other deposit taking institutions, life and general insurance companies, superannuation funds and retirement income accounts. APRA will have comprehensive powers.

He also said:

APRA will be an independent regulator, but ... will be subject to the overriding policy determination power of the Treasurer—

that is, the Federal Treasurer—

As a Commonwealth authority, it will be accountable to the Government and the Parliament—

That is, the Federal Parliament. He finished by saying that APRA was "the centrepiece of a new regulatory structure in a position to achieve regulatory excellence". The statements made it very clear that Peter Costello has a hell of a lot to answer for. What I want to know is—

**Mr SPEAKER:** Order! The Leader of the Opposition will remain silent.

**Mr WATKINS:** What I want to know, and what the victims of the collapse of HIH want to know, is—

**Mr SPEAKER:** Order! The Leader of the Opposition will remain silent.

**Mr WATKINS:** When will Peter Costello explain how and why in his brave new world of insurance regulation this was allowed to happen? All consumers, not only those in New South Wales affected by the collapse, want to know what the Federal Government will do to assist them. This is even more pressing in light of published comments that APRA, the regulatory authority, had concerns about the viability of HIH nine months ago. APRA knew nine months ago that there were problems with HIH. Why did it not do something at that stage to protect consumers in this State and every State in Australia? In my portfolio many families and builders are in a state of limbo, as their building work was covered by the failed HIH. The Home Warranty Insurance Scheme was established in 1997, in accordance with the recommendations of the inquiry into the former Building Services Corporation.

**Mr SPEAKER:** Order! I call the Leader of the National Party to order for the second time. I call the honourable member for Myall Lakes to order for the second time. I place the honourable member for Port Macquarie on two calls to order.

**Mr WATKINS:** The Dodd commission recommended the current scheme, and the first steps of that were put in place by the previous Government. At this stage I can only stress that the situation in relation to home warranty insurance previously covered by HIH remains unclear. However, the information line I established last week has been collecting information to pass on to the liquidator, KPMG, to assist in the speeding up and processing of claims. The Department of Fair Trading is meeting with KPMG tomorrow to hand over that information. As I announced early this week, the information line revealed that a small number of home owners face immediate housing problems—we have identified about 20 so far.

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

**Mr WATKINS:** That is why the Department of Community Services is working with my department to provide emergency assistance to hardship cases. In closing, I stress that I am extremely concerned about the plight of families affected by the HIH collapse. This matter will not be resolved for many months, ultimately not until KPMG has a clear understanding of the company's situation; that is, unless the Federal Government comes to the party. I am sure that all members of this House will join with me in insisting that Peter Costello and the Federal Government do something to sort out this mess, and do it fast.

#### **MOTOR VEHICLE ACCIDENT COMPENSATION**

**Mr HARTCHER:** My question is to the Minister for Energy, representing the Minister for Industrial Relations. In view of the fact that the 10 per cent threshold on motor vehicle accident victims has deprived hundreds of victims of any compensation, why is the Minister now proposing a 25 per cent threshold on common law claims for injured workers?

**Mr YEADON:** I will seek an explanation from the Minister in the other place and inform the honourable member.

**Mr HARTCHER:** I ask a supplementary question.

**Mr SPEAKER:** Order! The honourable member for Gosford cannot ask a supplementary question if he has not been given any information.

#### **FEDERAL-STATE HEALTH FUNDING**

**Mr McMANUS:** My question without notice is to the Minister for Health. How is the Government working to improve Federal-State health funding?

**Mr KNOWLES:** National Party members should stay in the Chamber because they might be interested in the answer I am about to give. Today I wish to speak about a couple of matters. One matter is the new Health Share program. Those members interested in the detail of that program need not refer to my answer because the information is on the Internet. The other matter, concerning Commonwealth-State funding relations, relates to the notice of motion given today by the honourable member for North Shore in which she claims credit on behalf of Dr Wooldridge for the multipurpose service [MPS] program—the small country hospital program in rural and regional New South Wales. National Party and Country Labor members will be interested in what the honourable member for North Shore had to say.

Honourable members might recall that in her motion she congratulates Dr Wooldridge for doing all sorts of wonderful things for country hospitals under the MPS program and then urges New South Wales to get



on with it and do something to beat the hard work of Dr Wooldridge. I believe that the honourable member for North Shore was referring to a letter that I received from Dr Wooldridge about the MPS program yesterday. Let me put a couple of pieces of the jigsaw together. Exhibit A is the Sinclair report. Honourable members would remember Ian Sinclair, a former National Party member and Deputy Prime Minister. He is not a bad bloke. He was commissioned by the New South Wales Government about 18 months ago to have a look at the health needs of small country towns. Honourable members will remember that Ian Sinclair issued a blueprint, based on Commonwealth and State guidelines, about the locations of the multipurpose services. He also made recommendations about primary health care centres. The Government responded to the Sinclair report, and the Menadue report, on 8 March last year.

Exhibit B is the speech I made in response to his recommendations. The Government adopted the Sinclair recommendation for 34 MPSs. Those services, to be introduced over a three-year program, were identified, spelt out and budgeted for. As the towns had concerns about the nature of the primary health care centres, the Government gave a commitment that it would not adopt Sinclair's recommendation until it had an opportunity to work through the issues. I have been to a couple of those towns with some National Party and Country Labor members, such as the honourable member for Murray-Darling, to work through the process.

*[Interruption]*

Oberon is a terrific example. We have been working through the issues on a rational, evidence-based and needs-based approach. Sinclair cannot be described as a Labor man or as someone who is playing marginal seat politics. He provided the Government with a blueprint to establish 34 MPSs. We responded on 8 March last year. Then the honourable member for North Shore said, "Come on, catch up." Exhibit C is the letter from Dr Wooldridge.

**Mrs Skinner:** You really are the most arrogant performer in this House.

**Mr KNOWLES:** National Party members will be around to her office asking, "Why did you just make such a mug of yourself and us?" In his letter Dr Wooldridge does a dummy spit. He says that he does not like it that we jumped ahead of him and announced 34 MPSs. The fact that it took him more than a year to respond is extraordinary in itself.

**Mrs Skinner:** You have to put the money in. That is what it is all about. You have to have put in the money, not just hot air.

**Mr KNOWLES:** Your voice is breaking. The honourable member for Lachlan is listening; he knows what this is all about. Dr Wooldridge then lists the MPSs. Members on the other side of the House who are good at maths might want to add this up. He lists 34 MPSs and refers to collaboration on the primary health care centres. He says in the letter, "I am upset that you have gone ahead of us. You should have talked to us. We will keep talking to you. In fact, we will be magnanimous. We will agree to fund—because you have already put money into the pot—12 priority sites." He refers to 12 services, not 34, and he names them. I am in the process of doing a reconciliation. When it is complete I will issue a press release and name the towns. Then he goes on to say, "There are another 15 I am willing to talk to you about." One might mask that as proper Commonwealth-State collaboration.

Let us assume for the moment that his word is his bond and he will fund them, because we already have the money in the pot for 34 services. But if we add up 12 and 15 we get 27. Where are the other seven that he has chosen to ignore, which a former Deputy Prime Minister of Australia and former Leader of the National Party recommended on an evidence-based assessment? The New South Wales Government announced a year ago funding for 34 MPSs, with construction under way. The Commonwealth agrees to only 12 and indicates a willingness to talk about the rest. But the rest, according to Dr Wooldridge, is only 15—making a total of 27. When I do the reconciliation of the missing seven—and National Party members might want to trot down to the office of the honourable member for North Shore and get a copy of the letter so that they can reconcile it too—I will issue a press release about the areas he has missed. I will ask, "How come Michael Wooldridge has duded you on not agreeing with the State Government and, more importantly, Ian Sinclair's recommendation about your need for a multipurpose service in your town?" These MPSs—which are terrific facilities, recommended by Sinclair and brokered with the community—are seven short on Wooldridge's list.

How could John Anderson let Wooldridge issue that letter in the first place? How could John Anderson, the Leader of the National Party—who has a number of MPSs in his own electorate—let

Dr Wooldridge write such a letter? The mathematics, at least, are very bad and the commitment is far short of our announcement on 8 March last year. A National Party leader is fighting for his life in the bush and his Coalition mate in Canberra does him cold. Anderson is out there like a shag on a rock fighting for his life and Wooldridge comes up behind him and king-hits him. He says, "We will only do 27 out of 34." I suspect in Canberra over the next few days there will be a bit of renegotiation. The New South Wales Government's position remains the same as that outlined in our response to the Sinclair recommendation. We stated our willingness to build the 34 multipurpose services, as identified by Ian Sinclair on a proper assessment of clinical needs. Perhaps the next two paragraphs in Dr Wooldridge's letter explain his attitude. He says, "I am upset that you did not consult me. I will only fund the first 12 and I will talk to you about the next 15."

**Mrs Skinner:** That is absolute rubbish. You are misleading the House.

**Mr KNOWLES:** This might give you a lead, he wants me to sign up to the agreement before I go around with other National Party leaders and members in their part of the world looking at the MPSs. He said that he wants New South Wales to agree that all media activity, including signage for each of the services, refers back to the joint Commonwealth-State programs. So far as I am concerned Michael Wooldridge can have the site and he can have the credit. We just want him to give us the money to match ours.

### FOOT AND MOUTH DISEASE

**Mr AMERY:** Earlier today I was asked a question by the honourable member for Lachlan about our preparedness for foot and mouth disease based on the number of veterinary laboratories in New South Wales. During my answer the honourable member for Lismore interjected and asked why I was closing Lismore. At the time I assumed the honourable member was referring to the veterinary laboratory on the North Coast at Wollongbar. He then corrected me and said he was referring not to the laboratory at Wollongbar but to the one at Lismore. I can assure the House, as I did earlier, that there is no veterinary laboratory in Lismore. However, many departmental officers around the State conduct testing in small laboratories.

I understand that the electorate of Lismore has a small chemical residue facility that tests primarily fruit and vegetables. Fruit and vegetable tests and any other soil residue tests do play a role in animal disease surveillance in this State. The honourable member for Lismore would know from the tragic news reports in the United Kingdom that the pyres are burning cattle, sheep and pigs. They are not burning lettuce leaves, mangoes and tomatoes. The honourable member for Lismore can contact my office either this afternoon or on any other day and get a full list of disease surveillance centres for the control of animal exotic disease.

*[Personal explanation]*

**Mr GEORGE,** by leave: What I have said has been taken out of context. From my previous experience at the Northern Co-operative Meat Company I am aware that the laboratory in Lismore supports the meat industry in New South Wales. It is not a small laboratory, as the Minister described it. I invite him to attend the laboratory before he closes it later this month.

**Questions without notice concluded.**

### CONSIDERATION OF URGENT MOTIONS

#### Foot and Mouth Disease

**Mr AMERY** (Mount Druitt—Minister for Agriculture, and Minister for Land and Water Conservation) [3.33 p.m.]: The best reason why this motion should proceed is that the honourable member for Lachlan asked a question about it today in question time. It is a good opportunity for all honourable members to consider the preparedness of this State for disease. We are also calling on the Federal Government to take part in the exercise to make sure that we are well prepared, should an outbreak of foot and mouth disease ever occur in this country. I ask the House to give this matter priority.

#### Manly Ferry Services

**Mr O'FARRELL** (Ku-ring-gai—Deputy Leader of the Opposition) [3.34 p.m.]: My motion is urgent because if you are currently a Manly commuter, or if you are a tourist trying to get to Manly, there is less certainty of getting there by ferry than previously. My motion is urgent because, as the honourable member for

Manly knows, ferry services between Manly and Circular Quay are an important way by which people in this city get to and from work. My motion is urgent because at present the Minister for Transport cannot guarantee anyone that ferry services between Circular Quay and Manly will be reliable. More importantly, my motion is urgent because the Minister cannot guarantee the users of Manly ferry services that the service is safe.

This Government is spending \$100 million on introducing 12 new SuperCats to the Manly-Circular Quay service. My motion is urgent because the Minister for Transport has to stand in this House and explain whether those craft are safe. This matter is urgent because it is already apparent that the so-called SuperCats, that are quickly becoming known as "superduds" across the Manly and northern beaches peninsula, cannot operate in seas of more than two metres. The licence for the SuperCats says to pull into shelter when seas are above two metres. My motion is urgent because yesterday the 8.25 a.m. SuperCat service from Manly wharf hit two waves. The first wave drenched commuters on the outside of the vessel and the second wave broke a perspex windshield and shattered shards of the perspex across the deck.

My motion is urgent because the Minister for Transport has to come into this House and explain where, if that circumstance occurs again, the people who moved from the other decks inward are to go. As the honourable member for Manly knows, the new SuperCats have nowhere for people to hang on. The people who had to move from the outer deck inside had to have pretty good sea legs to continue their journey to Circular Quay. This motion is urgent because not only did those people have to suffer that inconvenience, but when the SuperCat finally arrived at Circular Quay it collided with the wharf. My motion is urgent because this morning more SuperCats, JetCats and Collaroy-type ferries were taken out of service.

Two days ago seven of 17 peak-hour services from Manly to the city were cancelled because of concerns about their operational capacity. On that day, as the honourable member for Manly knows, thousands of people waited for up to one hour for buses to provide replacement services between Manly wharf and the city. My motion is urgent because the Minister for Transport must come into this House to tell commuters and potential users of the service how long that will last. It is difficult enough to make a living in these times without having your job and a livelihood threatened by an unreliable and unsafe transport service. My motion is urgent because the Government has to do three things. Firstly, it has to verify as a matter of urgency and independently of government that SuperCats are suitable to operate between Manly and Circular Quay.

Secondly, the Government has to commit to keeping JetCats in service until such time as SuperCats can be verified as reliable, or a replacement vessel is made available. The Government plans to sell the JetCats. The boss of the ferry division has already said that they are not maintained to the usual standard. If these vessels are not maintained, then the reliability of the Manly to Circular Quay route will go through the floor. Thirdly, the Government must put in place contingency plans to ensure that if Manly ferry services continue to be disrupted, alternative arrangements can be put in place. Manly ferry commuters and tourists using the ferries deserve reliability. People who use the service between Circular Quay and Manly pay premium fares.

This motion is urgent because on 6 April, the honourable member for Bathurst should note, this Government will try to slug those commuters with an 11 per cent fare increase. The single cash fare of the so-called SuperCats will rise to \$7. The Minister must come into this Chamber to explain whether that increase will proceed, given that he cannot provide assurances about safety and reliability. Fares on these premium services have increased by 34 per cent under this Government. As the honourable member for Manly knows, FerryTen tickets have increased in cost by 54 per cent under this Government. People are paying through the nose, but they are getting less than premium service. It is about time the Minister for Transport came into this House and explained why that is fair.

**Question—That the motion for urgent consideration of the honourable member for Ku-ring-gai be proceeded with—negatived.**

**Question—That the motion for urgent consideration of the honourable member for Mount Druitt be proceeded with—agreed to.**

## **FOOT AND MOUTH DISEASE**

### **Urgent Motion**

**Mr AMERY** (Mount Druitt—Minister for Agriculture, and Minister for Land and Water Conservation)  
[3.40 p.m.]: I move:

That this House:

- (1) notes the serious economic threat posed by any outbreak of an exotic livestock disease, as demonstrated by the foot and mouth disease outbreaks currently raging in the United Kingdom, Holland, France and Ireland;
- (2) endorses the actions already taken by the New South Wales Government and New South Wales livestock industries to prepare for such outbreaks; and
- (3) calls on the Commonwealth to provide funding through Agriculture, Fisheries and Forestry, Australia, to urgently facilitate a national foot and mouth disease exercise to ensure that we are in the best position possible to deal with an outbreak, should it ever occur.

I thank the Opposition for not calling a division and for giving precedence to my motion. In light of the latest reports from the United Kingdom, it is extremely important that Australia maintains our disease-free status. Last night I received a report that the number of foot and mouth disease outbreaks in the United Kingdom has reached a staggering total of 716 separate cases. Holland now has five outbreaks, France has two and Ireland has one. As the British Prime Minister, the Rt Hon. Tony Blair, said:

The funeral pyres of farm animals in Britain are the worst nightmare for livestock owners.

It is vital to recognise the economic importance of the New South Wales and Australian livestock industries, which would suffer the brunt of any outbreak of foot and mouth disease. At last count, farm gate values in 2000 for the beef, mutton/lamb, pig meat, milk and wool industries totalled \$2,806 million in New South Wales and \$12,042 million in Australia as a whole. After local processing into cuts of meat, delicatessen, dairy and other products, these industries are worth approximately \$5 billion for New South Wales and about \$25 billion for Australia. In New South Wales this production represents 87,000 jobs on farm and an additional 350,000 jobs off farm and has a direct impact on the livelihoods of 440,000 people. Some 37,000 farms in this State produce these livestock products. At last count in 1999, exports of these products from New South Wales were worth \$2,085 million to the State and \$7,608 million nationally. They make an enormous contribution to this nation's balance of payments.

It is obvious that any outbreak of foot and mouth disease would cause enormous social upheaval and would have a devastating flow-on effect for country communities: local businesses, abattoirs, saleyards, stock and fodder transporters, rural supply businesses, the tourism industry and even corner service stations. However, I reassure the House in the strongest possible terms that New South Wales is by far the best prepared of any Australian State to monitor diseases such as foot and mouth. This is the result of a unique combination of New South Wales Agriculture's professional veterinary services that operate in partnership with the district veterinarians who are employed by the State's network of 48 rural lands protection boards. Those veterinary laboratories are located at Wollongbar, Orange and Menangle. We also have a number of private veterinarian practitioners.

Australians and visitors to our shores cannot allow foot and mouth disease to penetrate our borders and devastate our livestock industries as has occurred in so many other countries. Foot and mouth disease is endemic in parts of Asia, Africa, the Middle East and South America, with sporadic outbreaks in disease-free areas. Countries affected by foot and mouth disease in the past 12 months include Bhutan, Brazil, Colombia, Egypt, Georgia, Japan, Kazakhstan, Korea, Kuwait, Malawi, Malaysia, Mongolia, Namibia, Russia, South Africa, Taipei, Tajikistan, Uruguay and Zambia. The increasing number of foot and mouth outbreaks throughout the world means that we must be even more vigilant than we have been in the past. Australia has been free from foot and mouth disease since 1872—which is an outstanding record. Experts from New South Wales Agriculture have estimated that a serious foot and mouth disease outbreak in Australia would cost about \$8 million a day in control and eradication costs alone. This does not take into account the effects of the immediate loss of meat, wool and dairy product markets.

While the Newcastle disease outbreak in 1999 was a major operation, the impact of a foot and mouth disease outbreak would be far greater. The operational experiences we gained at Mangrove Mountain gave New South Wales a unique advantage compared with other States. We know how important it is to have early diagnosis and early containment of an exotic disease such as Newcastle disease. We also know the importance of establishing combat teams to deal with the many facets of the campaign to control and eradicate the disease. On Mangrove Mountain the teams included farmers, veterinarians, community representatives, local council staff, earthmoving contractors, police, fire personnel, the Australian armed services and other State and Federal agencies such as the Environment Protection Authority and the Department of Community Services.

New South Wales Agriculture and rural lands protection board staff are regularly involved in the control and eradication of significant livestock diseases. For example, the rural veterinary network is currently

tracing and eliminating tuberculosis-infected cattle that were sent from Queensland to New South Wales. This involves rapidly tracing mobs of cattle and quarantining properties in much the same way as would occur with an outbreak of foot and mouth disease. This action would be followed up by competent laboratory diagnostic work. The New South Wales Government tests suspect exotic disease samples free of charge at New South Wales Agriculture's Elizabeth Macarthur Agricultural Institute at Menangle. It co-ordinates the secure and rapid transport of selected samples to the Australian Animal Health Laboratories at Geelong in Victoria where they are sent for confirmation—it is marvellous that that work is centralised at that major laboratory in Geelong.

I will give the House some background information about foot and mouth disease. It is a highly contagious viral disease that affects pigs, cattle, sheep, goats and deer. It is rarely fatal, except in the case of very young animals that may die without showing any symptoms. All affected animals lose condition and secondary bacterial infections may prolong convalescence. There is no cure for foot and mouth disease. It usually runs its course in two or three weeks and then the majority of animals recover naturally. It is spread rapidly by contact with other infected animals but it can also be spread through the air and on clothing and vehicles. It is important to note that Australia does not import animals from countries infected with foot and mouth disease. We have strict quarantine procedures on footwear, for example, in case people have been working on farms in an infected country.

The virus multiplies so rapidly that infected livestock are considered to be in a virus cloud from their own breath. Early diagnosis and slaughter will minimise the volume and persistence of the virus, dramatically reducing the chance of its spreading. Symptoms of the disease include dullness, loss of appetite, a fall in milk production, fever, excessive salivation or drooling and severe lameness or reluctance to walk—I do not think those symptoms apply to any of those honourable members who are presently in the Chamber, but I am reminded of a few Opposition members. Clinical signs of the disease in infected animals include blisters or ulcerations on the mouth, snout, tongue, gums, teats and around the top of the feet.

It is particularly appropriate that the House should address the importance of foot and mouth disease today as this week—25 March to 30 March—is Protect Australian Livestock Week. Livestock producers and veterinary authorities are the key to our recognising, controlling and eradicating an exotic disease such as foot and mouth. The clear message to farmers is: look, check and call the vet. Local private veterinarians and district veterinarians with rural lands protection boards have the benefit of the entire research, advisory, education and regulatory resources of New South Wales Agriculture to help with investigating suspect exotic diseases. My department is currently conducting a major foot and mouth disease awareness program to increase general awareness about the need to report any unusual livestock disease. There is also a toll-free number that people can phone to report suspected significant sickness in livestock.

New South Wales Agriculture's two senior veterinarians, Dr Regina Fogarty and Mr Bruce Christie, are currently in the United Kingdom helping the British authorities to deal with the current crisis and learning more about the spread of the disease. Those officers will return to Australia shortly and will be replaced by two other senior veterinarians from New South Wales Agriculture. Dr Fogarty and Mr Christie will provide an extensive report of their United Kingdom experiences to both departmental and rural lands protection board staff. We understand from what they have told us so far that planning in New South Wales and Australia is far in advance of that in the United Kingdom—I am sure the House is reassured to hear that.

I can also inform the House of the plan to hold a desktop exotic disease simulated exercise in New South Wales in late April and early May. New South Wales Agriculture will take the lead agency role in that exercise. We are calling for a national foot and mouth disease exercise involving all State and Federal agencies, rural industries and emergency organisations in a realistic simulated disease outbreak. In light of all these measures, I believe the Carr Government is doing everything possible to minimise the risks of a foot and mouth disease outbreak and to ensure that we are in a full state of readiness should such an unfortunate event occur in this country. We all hope that it never will.

**Mr SLACK-SMITH** (Barwon) [3.50 p.m.]: Australia is an exporting country. It is the world's biggest exporter of beef yet it is the fifth largest producer of beef. It is the world's biggest exporter of wool. It is the world's biggest exporter of goat meat. It is amongst the leaders in the export of fat lambs. This country's future relies on exports, especially agricultural products. The Minister for Agriculture has done a lot of talking but we want to know whether he is doing any walking as well. The future of Australia is at stake. We have to keep out foot and mouth disease, bovine spongiform encephalopathy [BSE] and other exotic diseases. The Minister is being reactive but he should have been proactive a month ago. The Australian Quarantine and Inspection Service [AQIS] is doing a magnificent job checking the people coming into this country. More than a million people a year come into Australia from the United Kingdom alone. I have heard of cases of visitors criticising AQIS officers for allegedly aggressive tactics in asking people to open their bags and in x-raying luggage.

Two days ago I asked Minister Truss to congratulate AQIS and continue the good work. Australia's economy would probably be broken if there were an outbreak of foot and mouth disease in this country. Britain is suffering from this highly contagious disease and from BSE or mad cow disease. Australia has an area which is susceptible to blue tongue but there has not been an outbreak for a long time and let us hope that we keep that disease out as well. I ask the Minister for Agriculture whether he has spoken to the Minister for Emergency Services, the State Emergency Service, volunteer rescue services and the other bodies that were involved in countering the Mangrove Mountain Newcastle disease outbreak.

I also ask the Minister why he has dragged his heels in embracing a positive carcass identification scheme in New South Wales. Such a scheme would enable the origin of a carcass to be traced within minutes from anywhere in the world. The Minister has been blaming the Federal Government for delaying the identification program. New South Wales is the biggest agricultural producer and should take the lead by introducing a livestock identification scheme. In this situation that tool would enhance our ability to quickly eliminate a disease outbreak. The scheme would also help to counter stock theft. In the last few months my colleague the honourable member for Lismore has been very active on this issue.

Australia's trading competitors are ready to jump on our export industries overseas. There was an example with the false and misleading CNN report claiming that Australia and New Zealand had foot and mouth disease. Our trading competitors will go to those lengths to destroy our markets and gain an opportunity for their products. The Helix and endosulfan contamination problems were excuses for our markets to be undermined overseas. Although the Minister was late in raising the issue, I congratulate him on bringing it up now.

**Mr Martin:** Straight after question time.

**Mr SLACK-SMITH:** This should have been done a month ago, and the honourable member for Bathurst knows that. He should be listening to his constituents.

**Mr Ashton:** It should have been raised a bit earlier in Europe.

**Mr SLACK-SMITH:** But the Minister should have taken action at least a month ago, especially when it became clear how serious the outbreak in the United Kingdom was. As the Minister said today, there are 716 cases in the United Kingdom and the disease has spread to Europe. The honourable member for Monaro moved a motion in the House yesterday—that could have been what jerked the Minister into reacting—in relation to the feral pig population. It has been estimated that feral pigs could spread foot and mouth disease from the Northern Territory to Victoria within three months. Has the Minister for Agriculture spoken to the Minister responsible for national parks to see whether there will be a statewide campaign to eradicate feral pigs? If there is, it can start with the front bench. The feral pig population is huge.

I am not bagging the Minister; I am just raising practical issues which could assist in keeping out or eradicating stock diseases. The Minister said that it would cost \$8 million a day to fight foot and mouth disease if it got into this country. That does not take into account the loss of production for many years into the future. Unlike Europe, there is no way that Australia, with a population of 18 million, could eat its way through a mountain of beef, sheep, lamb or whatever. Many people would be destroyed by an outbreak of foot and mouth disease. It would be very difficult to regain lost markets. We must take every step we can to keep disease out of Australia.

AQIS spending has increased by 53 per cent since the Coalition came to government in Canberra. The work force has been increased from 400 when Labor was in government to more than 700 full-time employees at present. I congratulate Minister Warren Truss on his proactive action in banning many imports from Europe that may have posed a threat to Australian industries. I also congratulate him on suggesting to the Commonwealth Government that the departure tax be increased so that AQIS will have a free hand in keeping diseases out. AQIS has done a great job. The staff work very hard. This is a vital time in Australia's history. If Australia can maintain its status as a clean, green and disease-free country we will have a very bright future for our agriculture. But the future will be very bleak indeed if exotic stock diseases enter Australia.

**Mr MARTIN** (Bathurst) [4.00 p.m.]: I support the motion moved by the Minister. After listening to the contribution of the honourable member for Barwon I am uncertain as to whether the motion has bipartisan support. There was a strong element of doom and gloom in his comments and that would be justified if the worst scenario had eventuated. This motion is about being proactive in prevention. The House debated this matter two weeks ago but the honourable member for Barwon claimed that the Minister should have moved this motion a

month ago. The Minister in his day-to-day duties has been working with the Federal Government and other agencies, and we have had ample demonstration of the ability of New South Wales to deal with this sort of crisis.

I refer particularly to Newcastle disease, which ravaged the poultry industry a couple of years ago. The strategies put in place by New South Wales Agriculture at that time were undoubtedly effective. Unfortunately, two million birds were destroyed and great havoc was caused to the industry. However, that crisis was managed as well as could be expected. We can be confident that the Minister and his department will be at the forefront in making us aware of the dangers of foot and mouth disease and that they will co-operate with the Federal Government. The danger is from overseas. Although Europe may seem a long way away and although we may consider that being an island provides us with some fortress protection, that matter cannot be taken for granted. The motion states:

That this House:

- (1) notes the serious economic threat posed by any outbreak of an exotic livestock disease—

and "serious" could be upgraded to "catastrophic"—

- (2) endorses the actions already taken by the New South Wales Government and New South Wales livestock industries to prepare for such outbreaks; and
- (3) calls on the Commonwealth to provide funding through Agriculture, Fisheries and Forestry, Australia, to urgently facilitate a national foot and mouth disease exercise ...

We are talking about a national program. The honourable member for Barwon referred to New South Wales leading the way. New South Wales already leads the way in the control of exotic diseases. However, the lead for the detection of disease must be orchestrated from Canberra. It is hard to imagine that any State would be recalcitrant and not co-operate with Canberra, but as many States now have Labor governments, co-operation will be easier. Perhaps the other States have not been so quick as New South Wales to follow on because they were mired by conservative leadership. I do not know whether that is the case. Nevertheless, this matter should cross party lines and receive bipartisan support.

The repercussions of Australia not being prepared are dire. The Australian Quarantine and Inspection Service, has stepped up surveillance, particularly at ports of entry by sea and air, and has put people to some inconvenience. I say to those who complain, "So what if you have to walk through a footbath or have some possessions confiscated, scrubbed or destroyed! No level of surveillance is too much." I commend the Minister and his department for their action. As the Minister said quite eloquently, New South Wales is well in gear.

But we are not resting on our laurels; there will be much more interaction between government agencies. Others such as farmers, professionals in the field, and veterinarians in particular, will play a part. Diligence and early reporting is the best way to control this disease. When the post-mortem is done on the current outbreak in Europe some criticism may perhaps be levelled at whether the disease was detected early enough or at a reluctance to destroy animals. At the end of the day we must be prepared. I commend the Minister for moving this motion. He is leading the way on this important issue.

**Mr ARMSTRONG** (Lachlan) [4.05 p.m.]: I indicate bipartisan support for the motion. I also compliment AQIS on its work so far. However, I call once again on the Federal Government to introduce new regulations that will result in a multiple increase in the penalties for people who are caught bringing contaminated foodstuffs and high-risk items into this country. Only three weeks ago a person arrived at Sydney (Kingsford-Smith) Airport with a small amount of uncooked meat and was fined only \$110. That is chickenfeed, particularly when one remembers the present value of our currency. I call on the Commonwealth Government to increase those fines by a minimum of tenfold.

I appreciate the Minister's indication of the preparedness of his department, which is most experienced in these matters. Foot and mouth disease is unique; the way it is transmitted is also unique. Sometimes one can be lulled into a false sense of security. I hope the Minister does not fall into that trap. I remind him of what happened with ovine Johne's disease, which, a couple of years ago, was considered to be endemic in a narrow area of the Southern Highlands out to Bathurst. Despite the best efforts of the Department of Agriculture ovine Johne's disease has now spread from the Queensland border to the Victorian border and covers every rural lands protection board area from the north to the south, except those areas on the coastal belt which do not have sheep.

I will show the Minister the area on the map because I was shocked at the spread. We cannot be complacent, make speeches and think we have the matter under control. That may send the wrong signal to

many people. We want the public of New South Wales to police the surveillance process and talk to their relations, friends and tourists who may be visitors from overseas to put in place early warning signals and thus provide maximum barriers to this disease. An article in today's *Land* by Cameron Morse and Reuters states in part:

However, Bahrain, the United Arab Emirates and Saudi Arabia had expressed extra interest in Australian live cattle.

Meanwhile, South Korea has closed its 142 livestock markets for three weeks to prevent an outbreak of FMD within its borders. Private trading will continue.

It is essential that we realise the enormous potential for catastrophic damage to our economy and our reputation. In every war there are winners and Australia has an opportunity to maximise the work it has done over the past two centuries in ensuring that we are clean and green—to use a throwaway line—and have the best animal health. We can say to the world that we can provide it with arguably the cleanest food under the toughest regulations for preparation, packaging and export in the world today. If we can preserve that reputation it will provide an advantage to our population of 19 million people.

The honourable member for Barwon said that Australia is a big exporter of beef and wheat. That is because it has a small domestic market. Countries such as Italy, France and England produce much more of those products. We have an export-supported economy. It is essential that we realise that foot and mouth disease is out of control in England. A newspaper yesterday referred to 617 farms in England being infected. I have a transcript that the Minister for Agriculture, Fisheries and Food delivered in the British Parliament last night and he referred to 788 farms being infected and 423,000 sheep having been slaughtered, whereas the figure in the *Land* yesterday was 406,000. Virtually overnight this figure is multiplying by 40,000 or 50,000 animals and by 20 or 30 farms. The cost has been estimated at \$8 million per day but I suggest that is chickenfeed compared to what it would cost us if the disease were to break out here. We could multiply that figure by 10. [*Time expired.*]

**Mr HICKEY** (Cessnock) [4.10 p.m.]: It is pleasing to know that the Minister is working so hard to deal with the serious issues facing the State. It is clear that he and his department work extremely hard to contain the outbreak of disease. This week, 25 to 30 March, is Protect Australian Livestock Week. It is, therefore, appropriate that we should focus on exotic disease control to ensure that we do not have a crisis in New South Wales or in Australia similar to that in Great Britain. Australia has been free of foot and mouth disease since 1872. If we thought that the outbreak of Newcastle disease in poultry at Mangrove Mountain on the Central Coast in 1998-99 was serious, an outbreak of foot and mouth disease in New South Wales would make that look like a Sunday school picnic, as the Minister said.

By 22 March, 270,000 animals had been slaughtered in England, with 80,000 still awaiting incineration or burial, and a further 130,000 still waiting to be killed. Significant delays in slaughter and disposal of infected and risk stock are likely to have contributed to the substantial spread of foot and mouth disease. Australia's stringent import controls and quarantine measures continue to provide the highest level of protection against this disease. However, it is important that Australia remains vigilant to prevent the introduction of the disease from countries where it is endemic, particularly Asia. That is the area that poses the greatest threat to this country. The honourable member for Barwon said that Australia's major export is meat. We would all concur with his comments. The Australian Quarantine and Inspection Service [AQIS] has done, and continues to do, a great job.

The honourable member for Lachlan spoke about an important issue: increased penalties for breaching quarantine laws. I believe the House would support his bid for increased penalties to ensure that people are deterred from breaching our quarantine laws. Our economy would be broken if foot and mouth disease were to break out in Australia. The matter clearly needs to be addressed. The Minister has said that he and his department are prepared. The resources of a number of departments were utilised to address the outbreak of Newcastle disease at Mangrove Mountain. They did a tremendous job, together with the farmers and volunteer workers. Everyone worked extremely hard to ensure that the disease was contained.

The motion seeks to endorse the actions of the New South Wales Government and calls on the Commonwealth to provide funding through the Department of Agriculture, Fisheries and Forestry to ensure as a matter of urgency that we are in the best position to deal with any incursion of foot and mouth disease. The Minister has placed us in a better position to deal with foot and mouth disease because of the actions he took in relation to the outbreak of Newcastle Disease. His actions have made many people aware of the issue of disease outbreak. The farm gate value of beef is \$1,060 million to New South Wales and \$5,048 million to Australia. Pig meat is worth \$215 million to New South Wales and \$792 million to Australia. This issue must be kept on



the front burner, as the Minister has done for the past month. Any suggestion that he has not been active in respect of foot and mouth disease is a slur on him, because he and his department are doing an outstanding job in addressing this issue.

**Pursuant to sessional orders business interrupted.**

### **SPECIAL ADJOURNMENT**

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

That the House at its rising this day do adjourn until Tuesday 3 April 2001 at 2.15 p.m.

### **PRIVATE MEMBERS' STATEMENTS**

#### **NRMA CHAIRMAN Mr NICHOLAS WHITLAM**

**Mr E. T. PAGE** (Coogee) [4.15 p.m.]: Since I disclosed that NRMA Chairman Nick Whitlam received money and services contributions from advertising agency Saatchi and Saatchi and lawyers Corrs Chambers Westgarth, more information has come to light. Whitlam and his faction's election campaigns were also funded by the Motor Traders Association, Dunhill Madden Butler and BT Australia. Even Joe Hockey, the current Minister for Financial Services and Regulation but at that time a consultant to Corrs, was a contributor to Whitlam's 1995 election campaign. And from money mysteriously falling out of the sky like the proverbial manna, Whitlam involved himself directly in fundraising. He not only knew about the contributions; in many cases he canvassed for them.

The contributions have resulted in some interesting post-election coincidences. Bankers Trust's Rowan Ross is now a board member of NRMA Insurance and Joe Hockey is responsible for the Australian Securities and Investments Commission, which approved the demutualisation of NRMA Insurance, saying very little during last year's court hearing and opposing nothing. Hockey also listened to Whitlam when he lobbied for amendments to the minimum shareholder rule under which 100 members or shareholders could call a special general meeting. Whitlam wanted that increased to a minimum of 5 per cent, and Hockey obliged by drafting the required regulations currently held up by the Democrats.

Joe Hockey certainly knows when a conflict of interest is involved—or does he? In the case of the NRMA that amendment would mean that a minimum of 100,000 members would be required to call a special general meeting to put forward the sorts of resolutions that 100 members can do at present, resolutions such as asking directors to declare the source of their election funding and the amount of that funding. How convenient such an amendment would be for a chairman who is sick and tired of members and small shareholders exercising their democratic right to call a meeting and challenge him.

The coincidences between Whitlam faction board election funding and subsequent events do not stop there. Corrs funded Whitlam's campaign and have acted for him in a personal capacity for some years. Whitlam progressed the demutualisation during a hung board meeting two years ago by using his casting vote as chairman. Corrs advised on the demutualisation—a big contract for them. People should realise that the annual NRMA legal bill is of the order of \$40 million. Corrs represented the NRMA during the demutualisation court proceedings. Their earlier election contribution and their role as personal lawyers for Whitlam were not declared once to the court during those proceedings. During this time, before demutualisation, critics of demutualisation received threats of defamation letters on Corrs letterhead. When a recipient of one of those letters asked who Corrs represented, he was told it was none of his business.

In October last year, before his forced resignation, director Richard Talbot presented to the secretary of the NRMA documents he had received showing the involvement of the NRMA's advertising contractors, Saatchi and Saatchi, in Whitlam's members first board election campaign. These documents showed, amongst other things, that the address of Members First was none other than the NRMA's own head office at 388 George Street, Sydney, and that Saatchi and Saatchi were trying to conceal their direct involvement in the Members First campaign by the use of a subsidiary company.

Richard Talbot, and at least one other director who had received this same material, requested that the matter be investigated. Guess who the NRMA secretary called on to look into the matter? Whitlam's own private lawyers and contributors to his board election campaigns, Corrs Chambers Westgarth, were called on. Guess what they reported? They reported that there was no evidence available to draw any conclusions as to any wrongdoing.

Having failed in an action to prevent NRMA member Bill Snodgrass from calling a special general meeting to call on members to vote for the rest of Talbot's outstanding legal bills to be paid and to force directors to disclose their election funding, the NRMA is appealing, again using Corrs. Corrs are also acting for Whitlam in a breach of confidentiality case against a former adviser. Corrs were one of the Whitlam campaign funders and yet not a word of its other role as Whitlam's private lawyers has been declared to the court in any of the abovementioned proceedings. Corrs has remained silent. The questions I would like answered are: Why did Corrs Chambers Westgarth contribute to Whitlam's election campaigns? Who paid or is paying for Whitlam's private representations? Did Corrs disclose to the board of the association, prior to its acceptance of a retainer from the association, as I understand it—

**Mr SPEAKER:** Order! I draw the attention of the honourable member for Coogee to a ruling in relation to private members' statements which states:

It is inappropriate to embark on matters of extreme gravity reflecting on persons outside the Parliament in private members' statements. A member wishing to raise a matter of such consequence, should see the Speaker in his Chambers to be advised of the most appropriate time to raise the matter.

The key words in the ruling are "extreme gravity", and I believe the honourable member for Coogee is raising matters of extreme gravity relating to a person outside Parliament. At this stage I will allow him to continue, but if he continues this course of action at a future date, it may be appropriate for him to discuss it with the Chair before proceeding.

**Mr E. T. PAGE:** I call on the Legal Services Commissioner to fully investigate whether Corrs are wearing too many hats for NRMA members to have confidence that the firm is acting in their best interests.

### **SOUTHERN HIGHLANDS ELECTORATE POLICING**

**Ms SEATON** (Southern Highlands) [4.20 p.m.]: I am concerned about the lack of police resources in the entire Southern Highlands electorate, particularly in the Moss Vale area. A couple of weekends ago we were privileged to have the New South Wales police band, mounted troops and the commissioner attend Moss Vale show. At the time I welcomed the commissioner to the show I took the opportunity to tell him that we were very proud of our local police and that they do a terrific job, but we need a whole lot more of them. I was hoping that the commissioner would respond at that time with a commitment to increase the level of police resources in Moss Vale. Many people will remember that prior to 1995 the Minister for Police promised to upgrade Moss Vale police station to a 24-hour police station.

We have seen anything but that. Moss Vale police station has been downgraded and is limping along with a reduced police presence. Most of the police presence is related to the activities of the court—an important function, of course—but when police officers attend to court-related duties they are not available for the beat or to attend to general duties. Last year I presented a petition to the Minister signed by about 1,000 people from the Moss Vale area calling for additional police resources. However, as many people did not sign the petition, last week Mr Irvin New, the President of the Moss Vale Chamber of Commerce, gave me a petition containing another 1,000 signatures.

People from Wingello, Fitzroy Falls, Kangaloon, Penrose, Berrima, Robertson, Exeter Canyonleigh, Sutton Forest, Welby and New Berrima, amongst other places, continue to be concerned about the matter and signed a petition. They are worried that police, although based in Moss Vale, have a long way to travel to service the Kangaloon, Bundanoon, Wingello and Penrose areas. It takes a good 10 minutes to travel from Moss Vale to Bowral. Often there is no-one at Moss Vale and people have to depend on resources from Picton or Bowral. This week I gave notice of a motion that I believe will never be debated, because the Government does not want local issues to be dealt with. My motion calls on the Minister to commit to a massive upgrading of police resources in the Moss Vale area so that we can feel truly secure and businesses and residents can feel that they are well protected.

On a related issue, about 18 months ago in an experiment by the former local area commander the Picton police station was subjected to cutbacks. Around the town at that time there was a theory that by redeploying those resources we might get a better service from them. That has proved not to be the case. I congratulate the local area commander, M. R. Rattenbury, on calling that experiment to a halt. He has increased the coverage at Picton to 24 hours on seven or eight days a fortnight. On the remaining quiet days there is 20-hour coverage and the command's five lock-up keepers are called out for emergency situations. I thank the local area commander for heeding the results of the 18-month experiment and understanding that the experiment was

not achieving the result that local businesses and residents wanted. In Picton and Bargo there has been a series of ram raids, and other incidents have occurred in the Wollondilly shire. I am pleased that the commander has tried to respond to them.

The local area commander does not have enough resources to go around. He is doing the best he can with limited resources. Any shortfalls are certainly not the fault of local police; they try their best to be everywhere whenever they are required. Simply put, this huge geographical area has a limited number of police. While everyone is pleased that at last the Premier has discovered that there is a problem in Cabramatta, where the 100 police that he has promised to put into Cabramatta will come from continues to be a source of unease in areas such as mine. We are worried that the 100 police will be poached from our electorates. I call on the Minister for Police to give an iron-clad guarantee that the Southern Highlands will not lose any police to make up the 100 officers who had been committed to the important work that has to be done in Cabramatta. I have given the Minister an opportunity to give that guarantee, but he has still not stepped in to relieve that anxiety. I call on him now to guarantee those police resources and assure us that we will not lose police to Cabramatta.

### LIVERPOOL ELECTORATE HOTEL DEVELOPMENT

**Mr LYNCH** (Liverpool) [4.25 p.m.]: I draw to the attention of the House a proposed development in my electorate of a hotel at the intersection of Hoxton Park Road and Cartwright Avenue. I wish to clearly state my opposition to this proposed development. I preface my comments by also making clear that I have no particular prejudice against pubs, clubs or hotels. I am certainly not part of the current hysteria that seems to verge on prohibition. However, I have a particular problem with this development in this location. For many years the proposed site was a petrol station, but that use ceased some time ago. From the moment that this current development application was advertised, there has been acute community concern over a number of matters. Essentially, the concerns revolve around what seems to me is an answerable argument. Simply put, this is the wrong place for this development.

Immediately adjacent to the site is a house and a two-storey block of units. The units are managed by a community housing group whose tenants would be particularly adversely affected by the development. To the north of the site is a small amount of open space, then one of the loops of Willan Drive and then a block which contains children's play equipment, open space and some small shops. The shops include one run by Serenity House. Serenity House is run by the Wesley Mission and aims to provide accommodation for homeless men suffering from, amongst other things, drug and alcohol abuse. Next to that space is Cartwright Public School, including the Macarthur Community College. The school, not surprisingly, has registered its formal objection to the proposal, granted its nearness to the proposed site. On the other adjacent area north of Hoxton Park Road is a well-established residential area. Essentially, the proposal is to lob a new hotel into the middle of the largely peaceful residential area. It is not surprising that residents are concerned. This is a clear case of a developer putting its drive for profit ahead of the amenity of the residential neighbourhood.

Apart from objections to the location, there are legitimate concerns at the scale of the development. The proposal would seem to be a clear overdevelopment of the site. The site was only the size of a normal, smallish service station. On this comparatively very small site, the developer wants a bar, family dining facilities, a TAB, bottle shop and games room. Since the proposal was first made, there has been an extraordinary amount of community opposition. I have received a plethora of complaints. For example, Mrs Musharraf Rahman wrote to me about her upset, concern and frustration. The Women's Housing Company Ltd also wrote to me enclosing a petition signed by some of its tenants expressing concerns at the proposed development. Mr Boler, a resident of Willan Drive, wrote to me, stating:

In the first place we don't need a hotel in the area as it is well catered for with the Catholic Club only a stone's throw away, a pub at nearby Miller and a bottle shop at Lurnea.

There is a school on the opposite side to the proposed site and an increase in traffic for the area is not required.

The noise from the proposed site is not warranted for a residential area. A lot of these people, including myself, go to bed early and rise early for a long day. We do not need bad language, noise and screaming cars at all hours of the day and night.

As well as receiving written objections, I have spoken to a number of residents, including Robin O'Donohue and Sharyn Henry, who have expressed their concerns. This issue featured on the front page of one local paper, the *Liverpool City Champion* on 15 March. I was quoted as expressing my concerns about the proposal. As a result, I got a pompous, self-important and monumentally self-defeating letter from the developer, Club Hotels Group Pty Ltd, signed by a person purporting to be a director, Paul Smith, trying to persuade me of the merits of the proposal. I found the material profoundly unpersuasive. Similar material to that contained in my letter appeared in yesterday's edition of the *Liverpool City Champion*.

The developer's attitude goes further than that. I am amazed at the stupidity and arrogance of profiteers such as this developer. The site is very close to Cartwright school. The truth is that it is only metres from the school. Club Hotels takes great umbrage at this description and remonstrated with me about it in its letter. The letter enclosed a certificate from a registered surveyor, John M. Daly and Associates, dated 19 March, which Club Hotels claims establishes that its site is 312 metres from the entry to Cartwright Public School. It claims that the distance is not just metres, it is 312 metres, and it presumably intends for me and others to be suitably admonished. As I said, Club Hotels is both stupid and arrogant.

The 312 metres is calculated by taking as a starting point that part of the hotel site furthest from the school and measuring the distance to a point at the school which is almost the furthest point from the hotel. It has come up with a bodgie mechanism to measure the longest possible distance. Even more absurd is the fact that the certificate from John M. Daly and Associates makes it clear that a measuring wheel was used to measure the distance. So Club Hotels used a bodgie way to calculate the distance and the surveyor, who obviously could not believe his luck to get paid for doing this, used a measuring wheel to measure the distance. The developer shows both its stupidity and arrogance by believing it can get away with that, as though people do not know the area. As I have indicated before, considerable opposition is being expressed to the development. I also note that I have recently received a letter from the St Therese Conference of the St Vincent de Paul Society, which states its very clear opposition to the development. I hope that the council, after due process, rejects the application.

### CRONULLA ELECTORATE POLICING

**Mr KERR** (Cronulla) [4.30 p.m.]: I want to raise again the subject of law and order in Cronulla. During the 1960s Patrick Daniel Moynihan wrote an interesting essay called "Defining Deviancy Down". He meant that when a government fails to provide and ensure an orderly society, standards are reduced. If public areas are allowed to be reclaimed and behaviour that was formerly regarded as unacceptable goes unpunished or is not dealt with, such standards become the acceptable and the norm. What was previously regarded as deviant behaviour becomes acceptable behaviour and, correspondingly, our definition and standards of deviancy are reduced. I also add that under this Government there has been both a defining of deviancy down and a defining of deviancy up. Previously acceptable policing procedures are now defined as deviant.

The *St George and Sutherland Shire Leader* wrote a series of stories about the riot that occurred in Menai and the way the police were dealt with. In that riot, the people who maintain order in our society were the people who were put most at risk. Why would police put their lives on the line to deal with thugs when they are treated in the manner that has been described? The other matter of concern I have is policing in Cronulla. Under the previous Government a police open day was held. The public were given a document which set out what was being done at Cronulla Police Station. The document stated that Cronulla Police Station has an authorised strength of some 50 police under the command of an inspector and offers a range of policing services that include mobile response, beat police, detectives and licensing. It further stated that police are committed to the corporate mission: working with the community to establish a safer environment by reducing violence, crime and fear. In those days police had the resources.

Recently I was challenged by Councillor Docherty to join the Community Crime Prevention and Safety Committee of the Council of Sutherland Shire. It is certainly an interesting committee. I believe that people in the Sutherland shire and elsewhere would like to know what goes on there. I obtained a copy of its minutes of 21 February. The minutes state that there has been a misrepresentation of staffing levels at Cronulla Police Station by the *St George and Sutherland Shire Leader*. Further, the minutes state that Cronulla Police Station is fully operational and manned 24 hours a day. No-one disputes that it is manned 24 hours a day, but many people, myself included, would dispute that it is a fully operational station. A very interesting point is that the document states that a report on a community audit, in which I took part, was poorly attended. The document, referring to the results of that audit, states:

It was noted that the statistics gathered would not be released to the media as there is potential that the data may sensationalise crime and safety issues in the area.

The media and the public are being denied essential information by this council. The minutes disclose a cover-up. I note that the Mayor and Councillor Spencer will be attending Cronulla at the weekend to talk to the residents about law and order in Cronulla. I will give them a few conversational starting points. They could tell the people of Cronulla why they refused to allow that data to be released to them. Further, the mayor has received a petition about security cameras. She could tell the people of Cronulla where those names and addresses have been lodged, because there does not seem to be any record at council. She could tell the people of Cronulla when those security cameras will be installed. [*Time expired.*]

## BATEMANS BAY PUBLIC EDUCATION DAY CELEBRATION

**Mr W. D. SMITH** (South Coast) [4.35 p.m.]: In 1998 New South Wales celebrated 150 years of public education. The significance of this milestone was understated at the time, with much of the commemoration organised primarily amongst the public schools themselves. In the South Coast region, teachers, students and parents made the most of the occasion by creating historical displays and, in some cases, dressing up in period costume and presenting historical pageants for their local communities. Also, celebration functions were organised for parents, teachers and members of the community. Yet on 15 March this year we saw a formidable tribute to public education in New South Wales across the State. On Thursday 15 March I had the great pleasure to be part of the celebrations, attending the Public Education Day Quality Schools launch at Batemans Bay.

A number of schools in my electorate are part of the Batemans Bay district of the Department of Education and Training, which is under the supervision of District Superintendent Colin Walters. At least 150 guests attended the event, including parents, families, teachers, principals and other interested members of the various communities. It gave me great pleasure to see so much support and enthusiasm for the occasion, and I wish to thank all those who attended. The highlights, however, belonged to the students who worked very hard to ensure the message for celebrating public education was loud and clear. My support for public education, having been in the teaching service for many years, would come as no surprise to anyone in this House.

Public education offers a fair go for all. It means that all members of the community have access to learning rather than it being confined to just the wealthy and gentrified few, as it was two centuries ago. Without question, we could not lay claim to the virtual egalitarian society we have today if it was not for public education. This message was clearly conveyed by the students to the guests of Public Education Day at Batemans Bay. I would like to read sections of a speech given by Vincentia High School year 12 student Kym Arnold at the celebration. I was humbled and at the same time elated by her superb comprehension and depiction of public education. Therefore, I would like to give honourable members the opportunity to hear some highlights of her speech. In defining public education Kym said:

Education is a great social leveller—without public education ... we would have a society where certain groups and individuals have no social mobility ... relegated to some rigid, social, economic class system.

Youth is our future. We need to give youth choices, chances and opportunities.

Education should be about preparing us for life. By doing that, we need to be taught tolerance of others because we live in a diverse society. This is a situation where we're mixing with a broad range of people, and that's one of the most important things about public education. It develops tolerance and learning to work with people from all sorts of backgrounds.

Public schools don't discriminate, they accept and attempt to educate children regardless of wealth, race, religion, culture and gender.

Kym Arnold also said:

Politicians have made claims, "no Australian child shall live in poverty" or that we are "the clever country". If we want these statements to become reality, we need to recognise the importance of public education.

She went on to say:

It would be my hope that the public education system, as we know it, would not be eroded and that the community and its representatives continue to focus on the absolute necessity of a first-class public education system.

Colin Walters also showed great faith in and dedication to the public system when he said:

Public schools in the Batemans Bay district contributed to a vibrant and responsive public education system that produces literate, well-educated citizens with the capability and confidence to make a positive contribution to the community.

He also said:

In a quality school environment, ownership and commitment encourage continuous self-improvement by promoting a partnership which engages all in analysing the learning context.

It is our vision to foster the further development of public schools as a strong network of quality schools with each school entering the project fully committing to the core values embodied within the Batemans Bay quality schools concept.

These are certainly admirable sentiments from a member of the education system. It gives me great pride to acknowledge the contribution and dedication of Mr Walters to public education. I would also like to mention Kate Walker, another year 12 student of Vincentia High School, who gave her speech at a different venue on the same day. During her speech Kate said:

Consider what public education offers us—giving everyone and anyone the chance of a better future.

We need to recognise and celebrate public education and to ensure that we reinforce the idea of a fair go for all.

Jessie Edwards from Pambula Public School, Lorraine Maftoum from Batemans Bay High School, the Moruya Public School Gunyas Dance Group, and flautist Amy Raymond from Braidwood Central School also celebrated this day.

### FOOT AND MOUTH DISEASE

**Mr GEORGE** (Lismore) [4.40 p.m.]: I am astounded that the Minister for Agriculture could stand in this House this afternoon and describe the laboratory in Lismore as a vegetable laboratory. The Minister is wrong. I am worried that the Minister who is calling for everyone to support the fight against foot and mouth does not realise what one of his laboratories means to the meat industry in this State. The Lismore laboratory, the little vegetable laboratory to which the Minister referred, has 12 employees who have been told that the laboratory will close sometime after June and they will be shifted to a town called Wollongbar. This afternoon the Minister did not know there was a difference between Wollongbar and Lismore. Most of the abattoirs in this State have their testing done in Lismore. The abattoirs at Casino, Grafton and Inverell are serviced by the Lismore laboratory. A big part of the contract is the McDonald's group, which also has its testing done at Lismore.

For the information of the Minister, the Lismore laboratory has just won a three-month contract from the National Residue Survey to conduct analytical residue tests on poultry, sheep, pigs and kangaroos. It is an indictment on the Minister for him to say that the Lismore laboratory is not an important part of the meat industry and that he did not know about it. The laboratory also provides an analytical service to the abattoirs of New South Wales. A lot of Queensland cattle are slaughtered at the Northern Co-operative Meat Company and Inverell abattoir. They are slaughtered in New South Wales and analysed at the Lismore laboratory. The laboratory provides analytical services for pesticide residues from slaughtered animal samples from New South Wales abattoirs. It also provides an analysis of any microbial drugs in abattoir samples. It is the only Government laboratory in New South Wales that undertakes these tests.

The same tests are conducted on milk. In the CFZ Helix crisis the laboratory serviced the industry by working two shifts to cope with industry need. Some 6,500 samples were tested in one year, or 10,000 in 18 months. I remind the Minister that in the organochlorine crisis Lismore provided the bulk of the testing regime for New South Wales by again working two shifts, and processing more than 62,000 tests in 12 months. The Minister ignored these figures this afternoon when he said that the Lismore laboratory is a little vegetable laboratory. Following the abattoir tests, any farms that were quarantined had property tests known as trace-backs that were also analysed at Lismore. This afternoon the Minister said that the Lismore laboratory would not close. I am very happy to hear that. Sadly, the staff have been told that they will be shifted to Wollongbar sometime after June. The 12 jobs lost at Lismore will cost more than \$750,000 of income to the city.

I call on the Minister to apologise to the employees for his statements in this House this afternoon downgrading the Lismore laboratory to a vegetable laboratory. I invite the Minister to come to Lismore and see first hand what the laboratory is worth to the meat industry and New South Wales, rather than simply listening to his advisers. He is certainly taking advice from someone. I do not know where he got that information from this afternoon. For him to stand in this House on the day when we debated what this State and this country have to do to keep foot and mouth disease out of this country and refer to the only government laboratory in New South Wales that is supporting the meat industry as a vegetable laboratory is a disgrace.

### WYONG PUBLIC SCHOOL FUNDING

**Mr CRITTENDEN** (Wyang—Parliamentary Secretary) [4.45 p.m.]: On 24 February I received a letter from the Wyong Public School Parents and Citizens Association. The president of the association is Sue Biviano and the secretary is Lionel Bishell. It was pointed out to me that Wyong Public School had missed out on funding for its covered outdoor learning area [COLA], for which it had been raising funds for four years. Prior to receiving the letter Mr Austin Woodbury, a person who has a child at the school, had contacted me and pointed it out. Like most honourable members, I am not a mind-reader and I did not realise that the fund-raising effort had been so protracted until I was so advised by Mr Woodbury and until I received a follow-up letter from Wyong Public School. Some \$13,000 was raised by the parents and citizens association for this very important project. It galvanised the school community.

I am very pleased to report that as result of the Premier's speech in Penrith last Sunday, 25 March, Wyong Public School will have its COLA funded to the extent of \$10,340 by the State Government, thereby

matching 50 per cent of the lowest quote provided by the parents and citizens association. I am very pleased that we have been able to bring some joy to the situation and provide the children of Wyong Public School with the COLA they so richly deserve. Recently, we have had a lot of good news on education. Last Monday, 26 March, the Minister for Education and Training was in the Wyong electorate to formally open the redeveloped Tuggerah Public School. Tuggerah is a longstanding school. In March 1992 I attended the centenary of the school, together with many of the old residents of the area who attended school.

The redevelopment has maintained many of the heritage buildings, but we have had to build new accommodation on what is a very difficult sloping site. The Public Works Department has excelled itself. This must be one of its more innovative projects. Most importantly, the project confirmed the importance of integrating the school and the community. Many stalwarts from the Wyong community attended the official opening. Helen Eggleton, the President of the Parents and Citizens Association, attended the gathering, as did previous presidents Ron Herring and his wife, Anne, and Jenny Hogeveen. Many well-known town identities were present, including Alan and Mrs Frame; John and Mrs Carpenter—John is a well-known ornithologist in the area; Ern Trigg and his wife, Joyce; and Mick and Joy Baker.

We are trying to develop a sense of community in Wyong, which is very important in a rapidly growing area. Mick Baker is President of the Wyong Pioneers Association, and my Federal colleague Michael Lee and I enjoyed a pleasant Saturday afternoon at its annual luncheon each October. It was also good to see Des Worboys, who had worked at the school as a groundsman for a considerable period. One of the best things about the day was witnessing the enthusiasm of the kids. The school has a great tone. John Selwood has been the principal since 1987 and the children sang two songs that he composed. They obviously take great pride in their school. Although it has seen a lot of redevelopment, it has maintained its country focus and every child in the school is important.

#### **Mr BERNARD JONES AND THE STATE DEBT RECOVERY OFFICE**

**Mr MERTON** (Baulkham Hills) [4.50 p.m.]: I wish to raise an issue of concern that has been brought to my attention by Mr Bernard Jones of North Rocks regarding the threatened cancellation of his driver's licence due to the non-payment of a fine. Mr Jones has advised that on 9 February 2001 he received notice of a court enforcement order from the State Debt Recovery Office. This document was dated 7 January 2001 but Mr Jones has indicated that he did not receive it until 9 February—more than a month later. It required payment of the sum of \$285 by 4 February 2001 as a result of the non-payment of an infringement issued on 10 April 1993—nearly eight years ago.

I am sure that honourable members can fully understand my constituent's amazement. Mr Jones informed me that he has an excellent driving record and he believes this fine from so long ago has been paid. On 22 March Mr Jones received further correspondence from the State Debt Recovery Office in the form of a notice of suspension of his driver's licence for non-payment of fines. That suspension was to take effect from today, 29 March. The document indicated that his licence would be suspended if \$325 was not paid. How many individuals keep records dating back nearly eight years relating to an infringement?

Mr Jones approached his bank for information but was informed that records were available for only the past six years. My electorate office contacted the State Debt Recovery Office and was told that it is chasing up all outstanding fines as required by the Fines Act 1996 and that the onus is on Mr Jones to prove that he has paid the fine. When this Government introduced the fines legislation into State Parliament in 1996 the Opposition pointed out that it contained a number of draconian provisions relating to the cancellation of licences. During the second reading debate on 13 November 1996 my colleague the then member for Eastwood stated:

If the State Debt Recovery Office is too heavy handed, there will be many problems.

He went on to say that he hoped that commonsense would prevail. Yet now we have the case of Mr Jones. Mr Jones did not want to risk having his licence suspended yet he was having great difficulty proving, nearly eight years after the event, that he had paid the fine. He was fortunate to come across an officer in the Attorney General's Department by the name of Brett Burkett, who understood the situation. He organised for the State Debt Recovery Office to contact the Roads and Traffic Authority to put a hold on the suspension of Mr Jones' driver's licence. However, the matter has not yet been resolved. The Act must define procedural fairness and what constitutes a reasonable period of time for individuals to obtain proof of payment of fines. Remember that this fine was incurred nearly eight years ago. The court fine enforcement order dated 7 January 2001 was not received until 9 February and the driver's licence was to be suspended one week from the date of the notice if payment was not received. I ask the Attorney General to look into this matter so that commonsense may prevail.

### TWEED ELECTORATE VOLUNTEERS

**Mr NEWELL** (Tweed) [4.54 p.m.]: It is most appropriate in the International Year of the Volunteer to draw the attention of the House to two events involving volunteers. The New South Wales Government, which is keen to work with communities to celebrate the International Year of the Volunteer and to create an enduring legacy, has provided funding for volunteer expos. One such expo, held in my electorate on 14 March, provided an opportunity for community organisations and groups in my electorate to showcase their community service work. It also gave members of the community an opportunity to access information about volunteering and meet representatives of volunteer organisations.

The function was extremely well organised. The expo incorporated stalls from 22 volunteer organisations in the Tweed civic centre and was attended by many people. In fact, some 200 or 300 people visited the expo the morning that I was there. Volunteers told stories about their experiences and there was a panel on which members of various community organisations and government and peak bodies discussed their experiences and concerns about volunteering in a fun way. It all went very well. I pay tribute to the 20 or more organisations who participated in the expo and I am grateful for the funding that the event received from the State Government.

I congratulate the Tweed Men's Project, the Wommin Bay Village Auxiliary, University of the Third Age, Australian Red Cross, Tweed River Valley Fellowship, Tweed Shire Telecross, Volunteer Home Visiting Service, Tweed Coast Meals on Wheels, Blue Care, Pottsville Neighbourhood Centre, Volunteers in Policing, Murwillumbah Community Support Centre, Banora State Emergency Service, Tweed Heads Hospital Auxiliary, Tweed Palliative Support, Centrelink, Volunteering Gold Coast, the Department of Community Services, Save Wollumbin Forest Campaign, Volunteer Marine Rescue Point Danger, Lions, and Tweed Valley Respite/Community Transport on attending the expo.

There was also a waiting list of organisations that wished to participate but that were prevented from doing so because of the size of the property. This excellent expo was very well attended and greatly appreciated by the community and I congratulate Joy Peters on her organisation of the event. Several interesting issues were raised during the panel discussion as a result of questions from the floor. Concern was expressed about the changing nature of volunteers as a result of the Federal Government's alterations to unemployment benefits. People are now required to perform volunteer work, and concern was expressed about the training that they will receive and how keen such volunteers might be. That concern is justified.

On 9 February I also had the pleasure of attending the graduation ceremony for a group of volunteers from a training scheme for a volunteer home visiting service funded by the New South Wales Government and the excellent Families First program to the tune of \$100,000. The first group of volunteers found their training encouraging, enlightening, time-consuming and tiring. I congratulate those volunteers—Miriam, Jennifer, Avril, Moira, Sharon, Donna, Ezzart and Sharon—and their co-ordinator, Tracy Rutledge, on their good work. They will now be able to provide assistance to families in the Tweed, particularly new parents.

### MYALL LAKES ELECTORATE POLICING

**Mr J. H. TURNER** (Myall Lakes—Deputy Leader of the National Party) [4.59 p.m.]: I wish to refer to law and order and policing problems in my electorate. In general terms there is a lack of police in the area, which has been well known for a considerable time. We have an authorised strength—although the Minister for Police does not like to use that term—of about 124 police. At any one time, for a number of reasons, there are about 74 police available. The police area extends from Johns River in the north to Bulahdelah in the south and Gloucester in the west. There are insufficient police to effectively carry out policing in that area, and the community is very concerned about this. With my colleague the honourable member for Port Macquarie I company-hosted a deputation of the Mayor of Great Lakes, Councillor Chadban, and the Mayor of Taree, Councillor Tuck, to the Minister approximately two weeks ago. They put a succinct case to the Minister that we needed more funding and police powers to overcome the problems in the area.

The Minister undertook to look at the matter and we are awaiting his reply in that regard. Unfortunately, the Minister tended to think it was probably a rostering matter, whereas it is quite clear to all the people of the community and the deputation that it is clearly a police numbers matter. Regrettably, on 19 March, after meeting with the Minister, on a Monday night, an incident occurred at Purfleet, which is just outside Taree, where virtually a riot occurred in the streets. The indigenous members of the Purfleet community—I stress that I am not making this a black or white discussion; it is just a matter of fact that the indigenous community was involved—were throwing stones, rocks, bottles, old bike parts and anything else they possessed at cars going by and creating terror and a great deal of concern.



The police were called. Only two police were available. When they attended they were set upon by the mob and, regrettably, had to make a tactical withdrawal. They called for backup but only one other policeman was available—bearing in mind that the area stretches from Johns River in the north to Bulahdelah in the south and Gloucester in the west. Again they felt that it was prudent for them to make a tactical withdrawal and advise cars not to travel through the area but go around it. The people whose vehicles were damaged are incensed. I have received a number of letters asking why something cannot be done. Obviously, the police have to ensure that they act responsibly. I am not sure that the police available would have been able to handle the mob as it was, but citizens feel very frustrated that the perpetrators, who went on to ransack a business in the area, are not being apprehended and prosecuted, or if they are being prosecuted are not being prosecuted to the full extent of the law. The local people believe that it is time that this situation stopped. I will not read names but I have a couple of letters here. One letter states that there were indigenous folk in the street and:

... one held up a bicycle and hurled it into our car causing damage to the side panels. We felt relieved to escape the mob, my wife was upset and very scared ... we then travelled a few hundred metres towards Taree I noticed a Police patrol car parked in one of the petrol stations getting details of another vehicle that had just gone through the same experience as we did at Purfleet. After telling the officer what had just occurred (he was extremely courteous) we were informed that there was nothing he could do (he was by himself) and said sorry. We did not expect this one officer to go to the mob by himself. He gave us a phone number to file a complaint and told us to return to Old Bar via Cundletown and the by-pass, which we did.

The authors of the letter stated that they believe the police are doing their very best in the circumstances. They wrote:

Although I can certainly understand the frustration of the Police, I also feel frustrated.

Another lady with young children in the car was caught up in the melee. Rocks were thrown at her, smashing the windscreen. Because of the fear of lawlessness, she finished her letter by stating:

Unfortunately I do not feel secure in signing this letter as I have lived in this area for a very long time and have children and property whom and which I feel responsible to protect. Please assist us in providing a safe and secure environment for them to grow up in.

I think that sums up the situation. We definitely need more police in the area and we definitely need them now. We have to clean up this law and order issue once and for all. When these perpetrators are identified they should face the courts and be properly prosecuted.

#### **DEATH OF Mr EDWARD PEEL ARTHUR**

**Mr MILLS** (Wallsend) [5.04 p.m.]: This afternoon I pay tribute to the life of Edward Peel Arthur. Eddie Arthur passed away on 2 February this year at the Garden Suburbs Nursing Home but he had lived the previous 50 years in Cardiff. He was married for more than 60 years to Ena and between them they did so much good for so many people in Cardiff and Wallsend. All six of their wonderful daughters were present at the funeral—Bev, Kathy, Val, Robyne, Laurene and Delma. Their son Eddie had predeceased his father by several years. There was a big crowd of relatives and friends and fellow workers in many causes at the Salvation Army Citadel in Cardiff to say farewell to Eddie Arthur on Tuesday 6 February. Eddie and Ena had a special desire to help out kids from poor families. They were extremely generous, given their own meagre means, but had lots of love for their fellow human beings.

I knew Eddie as the local Labor stalwart in Cardiff. He was an Australian Labor Party life member. He distinguished himself by being a fixture all day at the Cardiff polling place at every State, Federal or local government election for over 50 years, and prior to that in Wallsend. In recent years he was the daily stalwart of the pre-poll tables in Cardiff—lately they have been in the arcade—displaying his endless patience and good cheer. Most adult voters in Cardiff have received a how-to-vote card from Eddie—often more than once—and always with the advice, "Follow this one and you can't go wrong." He did not let anybody tell him what he should say to the voters. He had his own way of dealing with his own voters. He saw them as his own people.

Unfortunately, his long service was brought to an end in 1994 after he was severely affected by a stroke. He was born and raised in Wallsend and went to work at Newcastle abattoirs at the age of 15. He retired after 51 years of working for the same employer. He was a fervent believer in the collective power of the trade union to bring benefits to working people, and claimed a record 156 consecutive union meeting attendances with the Meat Workers Union, which he represented as a delegate to Newcastle Trades Hall Council. Eddie had been politically active since his teens. He joined the ALP in the early 1930s in Wallsend and later transferred to Cardiff. He was related to the Watkins family, which produced State and Federal members of Parliament at the beginning of the twentieth century. It is no wonder that the Labor Party is still going strong after 110 years when great community people such as Eddie Arthur display such dedication to the Labor cause.

I sought his advice on many occasions because he was so close to his community. He was an ALP member for almost 60 years and achieved life membership in 1996. Unfortunately, his service was broken by the ancient sectarian split in the Labor Party in the early 1950s, when the Cardiff branch closed for a number of years. Of course, he rejoined as soon as the branch re-formed. It is tragic that, because of the split, he did not qualify for life membership about 15 years earlier. He was certainly a battler. He was a hard worker all his life. He walked everywhere: he never drove a car. He used to tell me stories of riding on the large horse-drawn buses from Cardiff to the top of the hill at New Lambton during the Depression to get to work and to get around to help people. He was able to get meat offcuts from the abattoirs to distribute to the poor and starving families to help them to survive the Depression. He sought no glory for himself, although he did serve for a while on the Cardiff Urban Area Committee during the 1960s and early 1970s and the local committee of management at John Young Community Hall.

Eddie was certainly proud of me and my predecessor Ken Booth, and George Booth before Ken, as well as Federal members of Parliament, including Bert James and Bob Brown. I want to say farewell to Eddie. On behalf of the local community I extend condolences to his large extended family, in particular, to his six daughters, his grandchildren and great-grandchildren—including the big strapping young adult males who carried his coffin out of the Citadel to the Salvation Army. Farewell, Eddie Arthur.

**Mr FACE** (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [5.09 p.m.]: I would like to place a few words on the record about Eddie Arthur, a person whom I had known virtually since the day I was born. He and my father worked together in the Meat Employees Union, or the Butchers Union as it was known in those days, for most of my dad's working life in Newcastle. My father later became President of the Meat Employees Union on the retirement of Clarrie Anderson, another great Wallsend stalwart. Eddie worked for 51 years at Newcastle abattoirs, which was owned by Newcastle City Council. I remember as a child going along to the butchers picnics, which were a favourite, and Eddie was on the back of an old GMC truck handing out the kegged ginger beer that they used to get from the old brewery.

He enjoyed a joke and loved people. My late father never saw me in public life but Eddie was proud of the fact that Jack Face's son had entered Parliament. He was one of the people from the Meat Employees Union who carried the coffin when my father died. Like my father, Eddie was a victim of the split in the Democratic Labor Party. He, along with Abbey Allsop, lost his position in the union for a short time and was deeply hurt by that. My family is both Catholic and Anglican and Dad never played that sort of game. However, one night people that he, Eddie and Abbey thought were their mates walked across and they were out for a short period of time. However, they accepted it. commonsense prevailed and they were back. Eddie was a great fellow and I have fond and loving memories of him. He always kept in contact, even after 1994 when he had his stroke. Even in ill health he phoned me to say, "Good on you. You've made the Ministry." I have fond memories and I am pleased to place on record for the benefit of his six daughters and family: Very well done, Eddie Arthur.

### **TURRAMURRA AVENUE TRAFFIC**

**Mr O'FARRELL** (Ku-ring-gai—Deputy Leader of the Opposition) [5.11 p.m.]: "Will it take a child to die before action is taken?" was the tough, but fair question directed to me by a resident of Turramurra Avenue, Turramurra, during a meeting to discuss local traffic problems 10 days ago. Along with two officers from Ku-ring-gai Municipal Council I met with about 20 residents on the corner of Turramurra Avenue and Wonga Wonga Street at a meeting organised by Stephen Stephanic and Antonia Rowland. The two interrelated issues being discussed were traffic volumes and speed on the street. Turramurra Avenue is a residential street that starts at the Pacific Highway and runs about three-quarters of a kilometre through to Karuah Road. Four other roads lead into Turramurra Avenue—Gilroy Lane, which gives access to the major car park of Turramurra shopping centre, Nulla Nulla Street, which is a dead-end street, and Wonga Wonga Street. The major intersection along Turramurra Avenue is its intersection with Brentwood Avenue and Boomerang Street, and it is a road that, due to the failure of the Pacific Highway to keep pace with growth in traffic volumes, acts as a secondary north-south route.

Significant traffic flows in both directions of Turramurra Avenue between the Pacific Highway and the Brentwood-Boomerang route. A recent three-week council traffic count showed that an average of approximately 4,300 vehicles a day use the road in both directions. These figures have to be qualified somewhat because they do not pick up traffic that turns into Wonga Wonga Street—a reasonable traffic flow during peak periods, as I witnessed during my meeting with residents. This could easily increase the daily traffic count to 5,000 or more. By any measure this is a significant volume of traffic for a residential street, enough to adversely affect residential amenity and to pose safety risks for residents.

However, the three-week council traffic count also highlighted a far greater safety risk: the speed of traffic using the route. Turramurra Avenue is signposted with a 50 kilometres per hour speed limit. The council study showed that 55 per cent of all traffic using the street exceeded that limit and 29 per cent of all vehicles recorded exceeded the speed limit by in excess of six kilometres per hour. The top speeds recorded in each direction of Turramurra Avenue were 102 kilometres per hour and 170 kilometres per hour. Hence one father's question to me at the meeting with residents: Will children have to die before something is done?

I was so concerned with the data presented to me that I have written to Superintendent Phil Hickman of the Ku-ring-gai local area command urging an immediate and targeted attack by police on speeding drivers. I recognise that this is a short-term measure, but any effort to reduce speed would be welcomed by residents and is clearly needed, given these figures. Turramurra Avenue, Turramurra, is clearly in urgent need of traffic calming. Whilst this is ordinarily a local council issue—and the matter will be considered next month by Ku-ring-gai's traffic committee—it is complicated by the avenue's connection with the Pacific Highway.

South of the railway bridge at Pacific Highway, Turramurra, one can turn into Turramurra at two streets—Rohini Street and Turramurra Avenue. Rohini Street is a traffic light controlled intersection so that northbound traffic can safely turn across southbound lanes into Turramurra. However, many northbound vehicles turn right at Turramurra Avenue, where traffic signals do not exist, which makes the intersection somewhat more dangerous. Many of the residents at the meeting expressed the view that such turns should be stopped or, alternatively, traffic taking this route should be restricted from travelling any further down Turramurra Avenue than Gilroy Lane, thereby allowing access only to the car park.

The Roads and Traffic Authority [RTA] is currently considering this option after the matter was raised with it by residents. Other issues must also be considered by the traffic committee. There are no pedestrian crossings in Turramurra Avenue and clearly they are needed. The Turramurra-Brentwood-Boomerang intersection needs examination, with residents suggesting existing stop signals be changed from the current north-south configuration to an east-west one.

The failure of successive governments has resulted in an increasing number of Ku-ring-gai streets being blighted by traffic. Highways, regional roads or public transport links, in particular rail, have not kept pace with developments and population growth to the north and north-west of Ku-ring-gai. This rat-running is destroying amenity and threatening the safety of Ku-ring-gai. I will keep working with the RTA, police and Ku-ring-gai's traffic committee for a permanent solution to the traffic problems of Turramurra Avenue. As the father of young children I could not live with myself if lives were lost at Turramurra Avenue or other places in my electorate, because government—Federal, State or local—had not acted. I urge the Government and, in particular, the RTA to do its part to look for long-term permanent solutions to the clearly significant traffic volume and traffic speed problems that the residents of Turramurra Avenue, Turramurra, are experiencing.

**Mr MOSS** (Canterbury—Parliamentary Secretary) [5.16 p.m.]: The honourable member for Ku-ring-gai is right when he says that many of the issues he has raised are being considered by the local traffic committee. It is appropriate that measures to prevent vehicles from turning in certain directions into certain streets and other traffic calming measures be dealt with by the local traffic committee. As to speeding, I suggest that the honourable member for Ku-ring-gai approach his local councillors, through the traffic committee, to recommend speed cameras along Turramurra Avenue. The local traffic committee may not have considered that option and even though the RTA is responsible for speed cameras, such a recommendation from the local traffic committee might solve the problem. Speed cameras are installed primarily to prevent speeding, not to achieve revenue through fines. They are put in black spots or areas where there are problems with speeding. The main objective is to prevent accidents occurring in those locations and Turramurra Avenue might be the ideal area for a speed camera to be installed.

#### **HEATHCOTE ELECTORATE ROAD AND RAIL PROJECTS**

**Mr McMANUS** (Heathcote—Parliamentary Secretary) [5.18 p.m.]: I pleasingly acknowledge the presence of the Parliamentary Secretary for Transport in the Chamber because this evening I have an opportunity to thank and congratulate the Minister for Transport, and Minister for Roads, Carl Scully, on his efforts over the past 12 months with regard to road and rail projects in my electorate. In recent days the Premier opened the four-lane Woronora Bridge, an issue of major concern at the last election not only in my electorate but in the electorates of the honourable member for Menai and the honourable member for Miranda. When the Opposition was in government it indicated that it was prepared to fund a two-lane bridge. However, it is clear now that a four-lane bridge was necessary from the start to protect the life and wellbeing of the people on both sides of the Woronora River in emergencies such as bushfires.

I also acknowledge the many people involved with the Woronora Bridge opening. Two in particular were ambassadors for the RTA and I would like to put their names on record. They were Ms Chris Taylor and Mr Peter Wellings, both officers of the RTA who worked tirelessly over a difficult period not only to ensure that the bridge came in on budget and on time, but on the day of the opening they were able to consolidate groups such as the Lions Club and Rotary of Menai in a fun day that raised in the vicinity of \$50,000 for charities throughout the Sutherland shire, including money for the new Sutherland hospital. Also, I thank the Minister for the work he has done on the Engadine station upgrade. That is a \$2.1 million project designed to improve access to Engadine railway station. It is with pleasure that I say the expectation is that it will be completed by the end of this year.

I also acknowledge the contribution of some members of the community who have been heavily involved in this issue. It has to be said that in 1987 the then Minister, Bruce Baird, refused to approve the construction of this facility when approached by the pensioners of Engadine. It has taken all this time to gain acceptance that this facility was desperately needed. When this Government came to office the Minister realised the enormity of the problem for the aged and infirm and allocated \$2.1 million for the implementation of the Easy Access program.

Of course, it was not only the Government who had to do the work. Things like this do not come about merely because politicians make decisions in this House. It comes about because many people get involved. I acknowledge the contribution not only of the pensioners of Engadine who have worked tirelessly over the years to ensure that they received what they considered to be essential for their own wellbeing at the station, but also the Engadine Chamber of Commerce, of which chamber I am proud to be a member. I have worked closely with the president of the chamber, Ben Maiorana, and I appreciate the hours of unpaid work that he put in to ensure that the chamber's input was acknowledged. He was a launching pad for what we will see at the end of this year.

Members of the Lions Club of Engadine were on the street corners with petitions, making it clear to governments and politicians of all persuasions who would listen that this was a much-needed facility. In addition, the community of Engadine were wholeheartedly supportive of the project. The bus-rail interchange in Station Street has been completed and we look forward to the end of this year when we will have an additional facility that will benefit the community. The lifts will be fitted with Braille panels. There will also be wheelchair-accessible toilets, hearing aid loops at the ticket office and tactile tiling in the floor. I congratulate the Engadine community for keeping the pressure on.

**Mr MOSS** (Canterbury—Parliamentary Secretary) [5.23 p.m.]: I thank the honourable member for singing the praises of the Government in relation to the transport and traffic initiatives in his electorate. I particularly appreciate the fact that he made reference to the \$2.1 million allocated for disability access at Engadine station. I will certainly pass on to the Minister his appreciation of the work that is being done there. The disability access program is being vigorously applied by the Government. The honourable member also mentioned the Woronora Bridge. It cannot be said too often that the Woronora Bridge was definitely an initiative of this Government. We knew that a new bridge was planned but when the Carr Government came to office it changed the plan entirely to encompass not a two-lane bridge but a four-lane bridge. I wonder today how we ever would have got along had we stuck with the original plan. I thank the honourable member for bringing this matter to the attention of the House and I will certainly relay his appreciation to the Minister.

#### **ST PATRICK'S PRIMARY SCHOOL**

**Mr PICCOLI** (Murrumbidgee) [5.25 p.m.]: I draw to the attention of the House a rather peculiar but significant issue for one of the primary schools in my electorate, St Patrick's Primary School in Griffith. In 1995 the school approached what was then the Murrumbidgee County Council because two of the county council's power poles were located on the school grounds and the principal of the school had noted that one of the poles was infested with white ants. I raise the issue in light of the proposal for further amalgamation of Great Southern Energy and other country energy distributors. The current problem that St Patrick's Primary School is facing is the result of the amalgamation of the county council into Great Southern Energy.

The principal informed the Murrumbidgee County Council that the power pole was infested with white ants. The pole is located in the centre of the school grounds where the children congregate before and after school, and during recess and lunch. It is not located in some out-of-the-way part of the school grounds. After the notification was made, Murrumbidgee County Council sprayed the pole with a chemical, which council assured the principal would eradicate the white ants. Council also said there would be no need to replace the power pole. Subsequently the county council was amalgamated with Great Southern Energy. A few months ago the principal noticed that the pole was reinfested with white ants, and approached Great Southern Energy to have the pole replaced.

I inspected the pole last week and I assure the House that it is in a terrible state. It looks as if it is about to fall over. Great Southern Energy has advised the school that removal of the power pole will be at the school's expense. The school has obtained a quote for \$4,500, a significant amount for any school. If Murrumbidgee County Council had replaced the pole when the problem was first brought to its attention, this problem would not have arisen. Of the two poles within the school grounds, one has already been replaced by Great Southern Energy for some other reason. Now it has denied any responsibility for replacement of the white ant-infested power pole, which I consider to be beyond salvation.

I see this as an increasing problem with proposed further amalgamation of electricity distributors. It would appear that this is an example of the tendency on the part of electricity distributors to shift the cost of updating and maintaining their services and equipment away from themselves. I have drawn this matter to the attention of the House because I believe other members of Parliament may have similar issues in their electorates. I will be taking up this matter with Great Southern Energy in the hope that it will assume some responsibility for the power pole. As I said, it is not an insignificant feature but rather a significant part of Great Southern Energy's infrastructure. I hope that within the next few weeks I will be able to obtain a report on this issue with a favourable outcome.

### NEW SOUTH WALES FIRE BRIGADES

**Mr HICKEY** (Cessnock) [5.30 p.m.]: Since 1884 New South Wales Fire Brigades has proudly served and protected the community of New South Wales. Under Labor governments New South Wales Fire Brigades has moved into the new millennium by continuing the best of its traditions while adding the latest technologies to continue its protection of lives and property, and to keep the people of our State up to date with the latest news and emergency warnings. New South Wales Fire Brigades is the largest urban fire service in Australia, and it is arguably the best equipped and resourced in the nation. It has the legislated responsibility, under the provisions of the Fire Brigades Act 1989, to provide fire prevention, mitigation and suppression services to the major metropolitan areas, regional centres and towns in rural New South Wales. It also has rescue responsibilities and the statewide management of hazardous material incidents.

To meet these responsibilities New South Wales Fire Brigades must have access to the best equipment available, and the Government is committed to maintaining and developing the resources available to the brave men in the field. The services are provided from a network of 327 fire stations, which directly protect over 90 per cent of the State's population of approximately 5.4 million people. New South Wales Fire Brigades also protects community infrastructure, which was valued in 1996 at \$1,200 billion. As a State Government instrumentality, New South Wales Fire Brigades is the custodian of expensive community resources and, therefore, has a responsibility to ensure that these resources are used efficiently, effectively and equitably.

The Minister for Emergency Services has supported the ongoing development program of New South Wales Fire Brigades and has committed resources to increase its capacity to, first, save life and reduce the number of injuries caused by fires and other emergencies; second, minimise property damage at fires; third, promote fire prevention and safety; and fourth, minimise the likelihood of deaths, injury and damage to the environment from incidents involving hazardous material. New South Wales Fire Brigades has 2,833 full-time and 3,206 part-time retained firefighters and officers who are all trained and equipped to provide an immediate and rapid response to fires and other emergency situations. The motto of New South Wales Fire Brigades is fitting: "We take the heat off you." I believe that members on both sides of this House would agree that it does an excellent job in protecting our communities.

The Rural Fire Service is the successor, in a formal sense, to an organisation which has had a proud history for more than 100 years and is most popularly known as the New South Wales Bush Fire Brigades. The RFS comprises some 2,400 brigades and has a total volunteer membership of approximately 70,000. The RFS is responsible for fire suppression and prevention activities across 90 per cent of the State and works closely with the New South Wales Fire Brigades, the National Parks and Wildlife Service and State Forests, which, between them, cover about 10 per cent of the State.

The principal component of the service is the volunteers who provide a range of services from firefighting and prevention to community education and support of other emergency services. The RFS is currently undergoing major change with a focus on strategic development, firefighter safety, community accountability, re-equipment, planning and community involvement. The Government has a proven record in

supporting the New South Wales Fire Service, and this is no more apparent than in the electorate of Cessnock. The Minister for Emergency Services, the Hon. Bob Debus, has made significant allocations to the Cessnock electorate to provide much-needed resources and equipment, including in 1995-96 \$1.001 million, in 1996-97 \$929,839, in 1997-98 \$1.074 million, and in 2000-01 \$1.334 million. That is a total of \$6.5 million, compared to a total of \$3.031 million under the last six years of the Coalition Government, which equates to a 116 per cent increase. Those figures include the acquisition of 13 tankers at a cost of \$1.4 million and \$560,000 for station construction or upgrades. On behalf of my electorate I congratulate the Minister and thank him sincerely for his efforts.

### WAGGA WAGGA RADIOTHERAPY CENTRE

**Mr MAGUIRE** (Wagga Wagga) [5.35 p.m.]: Cancer affects one in three people. Because of the lack of radiotherapy cancer services in the Riverina—and, indeed, throughout regional New South Wales—the community of Wagga Wagga determined at a public meeting on 18 August to raise \$3 million to build a radiotherapy cancer care centre in Wagga Wagga. It was envisaged that the centre would be accessed by people throughout the Riverina region. On 22 December last year, 16 months from the time the announcement was made that we intended to raise \$3 million, I had the pleasure of announcing on behalf of my community, as chairman of the fund-raising appeal, that we had achieved that goal. I record my sincere thanks to all those in my electorate and the neighbouring electorates of Murrumbidgee, Lachlan, Albury and Burrinjuck who contributed to the fundraising appeal.

I record my sincere thanks to the committee members who worked tirelessly to manage that appeal. They were Peter Fitzpatrick, Louise Jacobson, Glenn Elliot, Jo Carroll, Diana Simpson, Yvonne Braid, Neville McCoullough, Ron Castle, Susan Schiller, Maureen Maguire, Henry Gates, Gloria Pasco, Wendy McPherson, Julie Francis, Murray Aitken, Barbara Little, Judith Oehm, Leanne Palmer, Pat Bombell and Brenda Petersen. Many more people were involved; there are far too many to mention. Through this House I extend sincere thanks to them for their contribution. During the fundraising campaign many innovative ways to raise money were devised. One was the badge which I am wearing. It was designed by Jenny Conkey and the young Caitlin Gooden and bears the words "A Ray of Hope". It is hoped that the cancer centre will be a ray of hope for our region.

I also thank the people who were involved in the mechanics of putting the funding together. I especially thank the Federal member for the Riverina, Kay Hull, and Dr Michael Wooldridge for ensuring that the radiotherapy centre received a health program grant. I thank also the Sisters of Calvary for making land available on which to build the centre. I thank the trust, under the chairmanship of Joe Schipp, who is no stranger to this House. Joe continues to manage the board and the trust. At the moment he is sifting through tenders for this \$3 million centre to be built. I thank everyone for their commitment and drive to making the centre a reality. I also thank New South Wales Health for its support and encouragement throughout this process. I look forward to having the Minister and his department support the centre during the years that it will contribute to the health and well-being of the many residents within the Riverina.

My role as chairman is now concluded. We raised more than \$3 million. The money continues to come in; the total has now reached about \$3.2 million. That money will not go astray as I am sure that the centre will need carpet, curtains and furniture and other fittings. A group called the Friends of Radiotherapy has been established under the capable chairmanship of Wendy MacPherson. I wish the committee members the very best and make them aware that I will certainly be there to support them should they need help. This fundraiser has been a wonderful example of a community working together for the common good. I hope that in the years to come we will build on the work that has been done. It has been announced that an accommodation centre will be built with up to 20 units at a cost of \$1 million. Contributions to the cost of the centre have been made by the Cancer Council. In the future the community will embrace plans for a hospice and more palliative care facilities. That will give Wagga Wagga and its residents a world-class cancer centre. I congratulate the people of Wagga Wagga and the Riverina.

**Mr MOSS** (Canterbury—Parliamentary Secretary) [5.39 p.m.]: When the former member for Wagga Wagga was a member of this Parliament, particularly when he was a Minister, the then Opposition had the habit of calling out to him in question time, "Good on you, Joe." I believe that was a slogan that Joe Schipp himself invented when he said, "Good on you" to himself and it stuck. It is appropriate that I say, "Good on you, Joe" for his efforts in helping to raise the \$3 million needed for the radiotherapy centre at Wagga Wagga. We congratulate Joe and all the other people referred to by the honourable member for Wagga Wagga. He said that not only citizens of Wagga Wagga were involved but also citizens of neighbouring towns and electorates. They are to be congratulated. It is appropriate that they did their bit as well because, as the honourable member pointed out, this centre will service the entire Riverina area. I hope it serves its purpose well in the future.

## KINGS CROSS POLICING

**Ms MOORE** (Bligh) [5.40 p.m.]: At meetings with the Premier and the Minister for Police in 1999 and 2000 commitments were made to increase police numbers in the Kings Cross local area command and provide a uniformed police presence to reduce street violence and antisocial behaviour. The failure to honour those commitments means that the local police cannot address escalating crime. The serious staff shortage at the downgraded Kings Cross police station is jeopardising the safety of residents and business people. Residents of Kings Cross face a volatile combination of drug dealing, drug injecting and antisocial behaviour. Violent crime is a daily occurrence in Springfield Avenue and Darlinghurst Road, with serious problems spilling over into the surrounding precinct. One resident has mapped out the activities of five or six drug dealers who congregate in Roslyn Street, Kings Cross, between 2.00 p.m. and midnight each day. Although the pattern is clear and consistent, the matter has not been addressed by police.

Another resident has told me that the locals know the dealers by sight. The level of open dealing in Springfield Mall would be laughable if it were not so devastating, with everyone walking to the supermarket being offered hits of heroin. There have been assaults on customers and staff at the local supermarket in Springfield Plaza, which is a known drug hot spot. Police took half an hour to respond to an emergency call after one such attack. There is also a serious problem for anyone using the post office and library near Fitzroy Gardens, with groups of drunks abusing pedestrians, throwing bottles, begging and urinating in the park. The police say they cannot do anything about it. The crisis extends to the whole command. One apartment block in Elizabeth Bay had six burglaries in three weeks. A Woolloomooloo resident experienced a home invasion and his daughter was attacked 200 hundred metres from her home.

A Potts Point resident reported a violent brawl in her street but was told that police could not attend as the two crews on duty were already on calls. Police failed to attend when an Elizabeth Bay resident reported a violent assault involving someone's head being pounded into a concrete wall. Kings Cross business operators are also past endurance. A restaurant owner in Kellett Way has seen a proliferation of drug dealers in the past five years. Gangs of young men harass his guests and other pedestrians. With no visible police presence and his business suffering, he has unsuccessfully attempted to move them on, despite being frightened about repercussions. He has told me:

Unless there is a very serious effort to combat the problem ... Kings Cross will become a no-go area for anyone hoping to operate a legitimate business. Already residents and business people are moving out and leaving the streets to those who apparently control them—drug dealers.

At Madison Central City Hotel the manager sends female staff home in pairs. She fears for the safety of her guests because of recent abusive attacks on international tourists, and she reports a growing injecting problem in Roslyn Lane behind the hotel. The Drug Squad, although helpful, tell her that they are too under-resourced to assist. Harley's Bar Restaurant, the Mansions Hotel, the Macleay Lodge and the Challis Lodge Hotel have been robbed since February. At the Landmark Parkroyal, two employees and a hotel bar were recently robbed. A few days later a man wielding a blood-filled syringe held up the hotel's liquor store. The general manager of the Landmark is angry that the level of drug-related crime and antisocial behaviour continues to escalate. He says that police are under-resourced and unable to provide a visible uniformed presence to deter criminals and provide peace of mind to local residents and businesses.

The Kings Cross command is seriously compromised and the Minister for Police must take responsibility for the failure of his police commissioner to reduce front-line crime and implement Police Service reform. The commissioner's flawed "Future Directions" strategy will not put more police on the streets; it will leave local communities more exposed to crime. The Olympic policing arrangements are a flawed model that increased staffing only by unsustainable practices of no leave or training, increased overtime and closed courts. Interstate and international experience shows that the commissioner will not increase police on the streets by closing local police stations. Super local area commands will make service to the community less effective, supervision difficult and targeting of recidivism virtually impossible. There will be less contact between police and communities and worse response times.

I call upon the Premier to reject the proposal to close local police stations in the eastern suburbs and create super commands. I urge the Premier to immediately provide Kings Cross with resources to deal with its problems. I ask him to immediately upgrade Kings Cross to a level one station and to honour his commitment to increase police numbers to provide regular uniformed foot patrols. Our policing system with its focus on community policing works if it is adequately resourced. The New South Wales Police Service needs to be built up again through recruitment and keeping the hard working and conscientious police officers that we have.

**Mr WHELAN** (Strathfield—Minister for Police) [5.45 p.m.]: All honourable members will see the contradiction in the speech of the honourable member for Bligh when they read her remarks. On the one hand she attacks the New South Wales Police Service for not doing its job and then she ends by saying that the police are all hard working.

**Ms Moore:** They are under-resourced.

**Mr WHELAN:** They are not under-resourced. That is not what the honourable member said at all. The fact is that there are more police now.

*[Interruption]*

I listened to the honourable member in silence and I ask her to extend the same courtesy to me. She should not be so arrogant. As the Minister for Police I have met with her on many occasions. Some of the issues she has raised tonight are serious and I will look at them. But I will not stand by and listen to her rant and rave and talk arrant nonsense. She cannot praise the police on one hand and attack them on the other. She cannot attack the commissioner.

**Ms Moore:** I am not attacking them. They are under-resourced.

**Mr WHELAN:** The honourable member knows that is untrue. The New South Wales Police Service has a record budget of \$1.6 billion.

**Ms Moore:** Why is there so much crime in Kings Cross? Why did you downgrade the station to a level two station?

**Mr WHELAN:** That is how much the honourable member knows. The regrading is about the salary of the officers. It has to do with nothing but pay and salary scales. The other matter that she cannot get into her mind—and she should not be so persistently arrogant—is the fact that the commissioner, the Police Service and the union are looking at a proposal by the commissioner to streamline city east—city east alone. On many occasions the Government has indicated that it will not consider the proposal until certain hurdles are met and guarantees are given. The principal guarantee is that there will be more police on the beat, on the street and in cars in the eastern suburbs. If that does not occur, the proposal will not go ahead. However, as I have said before, the Government has to look at ways of improving police on the beat and on the street. *[Time expired.]*

**Ms MOORE:** I seek leave to move a motion to suspend standing and sessional orders to allow the Minister an extension of speaking time.

**Leave not granted.**

**Private members' statements noted.**

#### **HONOURABLE MEMBER FOR BAULKHAM HILLS**

**Mr WHELAN:** A memorable event has been drawn to my attention. The honourable member for Baulkham Hills has become a grandfather for the third time. His third grandson was recently born to his daughter Alex. I extend the congratulations of all members to the honourable member.

**House adjourned at 5.48 p.m. until Tuesday 3 April 2001 at 2.15 p.m.**

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