

# LEGISLATIVE ASSEMBLY

Tuesday 26 June 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.

## VISITORS

**Mr SPEAKER:** I welcome to the gallery a group of students from Robert Townson Primary School. I hope they enjoy their visit to the New South Wales Parliament.

## HERITAGE AMENDMENT BILL

### Second Reading

**Debate resumed from 20 June.**

**Mr BROGDEN** (Pittwater) [10.00 a.m.]: The Opposition will not oppose the Heritage Amendment Bill. We appreciate that it deals with a number of reasonable administrative matters and provides a sensible approach to construction and development issues at heritage sites. The bill amends the Heritage Act 1977 to protect historic shipwrecks situated within the limits of New South Wales. The bill allows demolition of non-heritage buildings within a heritage precinct that will not affect heritage buildings. The bill provides for modification of development approvals, and provides for exemption from the requirement for an excavation permit where an archaeological assessment indicates no relics. The bill also extends the time within which proceedings may be commenced for offences from six months to 12 months.

The Opposition supports the general principle that where a development is completed a period of longer than six months may ensue before the Heritage Office or the relevant development authority issues offence notices. We support extending the period to allow for that. We also support the compilation of a register of historic shipwrecks situated within the limits of New South Wales. This State has a rich and colourful maritime history, much of it probably not known to boys and girls at school and residents of the State. It will be of great long-term benefit to the State if we put more effort into understanding our heritage and have a register of historic shipwrecks within our limits. Up and down our coastline—from the Victorian border to the Queensland border—there are a number of shipwrecks and it would be useful to provide a better understanding of their location, status and history.

A significant amendment contained in the bill relates to allowing non-heritage buildings to be demolished in a heritage precinct. We understand that for many people the owning of a heritage building is as much a burden as a benefit. In many cases heritage sites have non-heritage buildings included with the heritage buildings and it can be difficult to deal with the redevelopment of the site building by building. The Coalition supports the provisions of the bill to allow for a development application to go ahead that would include the demolition of a non-heritage building while not affecting a nearby heritage building. We realise that future development of the site must be sympathetic to the heritage precinct or site. The mere existence of a heritage building near a non-heritage building should not prohibit the demolition of the non-heritage building.

The bill also provides for the modification of approvals. This is standard practice through the planning approval process under the Environmental Planning and Assessment Act. In the past, it has not applied to heritage buildings. However, the bill allows for some flexibility through the development process and for modification of approvals rather than a rigid, inflexible system that provides almost no capacity for change in the process. Finally, the bill provides for the issuing of an archaeological assessment certificate relating to a site. Presently the law requires that there be excavation of heritage sites to prove there is nothing there. If a qualified archaeological expert issues a certificate stating that no relics are to be found in an excavation the process may be amended and no excavation will be required.

My colleague the shadow Minister for the Environment and a part-time PhD student in archaeology, together with the National Trust, indicated to me that because Australia's built heritage, its European

civilisation, is reasonably well known and much of it has been discovered and documented, we have a detailed understanding of what we can expect to find at many of our heritage sites in New South Wales. Rather than impose extra expense on developments by requiring excavation only to find nothing there, we can use the expertise gathered over many years by archaeologists to ensure that time, effort and money are not wasted in excavation with no result. As I indicated at the commencement of my speech, the Coalition does not oppose the bill, and it will not oppose it in the Legislative Council. We have consulted with bodies including the Property Council and the National Trust, which have indicated that they support the legislation. It is significant that the National Trust in particular supports the bill. It does an excellent job in defending the built heritage of New South Wales.

**Mr FACE** (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [10.08 a.m.]: I thank the honourable member for his contribution on this important bill, the Heritage Amendment Bill. The honourable member referred to historic shipwrecks. I come from the Hunter area, which has a very active port and many shipwrecks. Many of them have been discovered only in recent years. The bill is important for their preservation. I commend the bill to the House.

**Motion agreed to.**

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

## **LOCAL GOVERNMENT AND ENVIRONMENTAL PLANNING AND ASSESSMENT AMENDMENT (TRANSFER OF FUNCTIONS) BILL**

### **Second Reading**

**Debate resumed from 20 June.**

**Mr BROGDEN** (Pittwater) [10.09 a.m.]: Earlier Mr Speaker acknowledged the presence in the gallery of the boys and girls from the Robert Townson Primary School. I point out to them that this debate is a good indication that not everything that happens in Parliament is adversarial. Much of what happens in Parliament is straightforward and the Opposition and the Government may agree on legislation. The Opposition will not oppose the Local Government and Environmental Planning and Assessment Amendment (Transfer of Functions) Bill. In consultation with my colleague in another place the Deputy Leader of the Opposition, the shadow Minister for Local Government, the Coalition will not oppose this bill. It is a reasonably straightforward bill. It probably would ordinarily be left to a miscellaneous provisions piece of legislation, which I am aware the Government is bringing forward at the end of the session and it will be dealt with separately.

This bill provides for minor amendments and a transfer of powers from the Local Government Act across to the Environmental Planning and Assessment Act. Many of the bureaucratic functions have already been transferred from the Department of Local Government to the Department of Urban Affairs and Planning [DUAP]. The officers who are responsible for administering the sections of this legislation were transferred in 1999 from the Department of Local Government to the Department of Urban Affairs and Planning and they have been effectively undertaking their roles in DUAP but have been using the Local Government Act.

This legislation cleans up the lines between the officers and the Act for which they are responsible. The Local Government Act will be amended to remove the need for approvals for the use of buildings and temporary structures as places of public entertainment, the installation of temporary structures on land and the installation of oil and solid fuel heating appliances. The Act will also be amended to repeal provisions with respect to the use of places of public entertainment by the Crown, and to repeal the provision that enables a local council to issue orders requiring a place of public entertainment to be upgraded to relevant standards.

The Environmental Planning and Assessment Act will be concurrently amended to allow the use of buildings and temporary structures as places of public entertainment and installation of temporary structures on land, to regulate the carrying out by the Crown of development involving the use of a building as a place of public entertainment, and to enable a local council to issue orders requiring a place of public entertainment to be upgraded to relevant standards. As I indicated earlier, it is a fairly straightforward administrative bill, which is not opposed by the Opposition for good reason. It allows for the legislative catch-up for bureaucratic decisions that were made some two years ago. The Opposition will not oppose the bill.

**Mr FACE** (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [10.12 a.m.], in reply: I again thank the shadow Minister for his contribution to the Local

Government and Environmental Planning and Assessment Amendment (Transfer of Functions) Bill. This bill is of special importance, as the shadow Minister indicated, in areas of public entertainment. Of course that impacts to some degree on my portfolio, especially in regard to licensing. Over the years, it has been difficult to come to terms with a lot of bureaucratic regulation, and the matter has been in the hands of many different people. I thank the shadow Minister for his contribution. I commend the bill to the House.

**Motion agreed to.**

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

#### **APPROPRIATION BILL**

#### **APPROPRIATION (PARLIAMENT) BILL**

#### **APPROPRIATION (SPECIAL OFFICES) BILL**

#### **INSURANCE PROTECTION TAX BILL**

#### **STATE REVENUE LEGISLATION FURTHER AMENDMENT BILL**

#### **Second Reading**

**Debate resumed from 25 June.**

**Mr GREENE** (Georges River) [10.15 a.m.]: It is a pleasure to speak on behalf of the constituents of Georges River in support of the Treasurer's presentation of his seventh budget for the State of New South Wales. At the outset, I must say that this budget is a responsible piece of work by the Treasurer. It has been warmly received throughout not only the Georges River electorate but also throughout the whole of New South Wales. I inform the House that earlier this month I hosted a function for business leaders within the Georges River community. The Treasurer spoke at the function. The support he received at the function is indicative of the way in which the budget has been received throughout New South Wales. The quality of the questions asked and the responses given by the Treasurer, together with the feedback I received from business community leaders who were in attendance, indicate that people are extremely happy with the budget that the Treasurer has presented. This is the Treasurer's seventh budget and his sixth surplus budget during his term. I congratulate the Treasurer.

It is worth reminding the House that throughout the Treasurer's administration, extensive capital works have been undertaken, particularly in relation to the Olympic Games. It should be remembered that the Games were paid for during a period of surplus budgets. It was not only the Olympic Games and the Games facilities that were a huge bonus for the community of New South Wales, but also the considerable public works projects that were associated with the Games and capital improvements that were provided throughout New South Wales. I highlight the example of roadworks that otherwise would have taken much longer to have been constructed than proved to be the case as a result of the Olympic Games.

I reflect on this matter whenever I drive through the inner west of Sydney. I refer to improvements at the junction of the Hume Highway and Roberts Road at Centenary Drive near the Strathfield golf course. I notice the Minister for Gaming and Racing nodding in acknowledgement. That intersection was upgraded significantly and major improvements have taken place, which were part of the whole Olympics budgetary allocation and capital works improvement program. That is just one example that immediately comes to mind when I think of how people have benefited from the Olympic Games and other huge benefits that came with the Olympic Games, over and above the provision of what are obviously outstanding facilities.

The Treasurer has decided to remove the debits tax, which will be a bonus for members of the community. There has also been an announcement that financial institutions duty [FID] will be removed from July this year and, together with the announcement that the debits tax will be removed considerably earlier than anticipated—in January 2002—this provides another benefit for members of the New South Wales community. Whether we like it or not, we all have to use banks or some type of financial institution. People try not to use banks these days, but no matter where their money is put away, they still have to pay taxes. The Treasurer is providing considerable benefit for the people of New South Wales because both the taxes I have mentioned will be removed by January 2002 at the latest.

I turn to a couple of specific matters concerning the Georges River electorate and highlight some of the budgetary allocations that will assist the Georges River community. I mention that, through the Transport portfolio, the Minister for Transport, and Minister for Roads and the Treasurer have agreed to spend \$2.7 million—I repeat, \$2.7 million—on improvements and replacement of track on the East Hills line between Turrella and Kingsgrove. That improvement will bring tremendous benefit to the commuters who use that line and it shows the Government's commitment to maintenance and safety standards. The work is currently under way and I thank the Minister for Transport, and Minister for Roads for initiating the track replacement program.

That program will benefit my community in conjunction with the \$11 million that has been allocated to finalisation of the track duplication program that is currently under way between Turrella and Beverly Hills. It is expected that that work will be completed in September this year, resulting in improvements and an increase in services on the East Hills line. When the additional outside tracks are brought on line in September, that will result in fast trains being able to use the line, which will also improve the services for commuters who use the East Hills line. At the end of 2000 the Government announced that the program had been brought forward. As I have said, the \$11 million that has been allocated in the budget will ensure the completion of that work, and it is something to which commuters look forward. The budgetary allocation has also provided for the establishment of a turnaround to the west of Kingsgrove station. I note that Minister Iemma, the honourable member for Lakemba, is now in the Chamber. I know he supports me when I say it is great to see these improvements to the East Hills line.

I also note the allocation of \$3.6 million as the first allocation of funds towards the installation of a turnback at Bondi Junction station, which ultimately will provide for additional services on the Illawarra line. Honourable members would be aware that both the East Hills line and the Illawarra line go through the Georges River electorate and provide significant transport infrastructure for my constituents. The allocation of the first budgetary funding for the turnback at Bondi Junction station is a significant commitment by the Government to ensure that that project is now well under way. There has been a significant increase in the number of commuters using train services on the Illawarra line. Those commuters look forward to the installation of the turnback because it will allow for many more train services on the Illawarra line, particularly during peak periods. I thank the Minister for that budgetary allocation.

It is pleasing to see that this budget has an allocation for the installation of an additional set of covered stairs on the eastern side of Kingsgrove station. This will allow many people, particularly the large number of school students who attend schools in the Kingsgrove area, to reach the opposite side of Kingsgrove Road without walking across it, which will be a huge improvement for safety. Two stations on the East Hills line, Beverly Hills and Riverwood stations, have received budgetary allocations this year. Although Riverwood station is in the electorate of the honourable member for Lakemba, many of my constituents also use that railway station. Both Riverwood and Beverly Hills stations will have lifts installed. In fact, it is my understanding that development applications have already gone to council for the installation of those lifts. I note that the Minister nods in agreement.

The budget has allocated funding of \$116 million for the completion of the M5 East project. As Mr Acting-Speaker, the honourable member for Liverpool, would be aware, the improvements to the M5 with the addition of the M5 East are a huge benefit not only for the residents of the Liverpool electorate who use the road but also for thousands of people who travel that route. The allocation of \$116 million will ensure the completion of the M5 East, I believe early next year, and this will be of great benefit to the residents of the Georges River electorate. We recognise that the project is well ahead of schedule. I congratulate not only the Minister but also the contractors and workers on ensuring the speedy completion of the project.

One of the benefits of the M5 East for the residents of the Georges River electorate is that when the road is completed traffic that now clogs both King Georges Road and Stoney Creek Road will use the M5 East. One of the other budgetary allocations is the provision of \$900,000 for local road improvements. A fair percentage of that funding is being allocated to work on Stoney Creek Road, which runs through my electorate towards the electorates of Kogarah and Rockdale. One of the other benefits not only for the residents of the Georges River electorate but for people throughout New South Wales relates to funding for the police budget. I am pleased to see the allocation of \$7 million for the installation of mobile data terminals.

These terminals will be provided for police cars in the Georges River electorate. The mobile data terminals, which will also include a geographic positioning system to allow the tracking of police vehicles, will be a huge benefit not only for police but also for the community they serve. They will allow police officers to spend even more time out in the community in their cars rather than being tied to police stations. Rather than

having to go back to the station to put in their reports, police will be able to lodge reports via the mobile data terminals. It will also allow police to access even more information from these terminals.

My constituents are very pleased that the installation of mobile data terminals will ensure an increased police presence in the community, including in shopping centres and on the streets. My discussions with local police indicate that they regard this as a huge benefit to the service they provide. I have had a number of discussions with Superintendent Paul Lowe of the Hurstville local area command, who is very excited about the provision of mobile data terminals. I take this opportunity to congratulate Superintendent Lowe and the officers of the Hurstville local area command on the work they do, and, I am sure, will continue to do, for the benefit of our community. The Government has continued to support quality education in New South Wales. I congratulate the Minister on the funding that is provided for very important programs, particularly the numeracy and literacy focus that we see throughout this budget.

As a former schoolteacher I can assure the House that numeracy and literacy programs should be the key to any work that is undertaken in schools. I believe that literacy should have an across-curriculum focus. It is pleasing that \$117 million in additional funding has been allocated from this year's budget for numeracy and literacy programs in New South Wales schools. We see continued increases in funding for the allocation of computers, particularly Internet connections for schools. Certainly the State's schools have not missed out on the age of technology. I congratulate the Minister for Education and Training on the provision of these additional technological services within classrooms, because our students need to be kept up to date with new technology at all times, as do their teachers.

I also congratulate the Minister for Education and Training on improvements that have taken place at Georges River College, which includes the establishment of a new Oatley campus for senior students. I also congratulate the Minister on improvements that have taken place at Peakhurst High School, Penshurst Girls High School and Hurstville Boys High School sites within the Georges River collegiate. I have spoken with the parents, students, school principals and teachers within that college and I have been told that things are going extremely well and that the budget allocations for this year are appreciated. Of particular joy to me, and I know to the honourable member for Lakemba, is the provision of \$3.2 million in this year's budget for the rebuilding of the Beverly Hills Public School. In my most recent discussions with the principal, Debbie Sutton, the school community is excited by the work that is already under way and will be completed in the new year. The work will include additional home-base classrooms, renovations to the school hall and canteen facilities—a redevelopment initiated by the honourable member for Lakemba. I thank him for all his preliminary work. I know that the renovations will be of huge benefit to the Beverly Hills community.

I also thank the Minister for Education and Training for the allocation in this year's budget to complete the work. I also hope—the emphasis being on "hope"—that I will be able to entice the Minister for Education and Training to consider more general budget allocations to allow additional work to be carried out at Penshurst Public School. I acknowledge that a considerable amount of money has been spent on the school over the past couple of years, and the Penshurst community is appreciative of that. I hope that the Minister will find money in the budget to provide louvres for the classroom windows in the main block to make the classrooms a little cooler. I have also asked the Minister to provide on a dollar-for-dollar basis a covered outdoor learning area for Peakhurst West Public School. I hope to be able to negotiate with the Minister to provide these two additional education benefits for the Georges River community.

Honourable members would be aware that in its 1999 election campaign the Government committed \$6 million over four years towards improvements to the Georges River foreshore. Allocations have been made on two occasions from the fund and I am pleased to inform the House that a number of projects within the Georges River electorate have again been funded. I particularly refer to the \$476,300 allocation for the Edith Bay boardwalk project. This project was initiated by the Lugarno Progress Association and I compliment its members and President, Mr Rob Clarson, who has been enthusiastic in promoting this cause. I congratulate also Hurstville City Council on supporting this project, because it is as a result of a submission by the council and the association that funding will be made available. The Lugarno Progress Association is a great community organisation that works specifically within the Lugarno area. It has worked energetically under the leadership of Rob Clarson and it is grateful that funding will now be provided for the project.

The budget also contains an allocation of \$282,000 to clean up Poulton Creek in Poulton Park, which borders my electorate. That project will be jointly funded by Kogarah Municipal Council, which is supportive of the program. It will be of benefit not only to the Georges River community but to all communities that front Georges River. I understand that there are 1.2 million people in the Georges River catchment area. Kogarah

Municipal Council has also received dollar-for-dollar funding of \$98,000 to continue the leachate removal program in the Moore Reserve artificial wetlands. I congratulate both Hurstville City Council and Kogarah Municipal Council on supporting the program. I also congratulate the Minister for Urban Affairs and Planning, Dr Refshauge, on his continuing support for the program, a 1999 election promise that is being delivered by the Government.

I would also like to thank the Minister for Community Services and her department for their continuing support of groups in my electorate. An additional sum of \$350,000 has been allocated for Learning Links at Peakhurst, an outstanding organisation that helps children with learning difficulties, under the leadership of the acting executive director, Tracey Webster, and supported by her staff, particularly Kerry Butler. Their strong submissions resulted in extra funding. The Minister for Community Services has also made ongoing grants to Learning Links. I would like to mention a couple of other community groups in my electorate that carry out magnificent work, such as the Georges River Community Service at Mortdale, under the leadership of Sue Smith, and the Pole Depot Neighbourhood Centre at Penshurst, which provides a broad range of services to the community. I also congratulate the Minister on increased allocations for Meals on Wheels, particularly in the Hurstville area. It is pleasing that additional funding has been provided in the budget. It has been a pleasure to speak to this year's budget and I congratulate the Treasurer on it.

**Mr BARR** (Manly) [10.35 a.m.]: From a statewide perspective the Government has delivered a competent, workmanlike budget. As expected, many of the major funding initiatives have focused on rural and regional New South Wales and western Sydney, and the pickings for my neck of the woods have not been as good. The Government has implemented many worthwhile initiatives but I would like to see more focus on the northern beaches. At present the economy is slowing down—it is not as robust as it was—and the Government will have to be careful in its budgeting processes over the next year because times could well be tougher than they are now.

My electorate is in desperate need of investment in health services, particularly hospitals. There has not been a significant injection of major capital works funding since Mona Vale Hospital was built some 36 years ago. In contrast, many parts of the State and the metropolitan area have had major hospital upgrades, including Sutherland, Bankstown, Liverpool, Nepean and Westmead, which only recently received additional funding. Allocations have also been made in the budget for major upgrades to Gosford and Wyong hospitals. My electorate has become the poor cousin in Sydney health services. The Northern Area Health Service has undertaken community consultation with a view to gaining community support to put a case to the Government for a new level 5 acute facility on the northern beaches. In essence, this facility would combine many of the functions now at Mona Vale and Manly hospitals. I have strongly supported that focus.

There has been a lot of parochial and petty politics on the issue. However, fundamentally, the matter is not one about party politics or whether there is a Labor or Liberal government in office but about whether a government of whatever persuasion is providing adequate hospital services for the people of the northern beaches. We need proper hospital facilities because it is an equity issue for my people. Recently in conjunction with medical staff from Manly hospital and Mona Vale hospital and community representatives, I formed a new organisation called better and equitable access to community and hospital services [BEACHES] to push for better hospital facilities. During next year we will lobby the Government to get better hospital services for the northern beaches area, a critical issue in all of the electorates in the northern beaches and wider area, because Royal North Shore Hospital, which is already under strain, will become the de facto central hospital for the northern beaches. We need new facilities that will benefit us all and will also take some of the workload from Royal North Shore Hospital.

The current budget allocates \$500,000 to continue to map out the planning details for that process, and that is the minimum required to move forward. I call on the Government to indicate that in future years it will allocate part of the \$480 million annual capital budget for new facilities in the northern beaches. Planning during the next year must be backed up by the release of information about future options for the hospital, the sites, what services will be offered, the size and the number of beds. We also want to be assured that there will be an ongoing role for community health delivery at the existing sites of Mona Vale and Manly hospitals. That is a critical matter and this budget has not provided anything in relation to those desperately needed facilities.

Education is also an important issue in my electorate, as it is everywhere else, and in that respect this budget contains good and bad news. The good news is an allocation of money during the next couple of years for the construction of the Northern Beaches Secondary College, which is based at Freshwater High and is due for completion in 2003. I have strongly supported that initiative, which is a significant shot in the arm for public

education in our area. It will combine a senior high school that will be linked to other high schools, and will include a TAFE and a University of Technology campus. Given other possibilities, that is a good outcome for the community that I welcome and will do everything I can to support it. I am also pleased that Harbord Public School will be significantly upgraded, which is long overdue and something for which I have lobbied since I have been a member of Parliament. An amount of \$2.5 million is budgeted for this refit to this terrific local primary school.

The bad news is that the Minister has announced that Seaforth TAFE site will be sold. I have always pointed out that that is a most sensible site for an educational facility. Seaforth TAFE was closed before the review of local area schools, which included the northern beaches secondary college to which I have just referred. It was closed before a proper review had taken place on how to integrate local high schools with a university and TAFE presence. In essence, what will happen is that some of the facilities removed from Seaforth TAFE to Brookvale will now move back to Freshwater, so that move was unnecessary. I suggest to the Government that Seaforth TAFE should have remained open and that it was a bad decision to close it. I pushed for it to become a community education facility with the Manly Warringah community educational college but that was basically ignored by the Minister and his staff. There was not a serious examination of the possibility of using the Seaforth site for a community education facility.

The Government wants to make savings in TAFE and, as I have said before in this House, it should look at the structure of the 11 TAFE institutions across the State. TAFE once had a centralised head office but now it has various institutes, each with its own bureaucracies and each replicating what the others are doing. Each institute has its own directors of finance, human resources, information technology, quality control and so on. The bureaucracy of the Sydney Institute of Technology is not much smaller than the old centralised TAFE bureaucracy when it was at 323 Castlereagh Street Sydney and was the centralised head office for the entire State. The Auditor-General released a report on TAFE a couple of months ago. The report quoted from the Council on the Cost of Government, which pointed out the scope for rationalisation in TAFE. It said that the TAFE New South Wales decentralised organisation structure has been a factor in its high costs in comparison with those in Queensland and Victoria.

The thread that runs through the Auditor-General's report is that there is a need for rationalisation. In other words, the various institutes should get together and combine their resources, especially administrative resources, in a better way to avoid duplication, which inevitably adds to costs. A high administrative cost is why TAFE New South Wales has a higher per unit cost rate than TAFE in other States, particular Queensland and Victoria. It has so many institutes and senior executive service officers, receiving bonuses. You do not save money in TAFE by closing down a college. Rather, you look at the organisation of the structure to ensure that it is not top-heavy with management and does not have too much administration and not enough at the front line, which is what is happening now and why TAFE is more expensive.

There were other startling comments in the report of the Auditor-General. He said that the available figures indicate that international work is a net cost to TAFE New South Wales. If ever there was an example of a large-scale organisation not doing things properly, it is TAFE's international work. On a superficial level all institutes that compete for overseas students say they bring in X-number of students, who bring in so much money without costing the entire process. In other words, they do not say how much it costs; they just talk in terms of the fee revenue coming in. In fact, when the costing is properly done it shows a net loss to TAFE, yet there have been empires built in the various institutes with international marketing bringing in overseas students through overseas agents and the like. There is also the very questionable proposition of overseas students getting into courses and thereby reducing the number of places for our local citizens, which is a matter I have always objected to.

The Auditor-General said that on the limited information available, the Audit Office has not been able to determine whether the number of TAFE administration staff has increased or decreased. That is because some of the middle management type positions, heads of studies and the like, are classified as educational but do not teach. An examination of the cost of administration and the overwhelming number of bureaucrats not involved in actual teaching would enable cost savings to be made in many areas of TAFE. My ongoing disappointment with this Government is that it has not addressed the problems in TAFE. In many areas TAFE is in serious trouble and someone with vision needs to take control and do something to make it once again the great local institution that it was in the past. TAFE is a wonderful facility that gives many people a second opportunity. We have mucked it up during the past 10 years and it is time to rectify it.

I said that Seaforth TAFE is about to be sold. I will continue to oppose that sale, which I think is an absolute outrage. However, a good outcome for education in my area is the fact that Balgowlah Boys High

School, which is part of the new Northern Beaches Secondary College, is to remain open. It faced a real risk of closure, but I believe that two things saved it. First, the local community expended considerable effort to ensure that Balgowlah Boys High School, which has a long and great tradition, remained open; and, second, I think the idea of selling two educational facilities that are within one kilometre of each other caused such outrage that even this Government could not do it. The integration of various schools into the Northern Beaches Secondary College is a very important step forward for education in our area.

A recent toxic chemical spill in Manly lagoon poisoned about 10,000 fish—four tonnes of fish were removed from the lagoon—and we are still waiting for the Environment Protection Authority to take action against the culprit or culprits. In conjunction with Manly Council I have sent documents to various Ministers and I have met the Minister for Land and Water Conservation, who confirmed that he is committed to funding the necessary lagoon remediation work. I welcome that commitment from the Minister, who is to visit the lagoon in a month and half. Manly lagoon is one of the most polluted waterways along the coast. The lagoons in the northern beaches area are unique—they are the only lagoons in the metropolitan area—but they are severely polluted. The council and the State Government have been working co-operatively on remediation projects for some time, but there is still a long way to go if people are ever to be able to swim in those waterways again. It is a good sign that so many fish were in the lagoon, as it is obviously able to sustain life. We hope that it will be able to do so again.

Another issue of concern in my electorate is the privatisation of North Head Quarantine Station. The Government is contemplating allowing a 45-year head lease on the quarantine station, which I oppose totally. If funding is the issue, I believe we should establish a foundation or trust similar to the Ellis Island Foundation in New York. That foundation has not received a single cent from the United States Federal or State governments. It raises its own funds and uses it all to benefit Ellis Island. That is vastly different from what this Government proposes for the quarantine station: to allow the 45-year head lease to be managed by a hotel developer with a profit motive.

The Government is earning peanuts from this incredible site and I despair that the Government is prepared to sacrifice our heritage by handing it over to a private hotel developer when there are other ways of handling any budgetary shortfall incurred by the National Parks and Wildlife Service in relation to the quarantine station. The environmental impact statement is about to be released, and I am sure that the issue will be hotly contested. North Head sewage treatment plant is to receive \$130 million over six years, with a \$4 million allocation this year. The further centralisation of sewerage facilities and the intensification of activities at North Head sewage treatment plant is the wrong way to go. At present the plant takes sewage from the northern suburbs ocean outfall sewer, which begins at Blacktown and ends at Manly. It handles 40 per cent of Sydney's sewage, but only about 36 per cent of solids—the organic matter—is removed and the rest flows two kilometres out to sea. It is not much more than an open sewer. Some people think "out of sight, out of mind", but that is not acceptable. It is no way to treat our oceans.

An upper House inquiry is to examine Sydney Water's sewage strategy. Sydney Water engaged in a consultation process, during which I believe the public was severely misled about the options available. One option was to pipe sludge to Camellia or to Bunnerong, but neither of those sites was a real possibility. I look forward to the establishment of that upper House inquiry, which can examine this matter in detail. We should consider more imaginative proposals for dealing with our sewage, such as devolving and decentralisation locally. Another possibility is pumping a combination of both sewage and waste to be treated on site inland, which would involve the development of new industries.

We are still suffering transport hold-ups in my area and I have asked the Minister to consider the ultralight rail option, which I believe is an exciting prospect. There have been problems with the SuperCats, and I am awaiting the report of the Waterways Authority on them. There may have to be a rethink of that operation. The upgrading of the *Collaroy* has been successful, apart from the fact that it was beached on Manly Point not so long ago. Problems with the ferries must also be resolved. The culture of Sydney Ferries is rooted in the 1950s and it must be improved.

**Mr IEMMA** (Lakemba—Minister for Public Works and Services, and Minister Assisting the Premier on Citizenship) [10.55 a.m.]: This budget—

**Mr R. H. L. Smith:** Point of order: The debate cannot continue as there is no Minister at the table.

**Mr ACTING-SPEAKER (Mr Lynch):** Order! I am advised by the Clerk that the requirement for a Minister to be present at the table is a convention rather a rule. As there is a Minister in the House the point of order is spurious.

**Mr IEMMA:** This budget funds the biggest public works and capital investment program in the State's history. It funds substantial improvements for our schools, hospitals, transport and other public infrastructure and services. It delivers substantial tax cuts for the fourth year in a row—an outcome unprecedented in the State's history—and, for the sixth year in a row, the budget is in surplus. Public works and capital investment have increased by \$577 million, or by 11.5 per cent, to nearly \$5.6 billion. This investment will sustain approximately 85,000 direct jobs in 2001-02. Of this record \$5.6 billion, more than \$1 billion has been allocated to new works whose total estimated cost is \$3.3 billion. This investment in public works clearly demonstrates the Government's priority to build vital social infrastructure this year and in the years ahead. This capital investment is particularly important given the slowdown in construction activity. Investment has slowed in the post-Olympic period from its record level of \$24 billion in 1999-2000 to an estimated \$20 billion this year.

Our record expenditure on public works and capital investment includes \$2.6 billion for new schools, new hospitals, new roads and non-commercial public transport improvements. Expenditure on this vital social capital component compares with Victoria's public works program of just \$1.8 million and the Commonwealth's gross fixed capital works expenditure of only \$231 million. The budget delivers this massive increase in public works while at the same time reducing the Government's liabilities and providing a surplus.

I will now touch on some of the matters from this record capital works allocation that affect my electorate. I wish to point out that this year's budget builds on the very considerable successes of past budgets when it comes to my current electorate of Lakemba and my previous electorate of Hurstville, which includes a large slab of the current electorate of Lakemba. I reiterate that some of those successes include, in the health area, the complete redevelopment of Bankstown Hospital, at \$75 million, and the complete redevelopment of Canterbury Hospital, also at \$75 million, which actually keeps the hospital at Canterbury. None of the people of my electorate, and indeed the neighbouring electorates of Bankstown, Georges River and Canterbury, will ever forget the proposal of the previous Coalition Government to close Canterbury Hospital and thus withdraw very important local public health facilities from the people of the inner south and inner south-west. Those are considerable successes of previous health budgets of this Government.

Previous successes in education include the complete redevelopment of the Beverley Hills North school, at \$3.5 million; the complete redevelopment of McCallums Hill Primary School, at \$3.5 million; the complete redevelopment, as the honourable member for Georges River pointed out, of Penshurst Primary School, at some \$2 million; the rebuilding, following a destructive fire, of Lakemba Primary School, at a cost of \$5 million; and additions to high schools such as Beverley Hills Girls High School, with Government funding to assist the performing arts centre. Those are the very considerable successes of past budget allocations, and those are the considerable successes on which this budget builds for the people of the inner south-west and the inner south in and around Lakemba.

This budget continues on the past budget successes in the area of rail. As my friend and colleague the honourable member for Georges River eloquently outlined in his address, \$10 million is allocated in this budget for the East Hills duplication, out of a \$62 million allocation for that project, which has now been proceeding for a couple of years. For the people of East Hills who use the East Hills line, that will mean additional services as well as quicker services. The East Hills rail duplication is a most welcome project, and stage one has received additional funding as a result of this budget.

Continuing on from that fine achievement with the East Hills duplication, this budget funds the very worthwhile renovations of some of our railway stations. In particular I mention the Riverwood railway station easy access project, at \$2.5 million, and the Beverly Hills easy access project, at \$1 million. The honourable member for Georges River outlined the access project for the Kingsgrove railway station, providing access for those who live on the Rockdale and Canterbury local government side of Kingsgrove, providing them with access to Kingsgrove railway station. That is a significant boost not just for the constituents of the honourable member for Kogarah and the honourable member for Canterbury but for my constituents and those of the honourable member for Georges River.

It is not to be forgotten that the budget finalises the funding details of the last of the installations of the security program for our railway stations. I am pleased to report that, as far as railway stations in my electorate are concerned, it has been a case of promise delivered in the area of Belmore, as the 17 cameras promised have been delivered; in Lakemba, the promised 18 cameras have been installed as promised; in Wiley Park the 17 promised cameras are delivered and in place; at Punchbowl the promised 20 cameras are installed as promised; at Narwee the promised 10 cameras are in, as promised; and, finally, at Riverwood the promised 14 cameras are in and delivered. When it comes to that security program, announced by the Minister for Transport a couple of years ago, for the railway stations at Lakemba, Belmore, Wiley Park, Punchbowl, Narwee and Riverwood within my electorate, it is a case of promise kept and project delivered, and a very welcome one at that too.

In roads, this budget contains the final instalment for the completion, and opening, of the \$750-plus million toll-free M5 East. This budget allocates the final instalment of some \$23 million to complete the south-western motorway, the linking of the M5 East with the M5 West, providing the residents of outer-western and south-western Sydney and those in my electorate with that very important road link to Sydney airport, to the port, to the southern Sydney industrial area and to the central business district of Sydney.

The budget also funds the final lot of money for the very important project running parallel to the M5 East, and that is the underpass at King Georges Road, Beverley Hills, and the reconstruction of what will be the interchange at King Georges Road at Beverley Hills. This is a very important local project, and it is one that created a great deal of interest locally in my former seat of Hurstville. After a considerable amount of work on the part of the Minister, Mr Scully, and his officers, a very sympathetic response was made to the local community, which wanted an underpass rather than an overpass at King Georges Road as part of the M5 East project. I am pleased to say that the final touches to the underpasses are provided for by the funding allocated in this budget. As I say, this is part of the M5 East project, and it is a great boost to the local area. The M5 East will provide a significant amount of relief to residents affected by noise pollution in some of the streets around Riverwood, Narwee, Beverley Hills, Kingsgrove and McCallums Hill.

I am pleased also that, as part of the roads budget, there has been a continuing commitment on the part of the Government to funding the very worthwhile main street improvement programs for Riverwood and Narwee. In past years Riverwood has received funding to improve its main street and pedestrian amenity. This year, I am pleased to say, Narwee also will benefit. Narwee is of particular importance for me because it is a very small suburb. It shares the same postcode as Beverley Hills, and it is often not thought of as a suburb. Narwee has a very small, strip shopping centre that is dying. On the Canterbury local government side of that shopping strip, the shops are categorised by poor pedestrian amenity and are afflicted by quite grotesque graffiti. A significant number of shops are either closed or boarded up, and are decaying through lack of attention and use.

We increasingly look to the amenity of our local suburbs, local development control plans, and the design of buildings constructed in our local suburbs, and one suburb in desperate need of attention is Narwee. I am pleased to say that this money will help both Hurstville and Canterbury councils, because the Narwee shopping centre is divided by the boundaries of those two local government areas. This money will assist those two councils to come together and work in partnership with the local community and the State Government to devise an improvement plan for Narwee. I hope that plan will take into account the future development of Narwee, with a development control plan that will allow increased residential development above the current commercial shops in Narwee, to breathe life into that small strip shopping centre. Improved footpaths and landscaping, lighting, security and other options need to be considered to try to enhance not just the physical look of Narwee but to lift its profile and the way people feel about the suburb, so that it will not continue to be a neglected, forgotten part of both Hurstville and Canterbury local government areas, but indeed will become a place that people will recognise as having been brought back to life. Parts of that shopping strip, particularly in Fisher Lane, resemble some of the worst aspects of urban decay, and the rear surfaces of commercial premises are afflicted with appalling graffiti and other acts of vandalism.

Funds have been allocated in the budget to continue a program of improvement to the main Riverwood strip. Stage one is complete and feedback from the Chamber of Commerce is that the improvements have been successful. No direct correlation can be claimed but prior to the completion of stage one a substantial number of commercial premises in Riverwood's main street were vacant and unable to be leased. Since stage one has been completed Chamber of Commerce members have commented to me that vacant commercial premises in the main street cannot be found. Certainly Chamber of Commerce members are pleased with the result.

The budget has set aside another substantial boost of \$100,000 to Hurstville Council, which will match that contribution dollar for dollar, but it is hoped the council will provide further funds as the main street is its direct responsibility. The State Government has provided that \$100,000 as assistance, and I trust it will be accepted in the spirit with which it is offered and is not considered as a rigid fifty-fifty funding arrangement. At the end of the day the appearance of main street shopping centres are the direct responsibility of local government.

My colleague the honourable member for Georges River outlined what I guess would be most pleasing for all local members: Funds have been allocated for the redevelopment of Beverly Hills primary school, a long-awaited project in the Georges River and Lakemba areas. This long-overdue project will be completed well before 2003. I pay tribute to the honourable member for Georges River for his efforts in bringing that project to

fruition. This project builds also on the establishment of the \$14 million Oatley campus. Honourable members do not need reminding that the Oatley campus is a revamped public education facility and remains as such through direct action by this Government to save the facilities and land for public ownership and use in education.

So successful has that college been in its first year that a substantial waiting list now exists with the names of children whose parents want to send them to the Oatley campus of the Georges River College. That is testament to how important the local community considers that facility. It is a vote of confidence in public education in the Georges River electorate and in my electorate. It would not have come to fruition but for direct action in this Parliament to retain those facilities in public ownership for public use. Those facilities were retained at considerable cost for the education of students in south and inner south-western Sydney.

Parents and students voted with their feet. This puts to bed the disgraceful and ill-informed campaign that was attempted by some members of one of the adjoining councils, Kogarah council, to oppose it. Some councillors attempted to kill off the project by whipping up a campaign of misinformation among residents and parents. Local members received various deputations attempting to build a case against the establishment of the Georges River College. As I have said, after its first year of operation parents have displayed an overwhelming vote of confidence in public education. Full marks must go to the Minister for Education and Training and his officers for sticking to the original plan that was devised and put together after an exhaustive consultation process with all stakeholders. All primary and high schools that were affected by the proposal were consulted, along with local members and other community groups. It was a good and worthwhile community consultation process. The Georges River College is the result of those efforts and is now an outstanding success.

I am pleased that the roads budget also allocates funds for construction of the important bus bay on King Georges Road for students attending Beverly Hills Girls High School. King Georges Road is a six-lane State highway and that high school has an entrance located on King Georges Road and Broad Arrow Road, which presents serious safety issues. I am pleased that in the budget the Minister for Roads provides for the construction of a facility to give protection to students arriving at school in the morning and departing in the afternoon. The bus bay will be an important additional facility for the school and an important safety measure.

The budget again has proved successful in bringing to fruition the widening of Kingsgrove Road, which involves the Kingsgrove Road bridge at the railway station, thus removing a significant traffic bottleneck at Kingsgrove shopping centre over the railway bridge. I am pleased to report that the funding arrangement between the Government and the three local councils—Canterbury, Rockdale and Hurstville—together with the Roads and Traffic Authority was on a dollar-for-dollar basis. Along with the installation of security cameras at the railway station, this budget has delivered a promise and a project. I am pleased to say also that the local councils are meeting their obligations under that funding arrangement with work already being started on the project. By the end of this year and early next year the duplication of Kingsgrove Road at Kingsgrove Road bridge will be complete and the bottleneck at the shopping centre finally will have been removed.

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

## **WASTE AVOIDANCE AND RESOURCE RECOVERY BILL**

### **Second Reading**

**Debate resumed from 20 June.**

**Ms SEATON** (Southern Highlands) [11.17 p.m.]: The Waste Avoidance and Resource Recovery Bill is an admission by the Carr Government of its monumental failure in relation to all aspects of its waste policy and the failure of the taxpayer-owned Waste Service of New South Wales to achieve its stated outcomes—all of which has come, yet again, at a huge cost to the community. The Waste Avoidance and Resource Recovery Bill will not be opposed by the Opposition. However Opposition members will be seeking to move some amendments to the bill, which we think are necessary and vital to improve its performance. I hope that the Government will support those amendments when they are debated in due course.

In 1995 the Australian Labor Party introduced the Waste Minimisation and Management Act and with it created eight metropolitan waste boards. At that time it made a commitment to reduce waste to landfill by 60 per cent. That was to be funded by the waste levy, which has increased considerably since that time. Forty-five per cent of that levy goes to consolidated revenue and 55 per cent of it goes to fund waste boards and other

community and industry projects, which aim to provide communities and industry sectors with funding to undertake necessary projects and schemes to reduce waste, avoid waste and use waste as a secondary resource. Over the last five years waste boards have consumed \$87 million of taxpayers' funding.

Waste boards share a budgetary allocation of approximately \$17 million per year. It has been estimated that \$6 million of that amount was chewed up in administrative costs and in costs relating to about 121 staff and 80 paid directors. There has always been debate as to whether those who were appointed to directorships of waste boards had the qualifications that were required to find the best possible projects, to recognise good projects and to implement important waste strategies developed through considerable effort by each waste board. I take this opportunity to compliment some of those waste boards on the development of those strategies—a good number of which I have read. Obviously, they are the product of a lot of genuinely good work, a lot of thought and a lot of interaction with other councils and waste boards.

This bill will result in throwing out those waste boards and with them all the good work that has been done in relation to their strategic plans. Taxpayers, having written out a \$87 million cheque, have nothing to show for it. In addition, this bill highlights the failure of the State Waste Advisory Council [SWAC], which was designed to be the key policy adviser to government. It lacked the critical expertise to effect the necessary development of waste management strategies in this State. It lacked the expertise to identify and select good and innovative projects, and it lacked the expertise to work effectively with Waste Service New South Wales. This bill also highlights the fact that the Government recognises that SWAC has been a failure.

One of the other pieces of evidence that points to its failure is the fact that the Government commissioned endless reports to avoid making decisions about new private sector proposals that had been circulated in the community. In addition, Waste Service, which is a taxpayer-owned waste management organisation, operated as a de facto regulator in blocking innovative private projects. Waste Service might deny that it is a regulator, but many of its roles and the fact that it has a monopoly highlight the fact that it is a de facto regulator. Few, if any, innovative projects have been implemented in New South Wales. Waste Service has not been a leader or an innovator, which is testimony to the fact that it has this de facto regulatory role.

Due to government and council reliance on revenue from government-owned city landfill there has been no pressure on Waste Service to invest in innovation. It continues simply to extend those landfills and it has made no attempt to implement all those things that will reduce waste or increase the avoidance of waste. It is fair to say that industry has been dissatisfied for some time with the actions of this Government. It has been difficult for industry to arrange direct meetings with the Minister. Industry groups often tell me that it is difficult for them to meet with the Minister and to put to him their concerns about the ongoing handling of waste policy in this State.

The fact that this bill is now before the House is an admission by the Government that five years of waste policy have been an abject and costly failure—a failure funded by the taxpayers of New South Wales. This Government has been forced to act. The features of this Waste Avoidance and Resource Recovery Bill include the abolition of nine waste boards and SWAC and the creation of Resource New South Wales—a body that will initiate and co-ordinate policies. As I understand it, Resource New South Wales, which will have offices in Sydney, western Sydney the Hunter and the Illawarra, will have a nine-member board.

The bill will replace some industry waste reduction plans with the principles of extended producer responsibility. In those cases where there are existing schemes, which the Minister decides are not working adequately, the Minister will be able unilaterally to implement an extended producer responsibility scheme somewhere in that sector. Having outlined to the House the fundamental failures of the Government's waste management policy over the past five years, it is fair to say that this bill leads us to believe that there might be some improvement in this area. Anything is better than the policies we have had for the past five years. However, I doubt whether the provisions in this bill will result in an effective improvement.

So much of the content of this bill is subject to interpretation. Many of the provisions in this bill are subject to the whim of the Minister. If we have a continuation of the so-called leadership of the past five years in the implementation of this new structure, the people of New South Wales have little hope for improvement in this area in the future. Taking into account the track record of this Government, I have no confidence that this new structure will work or deliver any effective outcomes. The success of Resource New South Wales will depend on the make-up of the board, which is very fluid.

The bill states that each board member must have experience in: resource conservation and environmental protection; local government; the waste management industry; industry; rural affairs; regional

affairs; urban affairs and infrastructure; and financial and risk management—all worthy and relevant characteristics which one would expect to see on a board. However, there is no direction as to what characteristics are to be found in each potential director of the board, or what groupings of characteristics will be chosen by the Minister. If Resource New South Wales board members are not selected for their relevant expertise and they do not have the credentials and experience that are necessary to make good decisions and develop good policy, there will be no improvement in this area.

We will simply see a duplication of all the failures that the Government admitted were fundamental in SWAC. There is capacity also for ministerial intervention into and interpretation of the term "extended producer responsibility scheme". When will such a scheme be applied? This Government has failed to ensure that waste boards do the job that they were meant to do. Anyone who is aware of what waste boards were meant to achieve would probably have thought that they were a good thing. They would have thought: Here is a vehicle through which local communities and groups of councils can come together to identify their strengths and weaknesses and local preferences and interests.

Through such a vehicle they could have developed a strategy from the ground up, which included a capacity to educate people in the local community and get them interested in participating in waste reduction and avoidance schemes. Through SWAC and these government policy structures, effective waste avoidance and waste reduction strategies could have been implemented. In theory that looked pretty good. However, waste boards then started to tell the Government the truth, which was that they had been set up to fail and that they would not be able to achieve the targets that the Government promised during the 1995 election that they would achieve. What was the Carr Government's reaction when the management of the Hawkesbury-Nepean Catchment Management Trust was critical of its environmental record in catchment management in greater Sydney? This Government became sensitive to the truth that was coming from those waste boards. When the Government abolished the Hawkesbury-Nepean Catchment Management Trust it also shot the messenger.

One of the failures of, one of the gaps in, the new bill is that it contains no reference to community level. Local government has been sidelined, and all the potential we had to garner the goodwill and support in the community for waste avoidance and waste reduction has been lost. One of the most effective community-driven projects in New South Wales—in fact, in Australia—has been kerbside recycling. The degree with which the community has embraced kerbside recycling is enormous. It is one of the great success stories of the past decade. But it depended on effective local community education and effective local ownership of these sorts of ideas, and understanding the outcomes, the environmental gains and how behaviour in one's household could positively effect environmental outcomes.

The Government, by destroying waste boards and not replacing them with any community-based structure, has completely denied local communities, families and individuals any participation or role in waste avoidance. Much like the abolition of the Hawkesbury-Nepean Catchment Management Trust, the Government has taken offence at the truth in the annual reports of waste boards, and decided to shoot the messenger. In a moment I will talk more about the abuse the Government intends to perpetrate, by an Act of Parliament, on some of the managers and staff of waste boards. Industry is concerned that the Government has had no effective consultation on the new extended producer responsibility [EPR] provisions. I have received some fairly shocked and surprised responses from certain industry groups that have had no detail.

**Mr Debus:** Tell us which ones. I would like to know which ones.

**Ms SEATON:** I will talk about them when I refer to the amendments. Some industry groups are very concerned about the way in which the Government has come up with these provisions in the bill, and they are very concerned that they have not been consulted about their meaning. There is also concern that the list of functions in the bill for Resource New South Wales does not require it to develop a strategic plan. I cannot understand how any government can create a new organisation without requiring it to develop and implement a strategic plan. Potential amendments are being discussed, which might be moved in another place, to require Resource New South Wales to develop a strategic plan. This is an opportunity for the Government to make a commitment to adopt some of the extremely positive recommendations from the development of waste boards strategic plans, and to pick up some of the recommendations in the reports of the past 12 months, such as the one by consultant Tony Wright.

The Government should pull together all of the extremely costly work it has commissioned, and use those documents as the starting point for the development of a strategic plan. There is no need for Resource New South Wales to spend two years hiring more consultants and putting together a strategic plan. The material

already exists. It was produced at large cost to the taxpayer. I would like to hear the Minister's views. I want to know whether he will make use of that extremely costly information and advice, and require Resource New South Wales to produce a strategic plan. Such a plan should be able to be developed before the end of the year. However, part 2 of the legislation does not require Resource New South Wales to implement such a plan. The Government is becoming famous for producing reports then sticking them on a shelf or in a filing cabinet, and ignoring them.

The legislation does not require Resource New South Wales to produce a detailed annual report on a range of benchmarks and activities. The indicators against which the Government measures its success or failure in a standard annual report of a waste service are often very general. I would like the Minister to tell us what he considers is an adequate reporting criterion for Resource New South Wales. Industry is also concerned that part 3 of the bill does not stipulate a specific time to allow the legislation to work before the Minister can mandate an EPR scheme. Does that mean that the day after proclamation of the legislation the Minister could decide that an existing scheme is not adequate and, therefore, immediately mandate an EPR scheme? I would like the Minister to consider that point and provide a minimum of, perhaps, 12 months before he makes any decisions based on those provisions.

The Local Government Association has raised a number of concerns. It is particularly worried that the bill does not explain the interrelationships between Resource New South Wales, the Environment Protection Authority, the Minister, waste services and local government. I would be very grateful if the Minister could address that question in his reply. Local government has not been briefed on that aspect of the bill, and it would like to develop an understanding of it. Some of the concerns raised by the Local Government Association would probably be addressed by the development of a strategic plan. One thing that has concerned me in recent weeks is that the Government's much-publicised \$17 million television and media advertising campaign, which claims to be an investment in environmental education, does not devote any of its 60 seconds to any reference to litter and waste issues, nor does it devote any time to sewerage and a range of other negative environmental issues.

Why is it, with an investment of \$17 million for this very costly environmental advertising campaign, that the flagship advertisement would tend to give the impression to a visitor to New South Wales that all is well with our environment? The Government stands open to accusations that the \$17 million has been expended in such a way that would lead people to believe that the Carr Government has done a good job on environmental management. I know the Government is keen to self-style its credentials as a green and responsible Government, but on the evidence it is anything but that. Another key issue that has been raised with me is what constitutes the Minister's judgment that a national scheme is adequate.

Part 3, clause 14, of the bill sets out the circumstances in which schemes may be implemented, and states that the Minister is to give consideration as to whether the national scheme in place adequately addresses waste issues in New South Wales. The word "adequately" is subject to great interpretation. The Minister, according to the bill, has enormous power to decide on a personal view, on a whim or on advice from a group of people that a particular national scheme is not adequate. I will move an amendment whereby an industry group, if subject to a determination by the Minister that whatever the scheme is it does not adequately address whatever targets he chooses to apply to it, is able to implement some appeal mechanism. I will talk more about these amendments in Committee. I have forwarded the amendments to the Minister's office and I look forward to hearing his comments on them.

A major issue that has arisen out of this bill and which I think is fundamental to workers, to employees of the Government, is the security of employment contracts that people enter into with government agencies. A disturbing precedent is set out in proposed clause 4 of part 2 of schedule 4 to the bill, which deals with provisions for general managers and other declared officers of waste boards. I do not know how the Minister decides who is a declared officer and who is not. The provision simply says that employees of waste boards or contract holders of waste boards—and that applies to a good number of the general managers and other senior and middle level staff, who, for whatever reason, do not move into new positions with Resource New South Wales—are to be compensated either under the Public Sector Management Act, which I understand would give them two weeks compensatory pay for every year of service—for most people, who have two or three years of service, that would be four to six weeks pay—or according to their contracts. However, the bill says "whichever is the lesser".

This Government claims to represent working people but is prepared by an Act of Parliament to invalidate the contract that somebody has entered into in good faith and legally, simply to save a few dollars. It is an appalling precedent. For the Minister to even contemplate trying to shortchange hard-working employees

who have gone into a contract in good faith is absolutely terrible. I will be moving an amendment that seeks to restore the rights of people who have contracts to nominate under which of those mechanisms they would like to have their employment terminated. I am also concerned for people who are currently working in waste boards in my area, in the Macarthur area and perhaps in other areas, and who might find it impossible to take a job in one of the proposed Resource New South Wales office locations. Anyone who lives in the Southern Highlands or the Macarthur area knows how difficult it is to rely on public transport to get to western Sydney. Not everyone has access to a car. Not every family can afford a second car.

I would like the Minister's assurance that Resource New South Wales will not force people to have to make unreasonable choices about the location of the new jobs. Many people are alarmed that their place of work, which now takes only a brief drive to get to—perhaps half an hour or less—will become impossible to get to. Even though they would like to continue their professional role in waste management in New South Wales, if they are under contract they might be forced to forgo their contract rights simply through logistics and geographical impossibility. That is untenable, and the Government should be ashamed it is even contemplating invalidating by an Act of Parliament contracts that workers entered into with it legally and in good faith. I will speak further to the amendments in Committee. I have circulated those amendments to the Clerk and to the Minister.

In conclusion, there is no doubt that waste management in this State is in crisis. Leadership is needed. There is a huge danger that Resource New South Wales and its new board will simply replicate the paralysis, costs and blow-outs that we have seen in waste boards and in the State Waste Advisory Council [SWAC] in recent years. The reason for that is lack of government direction and leadership, both to waste boards and to SWAC. A lot of good people in waste boards have been doing their best, trying to deliver the outcomes the Government has set for them but they simply have been unable to do that. That is the responsibility of the Minister and the Government. The missing link is how Waste Service in its corporatised form will act and be directed. Many questions on that issue remain unanswered by the bill. Unless Waste Service is truly reformed and opened up to full contestability and gives up its monopoly functions and its de facto regulatory characteristics, any sensible policy settings that might come out of the Resource New South Wales board will be doomed and useless. The Opposition will not oppose the bill, but it will move amendments in Committee.

**Mr RICHARDSON** (The Hills) [11.46 a.m.]: I want to contribute briefly to this debate because I remember when the original Waste Minimisation and Management Bill was introduced. I participated in debate at that time. We raised some genuine concerns about the legislation, not the least of which was lack of consultation with stakeholders, and that seems to have been an ongoing problem. Industry certainly has been very concerned about industry waste plans and the very high reduction that was required of everybody in waste going to landfill. To give honourable members some idea of how ill-conceived that legislation was, how rushed it was, the Government moved some 40 amendments to the bill in 1995. I am sure that what the honourable member for Wentworthville, who was the Minister for the Environment at that time, had to say will strike some sort of an emotional chord. She said:

Today we bring forward the most comprehensive overhaul of waste management systems in this State in 25 years and arguably since the concept of recycling was first raised in New South Wales.

She could not resist having a shot at the previous Government, and the current Minister for the Environment has taken some time out to do the same. They are not focused on doing the job for the people in New South Wales, they are focused on scoring cheap political points. The former Minister said:

The previous Government had seven years to do something about the waste crisis facing the State and did nothing. It was unwilling to do what was necessary to implement effective waste minimisation and management strategies. The previous Government's "No Time to Waste" policy was quite rightly seen as a waste of time.

She then sounded very reasonable when she said:

A modern system demands a shift towards waste minimisation, reuse and recycling with a continuing imperative for environmentally sound disposal of residual waste. The bill embraces these new challenges in three ways. It establishes unambiguous principles and goals in waste management.

It is breathtaking stuff, is it not? She continued:

It clearly outlines the roles and responsibilities of State and local government, the manufacturing industry and the waste industry to ensure the more comprehensive and equitable management of all waste streams. The bill then underpins these new roles and responsibilities with a modern, flexible and environmentally focused system of regulation and economic incentives. The hallmarks of the scheme are: a 60 per cent waste reduction target by the year 2000; a new body to advise on statewide policies and priorities; a regional system of waste planning and management drawing from international trends; dedicated funds to resource regional and statewide waste reduction programs ...

The former Minister then went on to describe the 60 per cent target as "unashamedly ambitious". In my contribution to the debate I described it as "unashamedly unachievable". What we have seen since then certainly indicates that those were prescient words. By 1993 the amount of waste going to landfill was reduced by 25 per cent on 1990 levels. But in 1998 the amount of waste going to landfill was being reduced by only 18 per cent on 1990 levels. In other words, it had gone up by 7 per cent. That was despite the fact that this Government had mandated in the legislation a target of 60 per cent reduction in waste levels, when the previous Government had a 50 per cent target in place. It was an absolute nonsense for the former Minister for the Environment to come into this House and damn the previous Government for the program it had put in place, and to subject industry, householders and councils to this unashamedly unachievable waste reduction target of 60 per cent. Let us to hear what the current Minister for the Environment had to say in his contribution to the debate. He took some time to have another shot at the Coalition. He said of the Waste Minimisation and Management Act:

We introduced this reforming legislation little more than six months after taking office.

Rushed through, you will note. He continued:

This is in stark contrast to the 5 ½ years it took the Coalition to produce its somewhat ironically titled policy, No Time to Waste. This is a policy that the Coalition did little to implement in the two years between its release and the 1995 election, despite the urgency suggested by the title.

Honourable members will note that the amount of waste going to landfill was actually reduced by a greater percentage under the previous Government than under this Government. The Minister went on to state that there had been an independent inquiry into alternative waste management technologies and practices, the Wright inquiry, and a review as required under the Waste Minimisation and Management Act. The Minister claimed, of course, that the bill before the House is based on the recommendations of those inquiries. The Government should have done the job properly in the first place. It should have got it right in the first instance and not set an unashamedly unachievable target. I had some pretty strong words to say about this issue five years ago. I pointed out that setting an unattainable goal may be unproductive. I said that if a pass for Higher School Certificate mathematics was set at 90 per cent, a large number of children would simply not attempt the subject as they would regard the pass mark as beyond them. The same situation would apply to industry and local councils in New South Wales because the target is too high.

The Government took no notice of those words whatsoever. Indeed, the Government set up these regional waste boards. As might be expected, the achievements of those regional waste boards were very varied, very patchy. The two waste boards in my electorate are the Western Sydney Waste Board and the Northern Sydney Waste Board. Representatives of the Western Sydney Waste Board came to see me recently. They were not only trumpeting their quite significant achievements in reducing the amount of waste going to landfill, but they were also intending—before this legislation came before Parliament—to set up a network of drive-through recycling centres. I would be interested to hear from the Minister whether the proposal is going to be adopted by the new single-State agency, Resource New South Wales. One concern I have had right the way through with this whole issue of waste disposal is that the Minister seems to think that if we call waste a resource—honourable members will note we do not have waste boards any more; we have Resource New South Wales—it ceases to be waste. That is simply not true. A market has to be found for that waste in order for it to become a resource.

When one looks at some of the figures contained in the Wright report relating to the amount of waste that went to landfill—is going to landfill—there are some fairly disturbing trends. In respect of municipal waste, 390,000 tonnes of paper and cardboard went to landfill and only 195,000 tonnes were recycled. Honourable members should bear in mind that paper has some economic worth. In respect of plastics—this should be a major consideration for the Government—100,000 tonnes went to landfill and only 10,000 tonnes were recycled. One very good reason for that is that plastics have a very low economic worth. They are bulky, costly to transport around the countryside and food-grade plastics cannot be recycled as food packaging. An alternative use has to be found for those plastics. Those uses might include such things as mulching film, for example, but there are only so many uses to which you can put those products.

Garden waste and green waste is a very substantial proportion of the waste stream, as I am sure honourable members are aware. Of that, 240,000 tonnes went to landfill from councils and only 150,000 tonnes were recycled. In respect of plastics from industry—and this figure is quite alarming—150,000 tonnes went to landfill and only 20,000 tonnes were recycled. Looking at those figures, the question really has to be: What is new about the Government's proposal? What is Resource New South Wales going to do in the way of creating exciting new markets for these products that is going to mean a significant reduction in the amount of waste

going to landfill? At the time of the earlier debate on this issue, the then shadow Minister for the Environment, Jim Longley, made mention of the fact that, of course, there are a number of alternative landfill sites in the Sydney area, let alone throughout New South Wales.

Jim Longley queried whether it was in the best interests of the environment for the Government to maintain this artificial hierarchy of waste disposal. If you are putting waste in trucks or on trains, or taking it down to Woodlawn outside Goulburn in the electorate of Burrinjuck, for example, you may be using up more of the earth's resources and creating more environmental harm than if you simply put that waste in a hole in the ground. I have heard nothing about that. One of the continuing concerns I have had about this whole issue of recycling is that if you do not place some sort of economic value on the material to be recycled, ultimately it will end up in a hole in the ground—albeit by a more circuitous route.

That does not make any sense to me. Other than replacing the regional waste boards with this single-State agency, Resource New South Wales, I do not know what the Government proposes to do to prevent that material being buried in a hole in the ground. Simply calling waste a "resource" does not mean that it ceases to be waste. That is something that the Minister for the Environment needs to get a grip on. I do not believe he understands that issue. If he did understand it, the Government's record in recycling and reducing the amount of waste going to landfill would have been significantly better than it has been.

**Mr DEBUS** (Blue Mountains—Attorney General, Minister for the Environment, Minister for Emergency Services, and Minister Assisting the Premier on the Arts) [11.59 a.m.], in reply: I welcome the opportunity again to place on record the Government's achievements in encouraging waste reduction, and to respond briefly to the views advanced by the honourable member for Southern Highlands. Her allegation that the Government has wasted public money on establishing waste boards is wrong in fact and a convenient method for misrepresenting Coalition policy. I remind members opposite of what I think is still Coalition policy on this matter. A document published by the Coalition called "No Time to Waste", states, at page 6:

Local councils will group into Regional Waste Authorities and produce Regional Waste Management Plans for all normal domestic, commercial and industrial waste generated in their regions.

That document is seven years old, but there has not been any document to replace it in the meantime. On page 18 of the document we are told that:

The regional waste planning scheme will be immediately established under the county council provisions of the (then) new Local Government Act.

It is a little rich to be attacking a system that one was committed to implementing. The difference is that the present Government acted and the Coalition sat on its hands, and that continues to be the situation. The waste management proposals that I informed the House of last week represent the next sensible step in waste reform. They build on the Government's major overhaul of waste policy, regulation and management in 1995. I congratulate my predecessor on the work that was done: an overhaul that required us to rebuild the system from the ground up.

It is fortunate for the New South Wales community that time and again the Coalition's silence has been punctuated by the Government's extensive reform agenda. It is worth reminding the House of our record. It is a record that completely and objectively contradicts the assertions of the honourable member for Southern Highlands. The achievements include the tough Waste Minimisation and Management Act; a 26 per cent reduction in waste to end disposal, compared to 1990, with about 40 per cent in the municipal sector; a diversion rate for recyclables that is 34 per cent higher than the national average; a green waste diversion rate that is double the national average; and unprecedented levels of funding support for waste programs.

The waste boards played an important role in getting to this position, and I hope that many, if not most, waste board staff will transfer their employment and expertise into the new organisation, Resource New South Wales. I again place on record my thanks to the staff of the boards for their valuable contribution to improving the community's and industry's awareness of waste issues, and the need to avoid and reduce waste in general. They will work to secure the Government's objective of seeing a continuous decline in waste generation. We want the recovery of resources from waste to be optimised. We want to manage in the most environmentally responsible manner the ever-shrinking waste left after recovering those resources. Resource New South Wales will be focused on a strategy for waste reduction and the delivery of programs to implement it. The Environment Protection Authority will continue its role in policy and regulation on waste.

As I informed the House last week, Resource New South Wales will have carriage of the State's waste avoidance and resource recovery agenda. It will develop, co-ordinate and implement waste and resource

management strategies and programs throughout the State, and give effect to the recommendations of last year's alternative waste inquiry. In short, it will be the waste industry's version of the Sustainable Energy Development Authority. It will have the same relationship to the waste industry as SEDA has to the energy industry. The Government will recoup its investment in the waste boards by transferring their detailed regional waste management plans, together with numerous successful programs, to Resource New South Wales.

For instance, one notable success of the boards has been the Regional Illegal Dumping [RID] Squad. That organisation was established by the Western Sydney Waste Board in collaboration with its member councils. It is a squad of specially trained officers whose sole task is to catch illegal dumpers and to develop better strategies to detect and prevent their activities. Quite often they use highly sophisticated surveillance techniques and they are being very successful. As I mentioned in my second reading speech, Resource New South Wales will be required, as a priority, to extend the so-called RID squad initiative to the rest of Sydney, the Central Coast, the Hunter and the Illawarra, in conjunction with relevant councils.

The simple fact is that the Government will recoup its investment in the waste boards by transferring important and successful programs to Resource New South Wales. A streamlined, co-ordinated approach from Resource New South Wales will allow the results of successful board programs to be applied more widely across the State. The investment in developing critical databases, directories and publications will not be lost to the new organisation. To be more specific, the following programs have already made a valuable contribution to waste reduction. Most of them will continue, subject to auditing, and will also have the potential for results to be expanded to other areas.

They include the Waste Not Development control program; the reuse and recycling databases and directories, including the Buy Recycled guide, which I launched some time ago; the Healthy Gardens program and the Eco Gardens program; the local government waste reduction and purchasing policy; the public place recycling—Waste Wise Public Place and Special Events—program; the Waste Makes No Cents program and waste minimisation programs for industry; the Foodwaste recycling trials; trials of collection of paper from small and medium businesses; and the wood waste collection trial. These strong programs—and there are many more of them—will continue. As to the attitude of the waste board people themselves, the honourable member for Southern Highlands attempted to suggest that there was deep unhappiness amongst the waste boards about the change that is occurring. Of course I do not deny that there is some unhappiness here and there, but I take the opportunity to quote from a press release issued by the Chairperson of Illawarra Waste Management, that is, the Illawarra Waste Board. The press release states:

Vicki King, chairperson of Illawarra Waste Management, welcomes the New South Wales Government's new Waste Avoidance and Resource Recovery Bill which reinforces the commitment to waste minimisation and creates the State agency, Resource New South Wales, with regional offices in the Illawarra and the Hunter.

Vicki King goes on to describe the work that her board has been doing. The press release further states:

The foundations laid by Illawarra Waste Management in the region will help Resource New South Wales to work with the community to achieve the aim of a waste-free future and improve our environment.

I suggest that that is not a bad endorsement. The honourable member for Southern Highlands has also suggested in various forums that all of the money spent on waste reform by the Carr Government has been spent on waste boards. That is not true. The \$87 million or so that has been spent on waste management during the period of this Government has been spent across a great many areas. Something like 65 per cent of the total moneys allocated from the waste fund have gone to the boards, not 100 per cent, which is a point of some modest relevance.

A number of important programs have been undertaken outside the auspices of the waste boards. For instance, nearly \$9 million in over several financial years has been committed to the kerbside program support for councils and nearly \$4.5 million is being spent on the ChemCollect program, which is the program for gathering leftover chemicals from farms. Other programs include the litter education campaign, the national packaging covenant, the overarching education campaign and community waste grants. The list goes on and on, and spending adds up to something like \$58 million during the time of this Government.

I turn now to the question of Waste Board general staff entitlements. The Coalition has been advancing—the honourable member for Southern Highlands has advanced again today—peculiar views on industrial relations concerning Waste Board staff. It is worth reading into the record relevant extracts from my communique to the staff of 20 June. I said this to the staff of the waste boards:

Importantly, the legislation sets out arrangements for the transfer of Waste Board staff who may join the new agency, which will have a head office in Sydney, and regional offices in Newcastle and Wollongong. While I have made separate arrangements for staff to be informed of their rights and entitlements, staff are obviously welcome to seek advice from their trade union or other source.

I continued:

I am confident that Resource NSW will have the structure, powers and resources to do just that. I am also confident that many Waste Board staff will find new challenges in making Resource NSW an import institution.

In making the transition to the new agency, I want to minimise disruption to staff and programs. I have asked [the EPA] to set up a series of briefings for Waste Board staff over the next fortnight to answer your questions.

I do not remember the Coalition ever taking that sort of responsible and sensitive approach to staff who were in an equivalent position in the Greiner and Fahey years. The approach in those times was generally one that suggested that an employee's bags should be packed within the next 10 minutes until security could escort the employee out. I sincerely hope that Waste Board staff are not led to believe that their industrial rights and entitlements would be superior under a Coalition government. The Waste Planning and Management Boards (State) Award 2001 sets out the conditions of employment for board staff. They have been notified of the changes and meetings established to brief employees of each of the boards over the next few working days. Unions have been notified of the schedule of meetings. I have also required each of the boards to provide me with detailed information on all staffing-related matters by the close of business tomorrow.

The intention is to facilitate the transfer of most board staff to the new agency. Inevitably, with only one Sydney office in western Sydney, there are likely to be significant issues for some staff about location, and they will be considered on a case-by-case basis through the establishment of a process to consider hardship. The Government's policy of displaced employees applies to Waste Board staff. For those staff to transfer their employment into the new agency, I foreshadow government support for the staff to move to the Crown Employees Award, which I understand provides employees with superior benefits and protections over those that the employees presently enjoy. That is another move that will be subject to discussions with the relevant unions and others.

It comes as no surprise that the honourable member for Southern Highlands is again leaping to the defence of potentially exorbitant entitlements and redundancy packages for waste industry senior executives. She has some form in this regard. It simply shows how out of step she is with community standards and expectations. The provision in this respect was included in the bill to protect the public interest and the public purse. In recent months my office has become aware that several senior executives of the boards have busied themselves with the task of arranging payouts that, if paid, would rightly cause community concern. Until the Government has the opportunity to closely examine each of the employment contracts of the senior executives the scale of these entitlements will not be fully known. However, I am concerned about the level of rumour that has recently surrounded this issue.

The community has tired of the notion of senior executives having extraordinarily generous packages approved for themselves in anticipation of their removal from office or for another purpose. The Government is not suggesting that the scale of Waste Board packages in any way accords with the sorts of things that have been happening in One.Tel and HIH, but there is a common principle involved. The honourable member for Southern Highlands, in the midst of talking of alleged waste of the Government's resources because of the reforms, nevertheless seems to support the principle of possible runaway payouts for senior executives. One cannot have it both ways. The Government believes that the community would prefer to see whatever funds are saved from the enactment of these provisions spent on innovative programs and service delivery.

It is of some concern, as one senior Waste Board figure put it to me, that the central problem several general managers had with the entire reform package—and it is a substantial package—was how it would affect their pecuniary interests. The Government has become aware that there has been a steady migration of general managers onto the Senior Executive Service salary band. I am told by sources from the boards that some general managers are now receiving generous SES salaries while they manage approximately 10 staff. I know of some senior managers within the boards who certainly do not believe that this migration into the salary stratosphere, as it were, has been justified. The honourable member for Southern Highlands does not appear to have made contact with them.

Unfortunately, the honourable member for Southern Highlands again finds herself championing the rights of senior executives to significant severance packages. She did that last year with the local government

recycling co-operative. In that instance she argued the rights of two senior managers to exorbitant payouts totalling, I am told, several hundred thousand dollars. Despite the exorbitant claims lodged by those two former senior executives in the co-operative and the fact that those claims impeded consideration of payment of the ordinary salary and leave entitlements of all other employees—worth about \$54,000—the honourable member on that occasion went in to bat for the senior executives. She is doing the same in this case. It calls into question the industrial standards that the Coalition is subscribing to these days. If the Government's comprehensive audit of Waste Board general manager contracts reveals an objective need for greater monetary compensation the Government will closely investigate the prospect of paying such compensation. However, I stress that the provisions of the bill are presently necessary to protect the public interest.

Extended producer responsibility simply means that companies have some level of responsibility for the waste that they produce after they sell their products. I said "some level". How much will be the subject of inquiry and analysis that interested parties will be extensively consulted about? What the Government is removing is the threat of capricious or perhaps unjustified action against an industry in this respect. Extended producer responsibility can apply to a type of material, for example, aluminium; a product—say, computers; or classes of products, for instance, all packaging waste.

International examples of these schemes include companies being required to recover batteries that they produce, import or sell; chemical and paint companies being required to recover unused household chemicals and paints and their containers, which are recognised as a domestic health hazard; and computer industries being required to take responsibility for recycling of used computers, particularly home computers. The best Australian example is the voluntary newsprint recycling program through which over 70 per cent of all newsprint is now collected and recycled. The Government would not dream of imposing a standard on that group. It is a stunning achievement. I take this opportunity to congratulate the people involved in that story, especially the Publishers International Environment Bureau. Dick Parrott, Walter Kommer and Tony Wilkins have established a model for industry at large. There is now an obvious trend towards extended producer responsibility in most jurisdictions, most particularly in California and Washington State in the United States of America, and in Canada, Japan, Scandinavia and other parts of northern Europe.

The proposed approach to extended producer liability in New South Wales is based on both commonsense and sound international practice. It allows industries that are dealing effectively with waste to be subject to Government control. As I have said, the newsprint recycling industry comes within that category. To this end, the Government will consider requiring extended producer responsibility schemes only if: a waste product has a high volume or a level of toxicity requiring action; there is no effective national scheme already doing the job; the industry has no adequate voluntary scheme; the compulsory economic analysis supports the proposed scheme; and the Government or the scheme is not faced with constitutional or legal impediments.

To assist with developing proposals on waste reduction, I should add that I have sought independent comment on the question of extended producer responsibility from bodies including the Organisation for Economic Co-operation and Development [OECD] and the Institute of Sustainable Futures of the University of Technology, Sydney. The institute commented that extended producer responsibility provides for an economic incentive to producers to prevent waste generation, reduce the use of toxic materials, increase recycling, and enhance markets for secondary materials. That is a matter that the honourable member for The Hills referred to in a rather confused fashion a short time ago. Extended producer responsibility is one methodology that will greatly assist in the enhancement of markets for secondary materials.

The institute concluded that legislation encapsulating extended producer responsibility does not represent an extra burden to industry. There are numerous examples that show that a proactive and preventive approach to product improvement can offer companies substantial cost savings. Those savings and consequential profit gains result from sources such as reduced resource use, reduced energy consumption, lower pollution control costs, lower costs of raw materials, less waste production and better product design. The Institute for Sustainable Futures also observed that criteria are needed for determining when an extended producer responsibility scheme is appropriate. Those criteria include: ease of implementation; volume, quantity or mass of the product; potential environmental benefits; residual value of the product after its use; and local political acceptability of the scheme.

The scheme proposed by the Government details the criteria that will be used to determine the need for mandatory approaches. If a material, product or industry meets those criteria, a regulation will require the appropriate party to act. In summary, the system encourages companies that are doing the right thing; it introduces regulation only when the market fails. The existing industry waste reduction plans actually require the Government to intervene on what are said to be in principle voluntary industry plans to reduce waste and to punish industry through regulation if those plans fail. The new system is much more transparent.

The bill as it is provides for a robust process before a mandatory scheme is introduced. It is important to point that out because existence of those provisions in the bill has been denied by some honourable members who participated in the debate earlier. First the Environment Protection Authority [EPA] must prepare a statement of priorities for industry waste reduction and that involves considering industry submissions; second, the criteria established by the bill provide that mandatory schemes are introduced in limited circumstances only; last, any such scheme is the subject of very rigorous processes established by the Subordinate Legislation Act. I wish to address only one other issue, that is, the question of community involvement in waste policy.

I was somewhat puzzled to hear the honourable member for Southern Highlands claim that the Government was in some way reducing community involvement in determining waste policy by these provisions. She has seemingly ignored the fact that under the Waste Minimisation and Management Act, that is to say, the Act that this legislation replaces, it is local government, not the Minister and not the community, that virtually has carte blanche in the selection of council and community representatives. People who are referred to as community representatives, a minority on each board, are chosen by local government but the great majority of the boards actually have been comprised of local government councillors.

The bill presently before the House ensures that community representation exists on the board of Resource New South Wales. The bill also provides for the board to establish committees to assist in the exercise of its function. Those committees do not need to be comprised of board members, so they can include representatives of the broader community and representatives who are expert in any particular issue that is being addressed by a committee. This second wave of the Government's waste reforms will deliver very strong results. It is worth emphasising that under these provisions local government will actually receive significant increases in direct funding to assist with waste management. Industry and other commercial enterprises will receive unprecedented funding and unprecedented support in this Government's drive to reduce waste, especially in the industrial and commercial sectors. Secondary markets for the recovery of resources from waste will be boosted. New technologies to reduce waste and to recover materials will be encouraged by these reforms. I commend the bill.

**Motion agreed to.**

**Bill read a second time.**

### **In Committee**

**Clauses 1 to 13 agreed to.**

#### **Clause 14**

**Ms SEATON** (Southern Highlands) [12.34 p.m.]: I move:

No. 1 Page 7, clause 14, line 31. Omit "national".

The amendment is based on the test of adequacy under which the Minister might decide to mandate an extended producer responsibility instrument. I propose that the word "national" be omitted from part 3, clause 14 (1) (b) on the grounds that many schemes are in place to address waste issues in New South Wales. Some schemes are national, some are local, some are community-based and some are regional. For the purposes of proposed amendment No. 2 it makes sense to remove the word "national", because that word unnecessarily and irrelevantly narrows the schemes to a small group. Many schemes go beyond being a national scheme or are at a local level. Removing the word "national" from clause 14 makes sense and will provide a much better basis on which the Minister can make a decision about whether a scheme has been adequately formed. Removing the word will mean that industry—whether it is involved in a national, regional or local scheme—will have an opportunity to appeal against a ministerial decision and have the decision reviewed. That is covered in proposed amendment No. 2.

**Mr DEBUS** (Blue Mountains—Attorney General, Minister for the Environment, Minister for Emergency Services, and Minister Assisting the Premier on the Arts) [12.35 p.m.]: The Government does not support the amendment. Many industries are beginning to participate in national schemes for industry waste reduction. The bill as it stands clearly allows the Minister of the day to take the presence of such a scheme into consideration when determining whether to adopt a mandatory scheme. Voluntary schemes, including national schemes, are dealt with separately in the bill. The provision that the Opposition is seeking to amend deals with national schemes that are not purely voluntary. I find it hard to believe that industry in general would not want to participate in such a scheme, or to consider it.

**Question—That the word stand—put.****The Committee divided.****Ayes, 52**

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

**Noes, 33**

Mr Armstrong	Mr Kerr	Mr Slack-Smith
Mr Brogden	Mr Maguire	Mr Souris
Mrs Chikarovski	Mr Merton	Mr Stoner
Mr Collins	Mr O'Doherty	Mr Tink
Mr Debnam	Mr O'Farrell	Mr J. H. Turner
Mr George	Mr Oakeshott	Mr R. W. Turner
Mr Glachan	Mr D. L. Page	Mr Webb
Mr Hartcher	Mr Piccoli	
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	

**Question resolved in the affirmative.****Amendment negatived.**

**Ms SEATON** (Southern Highlands) [12.42 p.m.]: I move Opposition amendment No. 2:

No. 2 Page 8, clause 14. Insert after line 9:

- (2) If, for the purposes of subsection (1) (b), the Minister is of the opinion that:
  - (a) the scheme addressing waste issues that is in place is not adequate, and
  - (b) a regulation in connection with the matter should be made,

the Minister is required to advise the industry sector to which the proposed regulation would relate of the Minister's decision.
- (3) If that industry sector (including any producer who is a member of the industry sector) requests an independent review of the Minister's assessment of the adequacy of the scheme, the Minister is required to establish an independent committee:
  - (a) to review the adequacy of the scheme, and
  - (b) to report to the Minister on the results of the review.

- (4) The review committee is to consist of such persons as may be appointed by the Minister, including the following:
  - (a) persons representing the industry sector requesting the review,
  - (b) persons representing environmental interests,
  - (c) persons having appropriate tertiary or scientific qualifications.
- (5) The Minister must ensure that the results of the review are made publicly available before recommending the making of a regulation in connection with the matter.

Some industry groups might find themselves subject to a determination by the Minister that a national or other scheme has not adequately addressed waste issues in New South Wales. The amendment seeks to give those groups an appeal mechanism in the form of access to a review committee that might be able to assess the industry's performance under those criteria, give an independent assessment, and allow the industry to establish that its performance has in fact been adequate, if that is the industry's view. The amendment provides that when a Minister is of the opinion that the scheme addressing waste issues is not adequate and that a regulation should be made, the industry sector can request the Minister to establish an independent committee to review the adequacy of the scheme and report to the Minister on the results of the review.

Such a review committee ought to comprise a representative of the industry sector requesting the review, a representative of the environment movement—that is, a person with environmental interests—and a person who has appropriate tertiary or scientific qualifications. There is no doubt that many industry sectors have achieved great success with regard to industry waste reduction. I single out for particular mention the Publishers National Environment Bureau, whose model is a great success. I have had the opportunity to visit the Albury paper mill to observe first hand the waste-reduction measures carried out at the mill.

**Ms Moore:** Point of order: It is very difficult to hear what the honourable member for Southern Highlands is saying. I ask you to ask members to remain silent.

**Mr ACTING-SPEAKER (Mr Lynch):** Order! Members will restrain their level of conversation. That will allow the honourable member for Southern Highlands to be heard and assist Hansard.

**Ms SEATON:** I have had the opportunity to visit the PET bottle recycling facility at Seven Hills. The Beverage Industry Environment Council deserves to be congratulated on its progress in operating within the national packaging covenant. There is no doubt that many industry sectors are progressing well in proactively addressing industry waste reduction. I do not understand why the Minister appears to be afraid to give industry the capacity to access an independent review mechanism if a unilateral decision he makes as to the adequacy or otherwise of an existing scheme is somehow challenged by the relevant industry sector. I commend the amendment to the House.

**Mr DEBUS** (Blue Mountains—Attorney General, Minister for the Environment, Minister for Emergency Services, and Minister Assisting the Premier on the Arts) [12.45 p.m.]: The Government does not support the amendment, which would simply add layers of unnecessary process to a scheme that already provides the highest level of transparency and objectivity. It would do nothing whatsoever to advance this issue and seems widely out of step with community expectations. The bill provides for all interested parties, including industry, to make submissions that must be taken into account by the Environment Protection Authority [EPA] in developing a priority statement on industry waste reduction.

The bill also provides that the Minister is to establish mandatory approaches only when certain criteria are met, and that where those criteria are met the Minister is to introduce mandatory approaches through regulation, thus ensuring that a full impact statement is prepared. As is customary, the EPA would consult widely in both preparing any regulatory impact statement and seeking responses upon the draft regulation. Ultimately, the Parliament may review any regulation that is made under the scheme. The scheme is fair and transparent. It ensures that objectivity and rigorous analysis inform any decision about mandatory approaches. The Opposition's amendment would simply require the duplication of an already comprehensive consultation and, as a result, would be likely to only frustrate progress on this matter.

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

**The Committee divided.**

**Ayes, 33**

Mr Armstrong	Mr Kerr	Mr Slack-Smith
Mr Brogden	Mr Maguire	Mr Souris
Mrs Chikarovski	Mr Merton	Mr Stoner
Mr Collins	Mr O'Doherty	Mr Tink
Mr Debnam	Mr O'Farrell	Mr J. H. Turner
Mr George	Mr Oakeshott	Mr R. W. Turner
Mr Glachan	Mr D. L. Page	Mr Webb
Mr Hartcher	Mr Piccoli	
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, 52**

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

**Question resolved in the negative.**

**Amendment negatived.**

**Clause 14 agreed to.**

**Progress reported from Committee and leave granted to sit again.**

**Report adopted.**

### **BUSINESS OF THE HOUSE**

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

**Motion by Mr Whelan agreed to:**

That standing and sessional orders be suspended to permit the resumption of the debate on the Legal Profession Amendment (Disciplinary Provisions) Bill and the Legal Profession Amendment (Professional Indemnity Insurance) Bill at this sitting.

#### **POLICE POWERS (DRUG PREMISES) BILL**

#### **POLICE POWERS (INTERNALLY CONCEALED DRUGS) BILL**

#### **In Committee**

**Consideration of the Legislative Council's amendments.**

**The CHAIRMAN:** The Committee will first consider the Legislative Council's amendments to the Police Powers (Drug Premises) Bill.

*Schedule of amendments referred to in message of 21 June*

No. 1 Page 2, clause 3 (1). Insert after line 16:

*lookout*, in relation to premises, means a person who is in the vicinity of the premises for the purpose of communicating to any person on the premises to warn the person of impending police action.

No. 2 Page 4, clause 6. Insert after line 17:

(2) The owner of any premises damaged in the exercise of a power under this section is entitled to payment from the Crown of a reasonable amount of compensation for that damage if a court finds in proceedings for an offence against Part 3 in respect of the premises that the premises were not, at the time the power was exercised, drug premises.

No. 3 Page 8, clause 14 (3), line 13. Insert "of organising or conducting drug premises or" after "section".

No. 4 Page 11, clause 21 (1), lines 8 and 9. Omit "the exercise of the functions conferred on police officers under this Act". Insert instead "the operation of the provisions of this Act and the regulations".

No. 5 Page 11, clause 21 (2), lines 10 and 11. Omit all words on those lines. Insert instead:

(2) For that purpose, the Ombudsman may require any public authority to provide information concerning the authority's participation in the operation of this Act and the regulations.

No. 6 Page 11, clause 21 (4), lines 18 and 19. Omit "the exercise of functions conferred on police officers under this Act". Insert instead "the operation of this Act and the regulations".

No. 7 Page 11, clause 21 (5), line 21. Insert "and the regulations" after "Act".

No. 8 Page 15, Schedule 3, line 8. Omit "possession". Insert instead "disposition".

**Mr WHELAN** (Strathfield—Minister for Police) [12.58 p.m.]: I move:

That the Committee agree to Legislative Council's amendments No. 1 and Nos 3 to 8 but disagree to Legislative Council's amendment No. 2.

On 21 June the Legislative Council passed an amendment to the Police Powers (Drug Premises) Bill. The amendment is to clause 6 on page 4. The amendment undermines the basic principle of our criminal law that people should co-operate with police and should not obstruct them when they are performing their duty. The amendment makes a new law about compensation for damage caused by police exercising a valid drug premises search warrant. The public will have to compensate the owner of premises damaged in exercising a search warrant where a court considers a prosecution for drug premises offences and finds the premises were not drug premises at that time the search warrant was executed. It will not matter if a court finds that premises were drug premises on the day before the search warrant was exercised or even one hour before the search warrant was executed because the owner will still be entitled to compensation.

I am advised by the Police Service that the amendment will enable people to claim compensation even where they have contributed to the damage by refusing entry to police with a valid search warrant. This is a significant and fundamental change in respect of liability for the execution of a search warrant. It is not the way our law operates with respect to other criminal offences and other search warrants. Owners of premises are already entitled to compensation in courts under the normal legal principles if police are negligent in executing a search warrant. The Attorney General's Department has confirmed that the amendment unnecessarily complicates a civil legal concept.

The amendment means that people may be entitled to compensation even if police act properly in executing the search warrant. That is not consistent with current police guidelines for compensation which require an element of unjustified or negligent action by police. These guidelines should apply to this type of search warrant just as they apply to other search warrants. Parliament is sending a clear message to the public to co-operate with the police. If the police have a search warrant and knock on the door, they should be let in. This amendment creates an incentive for people to not co-operate with the police. It creates a disincentive for police to use these new laws, which are needed to crack down on drug dealing from fortified premises in Cabramatta.

**Mr HARTCHER** (Gosford) [1.02 p.m.]: The Coalition parties do not insist upon amendment No. 2, which was moved simply to ensure that when a search warrant is executed people have a right to compensation if their home is found not to be a drug premises. The Minister for Police has given an assurance that when police act improperly or outside their authority and damage is caused to property as a result of executing a search warrant compensation will be payable. On the basis of that assurance, the Coalition does not insist on

amendment No. 2. I point out that in the United States of America there have been a considerable number of instances of the wrong address being the subject of a search warrant. In circumstances whereby police act in accordance with a search warrant and ransack a home looking for drugs but find none one would naturally think that the home owner would be entitled to compensation. On the basis of the Minister's assurance that compensation will be payable when a genuine mistake has been made or when there has been negligence on the part of police, we certainly do not insist upon the amendment.

**Motion agreed to.**

**Legislative Council's amendments No. 1 and Nos 3 to 8 agreed to.**

**Legislative Council's amendment No. 2 disagreed to.**

**The CHAIRMAN:** The Committee will now consider the Legislative Council's amendments to the Police Powers (Internally Concealed Drugs) Bill.

*Schedule of amendments referred to in message of 21 June*

- No. 1 Page 12, clause 14. Insert after line 30:
- (4) Without limiting subsection (3), an eligible judicial officer must not make an order for an internal search of a child involving electromagnetic radiation or radiography if satisfied that such a procedure has been carried out on the child under this Act on 2 or more occasions in the previous 2 years unless the eligible judicial officer considers that exceptional circumstances exist that otherwise justify the making of the order.
- No. 2 Page 16, clause 22. Insert after line 5:
- (2) The report must indicate whether the internal search involved the use of electromagnetic radiation or radiography.
- No. 3 Page 22, clause 38 (2), line 12. Insert "(not exceeding 48 hours)" after "period".
- No. 4 Page 22, clause 38. Insert after line 16:
- (4) The maximum period must not be extended a second time unless an eligible judicial officer is satisfied that there are exceptional circumstances that justify the extension.
- (5) That maximum period cannot in any circumstances be extended more than twice.
- No. 5 Page 24, clause 43 (1), lines 14 and 15. Omit "the exercise of the functions conferred on police officers under this Act". Insert instead "the operation of the provisions of this Act and the regulations".
- No. 6 Page 24, clause 43 (2), lines 16 and 17. Omit all words on those lines. Insert instead:
- (2) For that purpose, the Ombudsman may require any public authority to provide information concerning the authority's participation in the operation of this Act and the regulations.
- No. 7 Page 24, clause 43 (4), lines 24 and 25. Omit "the exercise of functions conferred on police officers under this Act". Insert instead "the operation of this Act and the regulations".
- No. 8 Page 24, clause 43 (5), line 27. Insert "and the regulations" after "Act".

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

**Resolutions reported from Committee and report adopted.**

**Message sent to the Legislative Council advising it of the resolutions.**

**LEGAL PROFESSION AMENDMENT (PROFESSIONAL INDEMNITY INSURANCE) BILL**

**Second Reading**

**Debate resumed from 25 June.**

**Mr HARTCHER** (Gosford) [1.09 p.m.]: The Coalition parties have no objection to the Legal Profession Amendment (Professional Indemnity Insurance) Bill, which has been introduced in response to the unfortunate collapse of HIH Insurance, with which LawCover, the professional indemnity body for solicitors in

this State, was insured. As a consequence of the collapse of HIH many outstanding claims obviously cannot be settled, and the Law Society, to its great credit, has proposed that it transfer money from its indemnity fund to allow payment of the outstanding claims rather than claimants becoming unsecured creditors to HIH. The Attorney General has granted the power to facilitate that move and to allow the extension of practising certificates—solicitors would not have such certificates after 1 July because they would no longer have the necessary insurance.

The Coalition parties accept the principle of the proposed legislation and its urgency—it must be passed by 30 June—and we raise no objection to it. However, as I always point out, the Opposition reserves the right to consider the situation further should any issues come to its attention when the bill goes before the Legislative Council. I commend the Law Society for its extremely prompt action in seeking to look after claimants and for its high standing in ensuring that it has the funds to cover this liability, which I understand totals about \$82 million. That is an extraordinarily large amount. The people of New South Wales may continue to have confidence in the integrity of lawyers and the insurance process.

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

*[Mr Acting-Speaker (Mr Mills) left the chair at 1.12 p.m. The House resumed at 2.15 p.m.]*

**ELECTORATE OFFICE SECURITY**

**Privilege**

**Mr RICHARDSON** (The Hills) [2.15 p.m.]: When I arrived at Parliament House yesterday morning it was to be greeted with the news that somebody had accessed one of my electorate office computers. Three new icons appeared on the screen when my electorate secretaries switched the computer on. We referred the matter to parliamentary Information Technology Services, who identified that no fewer than 11 new files had appeared on the computer, including a file that we believe is a computer virus and another file that switched off the computer backup, thereby rendering the backup useless. Obviously, I have very serious concerns about this matter. I asked Nigel Mulvey of Parliamentary Security to check the alarm system. It transpired that the cleaner's code for the alarm was used at 10:54 on Saturday morning; the first file on the computer was altered at 11:05; the last file on the computer was altered at 13:16; and the alarm was switched back on again at 13:19.

I do not draw any conclusions about the culprit. I leave honourable members to draw their own conclusions. I have, however, placed the matter in the hands of the police. My secretary informs me that last night the telephones also were used. I do not know for what purpose. There may have been ISD calls made on paid services. I also view that with the utmost concern. It is absolutely fundamental that the integrity of our electorate offices, of our computer records and of our files is maintained. I would therefore move, by way of privilege, that this House call on the Speaker—

**Mr SPEAKER:** Order! I draw the attention of the House to the fact that a matter, to constitute a breach of privilege, must satisfy one of a number of criteria: disobedience to general orders or rules of either House, disobedience to particular orders, indignities offered to the character of the proceedings of Parliament, assaults or insults upon members or reflections upon the character of the member, or interference with officers of the House in the discharge of their duties. The matter that the honourable member for The Hills draws to the attention of the House is very serious but, unfortunately, it does not constitute a breach of privilege according to the standing orders. The honourable member has indicated that he has put the matter in the hands of the police, and apparently it is being investigated. I also will ensure that an investigation is undertaken by officers of the Parliament.

**Mr RICHARDSON:** Mr Speaker, other breaches of privilege may well be consequent upon this matter.

**Mr SPEAKER:** Yes, that is right.

**BUSINESS OF THE HOUSE**

**Routine of Business**

*[During notices of motions]*

**Mr SPEAKER:** Order! I rule the notice of motion given by the honourable member for Davidson out of order. The motion is frivolous and not worthy of debate in the House.

## MINISTRY

**Mr CARR:** In the absence of the Minister for Corrective Services, who is attending a meeting of the Corrective Services Ministers Council, the Attorney General will take questions on his behalf. In the absence of the Minister for Energy, who is attending a meeting of the Energy Ministers Forum, the Deputy Premier will take questions on his behalf.

## PETITIONS

### 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**.

### 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**.

### 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**.

### Redfern, Darlington and Chippendale Policing

Petition praying for increased police presence in the Redfern, Darlington and Chippendale areas, received from **Ms Moore**.

### Inner East Sydney Policing

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

### Surry Hills Policing

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

### Inner East Sydney Police Resources

Petition praying that there be an immediate increase in police resources in the inner east, that there be an increase in the uniformed police foot patrols to deter crime and that an effective police recruitment drive be developed to properly resource community policing, 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**.

### **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**.

### **Mona Vale Hospital**

Petition praying that services at Mona Vale Hospital be retained, received from **Mr Brogden**.

### **Chatswood High School**

Petitions asking the House to support the retention and refurbishment of Chatswood High School, received from **Mrs Chikarovski** and **Mr Collins**.

### **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**.

### **Vaucluse Electorate School Closures**

Petition requesting funding for public schools and opposing the merging of local schools, received from **Mr Debnam**.

### **Frederickton Public School**

Petition praying that priority be given to the construction of buildings at Frederickton Public School, received from **Mr Stoner**.

### **Thirroul Railway Station**

Petition calling on the Minister for Transport, and Minister for Roads to fund easy access facilities at Thirroul railway station, received from **Mr Campbell**.

### **Yarrahapinni-Stuarts Point Intersection**

Petition praying that measures be taken to improve the intersection of Yarrahapinni-Stuarts Point and the Eungai Rail turn-off on the Pacific Highway, received from **Mr Stoner**.

### **Bus Passenger Safety**

Petition requesting that the practice of allowing bus passengers to stand while in transit be discontinued, received from **Mr J. H. Turner**.

### **Frenchs Forest Traffic Arrangements**

Petition requesting that a right turn signal be provided for north-bound traffic on Forest Way, Frenchs Forest, to enable vehicles to turn right safely into Adams Street, received from **Mr Humpherson**.

### **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**.

### **Queanbeyan Preschool Services**

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

### **Hawkesbury-Nepean Catchment Management Trust**

Petition praying that the House reinstate the Hawkesbury-Nepean Catchment Management Trust as soon as possible, received from **Mr Rozzoli**.

### **Animal Experimentation**

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

### **Brothel Regulation**

Petitions praying for legislation to allow for more flexible zoning in relation to the operation of brothels, received from **Mr Torbay** and **Mr Windsor**.

### **Blue Mountains National Park Fire Management**

Petition praying that the boundary of the Blue Mountains National Park in the vicinity of Bowen Mountain remains as it is, in accordance with recommendations of the local Rural Fire Service—the Grose Vale Brigade—and that the management of the fire buffer zone remains within the jurisdiction of the Rural Fire Service, received from **Mr Rozzoli**.

### **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**.

## **REGULATION REVIEW COMMITTEE**

### **Report**

**Mr Nagle**, as Chairman, tabled the report entitled "Report on the Harness Racing New South Wales (Appeals) Regulation 1999" dated June 2001.

**Ordered to be printed.**

## **QUESTIONS WITHOUT NOTICE**

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### **STUDENT VIOLENCE MINISTERIAL STATEMENT**

**Mrs CHIKAROVSKI:** My question without notice is directed to the Minister for Education and Training. How can the Minister justify challenging the right to compensation for the 15-year-old boy whom he publicly humiliated when his Government's privacy and personal information Act states clearly that, before using any personal information, Ministers must be certain that such information is "relevant, accurate, up to date, complete and not misleading"?

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

**Mr AQUILINA:** I make the point again, as I have repeatedly in this House, that I never identified the boy, I never identified the family and I never identified the school.

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

### SLEEPY DRIVER DEFENCE

**Mr McBRIDE:** My question without notice is to the Minister for Transport. What is the Government's response to community concerns about drivers facing serious criminal charges who continue to drive after major accidents and related matters?

**Mr SCULLY:** There have been a number of recent cases where drivers have defeated criminal prosecutions by raising the so-called "sleepy driver" defence. This arises in criminal cases following death or serious injury to other motorists or passengers. Defendants facing dangerous driving charges have argued that they fell asleep without warning while driving their cars. I am concerned that motorists have successfully raised this issue as a defence or an explanation of why a serious accident has occurred and then have continued to hold a licence before, during or after either criminal prosecutions or investigations of serious accidents.

If someone suffers from a disorder that involves unexpected onset of sleep or lack of consciousness, they pose a danger to other motorists and themselves. They pose a risk to everyone on the road, and something needs to be done about it. Anyone who suffers from the illness of unexpected onset of sleep should be treated with sympathy and support, but their rights have to be balanced against the rights of other motorists and others on the roadway who also need to be protected. Last year fatigue killed 123 people on our roads, and 104 people died because of fatigue-related accidents in 1999. This is a serious matter.

I am pleased to announce today an important government initiative to deal with this issue. The police and the Director of Public Prosecutions will notify the Roads and Traffic Authority [RTA] of any case where they believe the sleepy driver defence may be raised and may become an issue. I propose to introduce a new regulation empowering the RTA, when it is given this notification, to suspend immediately that person's licence. Upon the person raising that as an explanation for a serious accident or upon the person raising it as a defence to a serious criminal prosecution arising out of a significant motor accident, that person automatically forfeits his licence. That is a significant initiative.

Of course, drivers will have their appeal rights protected. They are entitled to take the matter to court to argue against the RTA's decision. The important thing is that the RTA will not be required to prove that persons are unfit to drive; the onus of proof will be upon the people who raise this as an explanation for the accident or the serious injury. They will have to prove, with expert medical evidence, that they are able to continue driving. Anyone who suffers from sleep apnoea or narcolepsy has to be examined by a doctor to continue to hold a licence. These are important road safety measures to ensure that people who suffer from such problems and continue to drive can do so with expert medical support.

The important thing is that this initiative will be put in place irrespective of whether a person is found guilty or not guilty of culpable driving or other serious charges resulting from fatalities or serious injuries. It is not a question of the person's guilt or innocence at law; it is about raising it as an explanation of how the incident occurred. Once people raise the issue, the court proceedings are not relevant. They then have to prove in another forum that they are able to continue driving. This initiative continues from a number of important initiatives the Government has put in place in respect of road safety. Last year the Government introduced a wholesale overhaul of novice driving and licensing requirements. That is, new drivers have a whole new licensing regime that takes them through a three-year supervisory period. I believe it leads the country. The other initiative is that some time ago we allowed councils, if they wished, to introduce 50-kilometre-an-hour speed limits. A road safety task force made a whole range of recommendations across the gamut of road safety. All are either accepted or being implemented.

Ultimately, the Government can only go so far with road safety policy and initiatives. Members on both sides of the House can contribute to the debate and try to change things to improve road safety statistics. At the end of the day, it is a matter of personal responsibility and human behaviour on the roads. The obligation of holding a driver's licence is a very serious one. Again I ask, as I have on many occasions, if people have any inkling that they suffer from unexpected onset of sleep or unexpected loss of consciousness they should get medical assistance and advice before they continue driving.

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

**Mr SCULLY:** The obligation of holding a driver's licence is also an obligation not to drink and drive, not to exceed the speed limits and to wear seatbelts. Most importantly, any persons who fear they may have an unexpected onset of sleep should deal with it. Very soon, if they raise it as an explanation they will have their licences withdrawn.

## STUDENT VIOLENCE MINISTERIAL STATEMENT

**Mr J. H. TURNER:** My question is directed to the Minister for Education and Training. On 10 April, before he made a ministerial statement singling out a 15-year-old boy for public humiliation, what conversation did he have with the Premier about his intentions either within or separate from the Government's parliamentary strategy meetings?

**Mr AQUILINA:** This is exactly the same question that has been asked on a previous occasion. Again I refer the honourable member to *Hansard* and I stick by my previous statement.

## HIGHER SCHOOL CERTIFICATE

**Mrs GRUSOVIN:** My question is to the Minister for Education and Training. What is the latest information on the new Higher School Certificate?

**Mr AQUILINA:** Before I answer the question, I welcome to the gallery students from the Tomaree Education Centre. They will be the major beneficiaries of what I announce today. In its first term this Government produced a white paper titled "Securing Their Future". This outlined reforms to preserve and strengthen the intellectual rigour and quality of the Higher School Certificate [HSC]. The Government set out to improve curriculum standards by establishing strict new guidelines for new and existing subjects and courses. We recognised the need for a new curriculum structure to arrest the decline in advanced study. The proportion of students undertaking the most challenging English course had declined by 50 per cent between 1991 and 1996. In the new HSC we set out to reverse that trend. We were committed to strengthening the study of English and to enabling students to study four units of English. Our intention was to bring English into line with mathematics, where four units have been available for many years.

There was also a need to enhance the quality of vocational studies. We set out to provide vocational courses that meet the standards expected of all HSC courses and lead to industry-recognised vocational qualifications. These reforms have now been implemented following exhaustive consultation with all key education communities. We now have in place an up-to-date curriculum that challenges students to achieve high standards and offers quality pathways into further education, training and work.

I am pleased to announce today that the first evidence appears to be showing that our reforms are succeeding. Preliminary advice on this year's enrolments indicates that the new HSC has begun to turn around the decline in advanced study under the previous system. This year more than 20,000 year 12 students, that is almost one-third of the entire 2001 HSC candidature, are taking on the most challenging new two-unit English advanced course. This compares with only 8,803 students who started the most challenging two-unit English course in 2000. It is also pleasing to note that almost 4,000 of these English advanced students have taken the English extension 1 course. This compares with 1,613 students who undertook the corresponding three-unit course in 2000.

A further 1,500 students have undertaken the new English extension 2 course, giving them four full units of English. There has also been a 16 per cent increase in the number of students taking the highest level mathematics course under the new arrangements. In 2001 there are 2,742 entries in the mathematics extension 2 course, compared with 2,354 enrolments in the four-unit mathematics course in 2000. Honourable members should understand that students have the opportunity to take two additional extension units in mathematics beyond the two-unit course. The uptake of advanced study in these critical areas of the curriculum endorses the Government's belief that the new structure of the Higher School Certificate [HSC] challenges students to do their best.

I turn now to vocational education. Preliminary advice on year 11 vocational course entries shows that interest in vocational courses has continued to rise. I am pleased to confirm the continuing upward trend in enrolments in the new industry framework courses which are designed to give students industry-accredited qualifications as part of their Higher School Certificate. There has been a 24 per cent increase in students enrolling in these courses in year 11 this year, compared with last year. It is particularly encouraging to note a 60 per cent increase this year in the number of year 11 entries in the information technology [IT] industry course. In 2001 there are 6,068 year 11 enrolments in this course, compared with 3,781 enrolments last year. Students undertaking this course will gain a head start into the qualifications recognised by the IT industry.

One shortcoming of the old HSC was that too many new subjects were introduced that had no meaningful pathways to further study. While we will not introduce a spate of new courses, the Government

recognises the need to be flexible and to introduce new and emerging areas of academic study and vocational demand when warranted. Accordingly, I am pleased to announce that two new courses have been endorsed by the Board of Studies for development as HSC courses commencing in 2003. The first is a course in cognitive science and psychology of learning. Over the past few decades there have been some astonishing breakthroughs in scientific understanding of the mind and how people learn. This has been taught in universities for some time but too little has filtered through to what we teach students in schools.

This will be a rigorous and challenging scientific course, complementing the existing range of new HSC science courses in biology, physics, chemistry, and earth and environmental science. The Government will also introduce a new entertainment and music vocational framework course for implementation in 2003. This course will provide budding entertainment and music industry professionals with the chance to gain skills and experience in the industry while completing their Higher School Certificate. Topics covered in the new course include theatre, acting and stage production; sound, lighting and backstage skills; songwriting; and concert promotion. Schools such as the Hunter School of Performing Arts in Newcastle have already been doing topics like this successfully. Now they will form a new subject recognised as part of the HSC.

**Mr Gaudry:** A great school.

**Mr AQUILINA:** A great school, as the honourable member for Newcastle says.

**Mrs Chikarovski:** So are Hunters Hill High School, Chatswood, Maroubra and Marrickville.

**Mr AQUILINA:** I remind the Leader of the Opposition that we will have a full radio studio and a media technology laboratory at Glebe Senior High School and Dover Heights High School.

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

**Mr AQUILINA:** I emphasise that these courses will be introduced in 2003. Even the honourable member for Epping will be able to write a textbook in that time. Both of these courses will be developed in accordance with the new quality guidelines that were introduced as part of the Government's HSC reforms. This is sound evidence that the new HSC is setting the right course for students in New South Wales. New South Wales is now widely recognised as leading the nation in the development of rigorous, relevant and challenging curriculum, and I am sure that these two new subjects will be welcomed by prospective HSC students.

#### **DISABILITY SERVICES CORRUPTION ALLEGATIONS**

**Mr HAZZARD:** My question is directed to the Minister for Disability Services. In what circumstances and when did the Minister first become aware that serious allegations of potentially corrupt conduct involving her personal staff in the funding process for disability groups had been made—allegations so serious that they have been referred to ICAC by the Acting Director-General, Andrew Cappie-Wood?

**Mrs LO PO':** I understand that certain allegations have been made to ICAC. ICAC has yet to advise whether the investigation will be conducted. Given that this matter has been referred to ICAC, it is inappropriate to further comment at this stage.

#### **WESTERN SYDNEY DOG ATTACK**

**Mr GIBSON:** My question without notice is directed to the Minister for Local Government. What is the Government's response to the dog attack in Sydney's west yesterday?

**Mr WOODS:** Honourable members are more than likely aware of a particularly ferocious dog attack in Sydney's west yesterday. It was a disturbing attack that resulted in the death of two family pets. I call on anyone who may have information that could help identify the owner of these dogs to contact Crimestoppers, Blacktown police or Blacktown council. I am sure honourable members would join me in wanting to see the owner of these dogs located as soon as possible.

I am advised by police and Blacktown council that yesterday at about 1.00 p.m. two pitbull terriers, a male and a female, attacked a Jack Russell terrier in Glenbawn Place, Woodcroft. The two pitbull terriers had forced their way through a fence to attack the dog. The attack appeared to be over in just a few minutes. When

the council's animal services officer arrived at the scene the two attacking dogs were no longer there. In an effort to locate the dogs a doorknock of houses in the area was undertaken by Blacktown council and police, and while undertaking those searches the police received a call that the dogs had been found. They were attacking another small dog in nearby Tuggerah Street. When they were discovered, the dogs ran off but they were caught by a council officer.

Sadly, both small dogs died after the attack. The two pitbull terriers are now being held in Blacktown city pound pending further investigation by police and council. The Department of Education and Training advises that a policeman informed a teacher at Marayong South Public School that the two dogs were on the loose nearby and to take the children out of the playground. The children were gathered in the school hall for about 50 minutes. Shortly before 3.00 p.m. the police informed the school that the dogs had been captured and the students could go home safely. So no student was at risk during the afternoon, and I praise the police and the school for taking appropriate measures in this regard. I also praise the efforts of Blacktown council in capturing the dogs before they could do more damage. I am advised that council rangers are now canvassing the area with photographs of the two pitbull terriers in the hope of finding the owner. While members opposite may see this as a laughing matter, I can assure them that the owners of the two small dead dogs do not see it as amusing at all.

**Mr SPEAKER:** Order! The honourable member for Willoughby will remain silent.

**Mr WOODS:** Identification of these dogs is made more difficult because the dogs were neither microchipped nor registered. The manager of Waste, Urban Animal and Emergency Services, Blacktown—

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

**Mr WOODS:** —advised that the dogs presented with a medium degree of scarring which indicated that they may have been involved in fights previously. The male dog was extremely aggressive when it became aware of other dogs as it was delivered to the pound. The female, although quieter, exhibited behaviour that indicated that it was prepared to attack. That is why it is important to find the owner. Honourable members will recall that on 7 March I urged anyone with information about illegally organised dogfights to contact the police. Again I urge that anyone who was in the area at the relevant time or who has information which may help to identify the owner should contact Blacktown police on 9622 0000 or Crime Stoppers on 1800 333 000.

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

**Mr WOODS:** Callers to Crime Stoppers may remain anonymous, if that is their wish, but they may be eligible for a reward of up to \$1,000. If the owner is found, he or she faces substantial fines of up to \$41,000. The court can also order the destruction of the two dogs and I believe that that may be warranted, given the seriousness of this attack. Although most dog owners are overwhelmingly responsible and their dogs are well behaved, I believe this incident is an example of irresponsible ownership. And it is not acceptable.

### VICTIMS OF TORTURE

**Mr LYNCH:** My question without notice is directed to the Minister for Health. How is the Government helping to support refugees who have been the victims of torture?

**Mr KNOWLES:** It may interest honourable members to note that today is the United Nations International Day of Support for Victims of Torture.

[*Interruption*]

I do not think that is funny. Right round the world today, places of assembly, including the United Nations General Assembly, are formally recognising torture as the most extreme violation of human rights and human dignity. Today we stress our abhorrence at the fact that the United Nations receives reports on acts of torture from more than 60 countries each year as well as evidence of government-sanctioned torture ranging from 100 to 130 countries. All nations have a responsibility to speak out and say "No" to torture and help to eradicate these evil practices.

I am proud to say that New South Wales is recognised as having one of the world's leading programs for assisting and rehabilitating victims of torture. I have spoken in this place before about the fine work of the Service for the Treatment and Rehabilitation of Torture and Trauma Survivors [STARTTS] which was established to address the growing, but unmet, needs of traumatised refugees, particularly those who have been

tortured as part of their ordeal. In recent years the number of people in detention in Australia has increased significantly owing to unauthorised boat arrivals of people largely from Afghanistan, Iraq and Iran. The vast majority of those who have arrived have been detained and eventually have been found to be refugees. This, of course, is not surprising, given the terror that they have had to deal with in their countries of origin.

Afghans and Iraqis are fleeing two of the most persecutory regimes in the world, the Taliban and Saddam Hussein. The Taliban in Afghanistan has systematically violated the human rights of women through denying them education and the right to work. Most people who arrive in Australia are from the ethnically and religiously distinct Hazara Shiite minority who have been ruthlessly pursued by the Taliban.

In March 2001 Amnesty International released a report on the massacre of Hazaras by the Taliban. During August 1998, in just three days 2,000 Hazaras were murdered. With increasing arrivals in this country, the number of children in detention also has risen dramatically. Over the course of 2000, 500 children were held in detention for some parts of that year. An example of a child who is currently receiving help from STARTTS is a 12-year-old boy who was taken to the Woomera Detention Centre after being shipwrecked on Christmas Island. The child survived a kidnapping, persecution, trauma and forced separation from his mother, father and four younger sisters. As a Sabeen Baptist living in a hostile religious environment in Iraq, this young boy escaped with his family following his father's torture and arrest.

For the past 11 months, this child has received no schooling. He witnessed his uncle being locked into a caravan hotbox, kept awake all night and forced to endure searing heat during the day. It is interesting to note that, in common with approximately 80 per cent of asylum seekers in detention centres around Australia, this young boy and his extended family eventually were found to be genuine refugees and were granted temporary protection visas. As might have been expected, the councillors from STARTTS found a very traumatised 12-year-old who was suffering from depression and anxiety. He had constant nightmares and gross eating disorders. STARTTS, with its highly skilled individuals, has begun to help him to rebuild his life. The STARTTS professionals have worked with the child to restore his physical health, address psychological problems and help him to re-establish communication with his mother.

As I said, last year there were 500 children in detention centres in Australia—children in circumstances not terribly dissimilar to those experienced by this individual—but this is a typical story of the daily work of the men and women who make up the STARTTS team and the thousands of individuals and families they serve, that is, families who originated from more than 50 nationalities but who now call Australia home. As is well known, STARTTS was the lead agency in providing torture and trauma alleviation services to the Kosovars and East Timorese as part of Operation Safe Haven—a great honour in international terms and a great tribute to the dedication and professionalism of the STARTTS team. It is therefore entirely appropriate on this special day—on this international day—that I announce an additional \$600,000 for STARTTS to increase its annual recurrent funding to \$2.1 million per annum for the provision of vital services.

The additional funding will establish a clinic especially for children who have been the victims of torture and trauma, employ an additional staff specialist psychiatrist to support external consultant psychiatrists and expand current counselling services. I am sure that I speak for everyone in this Parliament and in the broader community when I express gratitude for the work undertaken by the STARTTS team. Today's announcement from the Government is a show of our support and compassion for genuine refugees. It recognises that, as a nation, we are more than willing to do what we can to assist those who are less fortunate and those who have been subjected to the terror and degradation of torture.

#### **WORKCOVER INDUSTRIAL COMMISSION EXEMPTION CLAIM**

**Mr MERTON:** My question is directed to the Minister for Public Works and Services. Given that WorkCover has spent \$70 million of taxpayers' money to promote safety in the workplace, why did he allow his department to go into court and claim an exemption from the New South Wales workplace safety laws, prompting condemnation from the Labor Council and other union and safety officials?

**Mr IEMMA:** The matter to which the honourable member for Baulkham Hills refers is a dispute on a construction site that involved, from memory, a hospital project. The legal argument presented by my departments did not, as the honourable member contends, state that the department or any of its officers is above the occupational health and safety laws of this State. Like everybody else, they are bound by those laws. What is before the Industrial Commission at the moment—the bench has reserved consideration of this matter—is a jurisdictional question that the bench is currently considering. Contrary to the assertion made by some affiliates of the Labor Council, the matter is quite properly before the Industrial Commission where argument has taken place.

The commission will receive further submissions on the jurisdictional issue and will rule at a later date. That later date is anticipated to be later this year. It is quite properly a matter for the Industrial Commission and it is quite properly a matter for counsel who are acting on behalf of the Department of Public Works and Services [DPWS]. Very solid Queen's Counsel opinion has been obtained on the jurisdictional matter. In relation to the Occupational Health and Safety Act, no officer of DPWS, or any of the contractors who work for DPWS on behalf of the New South Wales Government, on any construction site in relation to any project—hospitals or schools—is above the occupational health and safety legislation.

#### GOVERNMENT DEPARTMENTS AND AGENCIES RELOCATION

**Mr W. D. SMITH:** My question without notice is directed to the Minister for Public Works and Services. What is the latest information on the Government's plans to move departments and agencies to areas outside Sydney?

**Mr IEMMA:** I thank the honourable member for South Coast for his timely question, given an article that appeared in the *Australian Financial Review* last week. I can report to the House that on 26 April I executed the development deed for the construction of a new building in Gosford to accommodate 420 WorkCover staff. This is part of an ongoing government program to relocate State public servants in regional areas, not only to boost jobs and services in those areas but also to stimulate investment. As members would be aware, this was a key commitment made by the Government in the lead-up to the last election.

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

**Mr IEMMA:** Honourable members would be aware also that the honourable member for Gosford, together with his friend Mr Gallacher in the upper House, has never once supported this relocation and has always cast doubt on the fact that it will happen.

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

**Mr IEMMA:** As I have said, the deed for the development was executed on 26 April. The contract involves a 62-week construction period and a 12-week fit-out. It is anticipated that WorkCover will be fully operational in Gosford by late 2002. The project will also involve the Government procuring a new building for WorkCover, which is an added dimension to the promise the Government made in the lead-up to the last election. The construction of the building will create more than 250 jobs. Far from what was asserted by the reporter in the *Australian Financial Review* article—that in fact the jobs would remain in Sydney and would not be relocated to Gosford—the Government has expanded what was originally announced, and as a result will be procuring a purpose-built building for WorkCover at Gosford, which will generate 250 jobs.

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

**Mr IEMMA:** I know that jobs in regional areas cause some merriment for the Opposition. Later I will refer to what appears on the Coalition's web site with regard to relocating jobs to regional areas. The honourable member for South Coast is well aware that the Government's commitment to relocate the Department of Local Government to Nowra is proceeding. Indeed, the Government has signed a contract with the Stevens Development Group for the construction of a building for that purpose.

As with the original announcement which involved a commitment to relocate the jobs from Bankstown to Nowra, the project now has an added dimension and will involve the construction of a purpose-built building which will generate 100 jobs. The relocation of the Department of Local Government to Nowra will create an additional 62 jobs in that area and more than 100 jobs in construction—again, far from what was outlined in the *Australian Financial Review* article and by the Leader of the Opposition. The project is on track and will be completed in late 2002 or early 2003. Sixty staff of the Superannuation Administration Corporation have already been relocated to Wollongong, and an additional 140 staff will relocate later this year or early next year to meet the Government's commitment to relocate 200 staff there.

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

**Mr IEMMA:** Last week the Minister for Police announced the successful tenderer for the relocation of the Police Traffic Infringement Processing Bureau to Maitland, with some 150 jobs relocating there. That project also has an added dimension. A building will be renovated for the purpose of the relocation, which will

generate an additional 100 construction jobs. It is interesting to consider the latest information on relocating jobs to regional areas as shown on the Opposition's web site. The Government's commitment to delivering jobs and investment to regional New South Wales includes the relocation of WorkCover to Gosford, generating some 420 jobs, along with the added element of construction creating a further 250 jobs; the relocation of the Department of Local Government to Nowra, creating 62 jobs and an additional 100 construction jobs; the relocation of the Police Traffic Infringement Processing Bureau to Maitland, involving the relocation of 150 jobs and the creation of 100 construction jobs; and the relocation of the Department of Land and Water Conservation to Dubbo, involving the relocation of 100 jobs.

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

**Mr IEMMA:** I also refer to the relocation of the Registry of Co-operatives to Bathurst, which will create an additional 40 jobs.

*[Interruption]*

I will come to Orange in a moment. I also refer to the relocation of the Superannuation Administration Corporation to Wollongong, involving 200 jobs; the relocation of 50 jobs to Murwillumbah with the relocation of the Police Firearms Registry; and the relocation of the Department of Land and Water Conservation native vegetation unit to Wellington. In total, that is more than 1,000 jobs. When we search the Coalition's web site for a policy on relocating jobs to rural and regional New South Wales, we find great pearls of wisdom.

**Mr Carr:** What does the Opposition's web site say?

**Mr IEMMA:** It says, "The Coalition believes in the balanced development of our economy and the decentralisation of population and services." It took a long time and a lot of creative thinking to come up with that. When one tries to ascertain what promises the Coalition has to relocate agencies to regional and rural locations—having gone through the list, one can find in any directory of State Government agencies where they are and when the leases expire—one finds not one. The only promise one finds occurred a very long time ago, which the honourable member for Lachlan just alluded to: decentralisation of the New South Wales Department of Agriculture to Orange. That is it. That is the only one.

**Mr Scully:** You were in short pants.

**Mr IEMMA:** That is right. As the Minister for Transport says, I was in short pants. I omitted to mention the relocation of the Police Service to Parramatta, which, I am sure the honourable member for Parramatta would agree, is a good regional location, being the second central business district of Sydney. A total of 1,300 staff will be relocated there before 2004, in addition to more than 1,000 to country locations. If we look at what a Coalition Government would do as far as relocating government jobs to country areas is concerned, we cannot find one new proposal of an agency being relocated to any area outside of Sydney, apart from a rehashing of the old program of moving the Department of Agriculture to Orange and the motherhood statement, "We believe in the balanced development of our economy and the decentralisation of population and services." That is the only thing the Coalition has been able to come up with since the Department of Agriculture moved to Orange a very long time ago.

As the Minister for Transport reminds me, the Government's program of relocating government departments and agencies to regional areas also includes the relocation of the Roads and Traffic Authority call centre to Newcastle, which will create 100 jobs, and the relocation of 45 Roads and Traffic Authority cashback staff to Dubbo. The latest count is a total of 1,145 jobs to regional areas. At the moment it is 1,145 and going up, and every single day we are adding to the list of agencies that are relocating to country and regional areas.

**Mr W. D. SMITH:** I ask a supplementary question. How have these communities responded to these initiatives?

**Mr IEMMA:** The response has been overwhelmingly positive—unlike that of the honourable member for Gosford. The Government's proposal to relocate 420 public servants to his electorate will also involve the employment of 250 people in the construction of a purpose-built building. The response to the Gosford relocation has been extremely positive from those involved in the building and construction industry on the Central Coast, who will stand to benefit enormously from the 250 jobs that will be generated for subcontractors in concreting, steel fixing, plumbing and electrical work, as well as those who will be involved in fitting out the building.

Not only does the WorkCover project involve the construction of a \$25 million building, but it also involves \$8 million for a fit-out of the building, which will go to local subcontractors in the building industry. I advise the honourable member for South Coast that the same will apply to the \$10 million construction of the purpose-built building for the Department of Local Government at Nowra. As part of the tender process, successful tenderers have to submit how they will employ local subcontractors for that project. Having met with the successful proponents, all the subcontractors that will be used look forward to participating in that project. Many of those subcontractors will be from Nowra and the South Coast.

#### NATIONAL PARKS AND WILDLIFE SERVICE INDEPENDENT INQUIRY

**Ms SEATON:** My question is directed to the Minister for the Environment. With today's admission that 42 penguins were burnt to death in a national park incident, when will the Minister admit that following the destruction of plant and animal life in the TransGrid clearing incident, following hundreds of bat deaths in a bungled park research project and the bungled brumby cull, it is time that he opened up the National Parks and Wildlife Service to a full independent inquiry?

**Mr DEBUS:** Several days ago I spoke with Mr Robert Pallin, Chair of the Nature Conservation Council of New South Wales.

**Mr O'Farrell:** He is my constituent.

**Mr DEBUS:** He is a constituent of the Deputy Leader of the Opposition, which is no fault of Mr Pallin. The Chair of the Nature Conservation Council said that national parks are in better shape now than they have ever been. That is not surprising in so far as the area reserved to national parks in New South Wales is now 35 per cent higher than when the Coalition was in office.

**Mr SPEAKER:** Order! I place the honourable member for Myall Lakes on two calls to order. The Leader of the Opposition will cease interjecting.

**Mr DEBUS:** The amount spent on conservation per hectare of national park has more than doubled. It has increased from \$15 per hectare to an affordable \$35 per hectare.

**Ms Seaton:** Point of order: Under Standing Order 85 the Minister is required to give an answer relevant to the question. The question was: Will the Minister have a full independent inquiry into the entire parks service? The Minister is talking about issues entirely unrelated to the answer to that question. I ask you, Mr Speaker, to call him to answer that question directly.

**Mr SPEAKER:** Order! There is no point of order. I have called the honourable member for Pittwater to order on three occasions. I ask the Serjeant-at-Arms to remove him from the Chamber.

*[The honourable member for Pittwater left the Chamber, accompanied by the Serjeant-at-Arms.]*

**Mr SPEAKER:** Order! Four other members are on three calls I will pay close attention to them for the remainder of question time.

**Mr DEBUS:** The honourable member for Southern Highlands has attempted to draw together several utterly and obviously unrelated incidents. Any well-informed conservationist would advise that the national parks system in New South Wales is regarded as one of the five best in the world. It is a fact acknowledged by everybody who knows anything about national parks—which, of course, does not include members of the National Party, who consistently contradict almost everything that the honourable member for Southern Highlands ever says about national parks. Her purpose is to undermine the vitally important work that the National Parks and Wildlife Service carries out for the environment and the community for her own short-term political interest.

**Mr SPEAKER:** Order! The Premier will remain silent.

**Mr DEBUS:** The facts of the Montague Island incident are relatively straightforward. Last Saturday a small experimental burn-off of an infestation of kikuyu grass spread to several hectares of this dangerous weed. The burn-off was part of a wider scientific project being overseen by the eminent scientist Professor Nick Klomp of the Charles Sturt University, who is working in partnership with the National Parks And Wildlife Service.

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

**Mr DEBUS:** Over several years Professor Klomp has been studying the threat posed by kikuyu infestation to the breeding habitat of the island's colony of 12,000 little penguins. In some areas the grass grows in thick mats up to two metres in height. During the period of his study Professor Klomp has found that the kikuyu threat has doubled and the penguin colony's growth is threatened by this weed. Indeed, a number of penguins have died over recent years as a result of being strangled by the grass.

**Mr SPEAKER:** Order! The Leader of the Opposition will cease interjecting. I place the honourable member for Vacluse on two calls to order.

**Mr DEBUS:** The burrows of the penguins have become overgrown, and that has significantly reduced the area in which the birds can live and breed. The birds instead have attempted to burrow in the kikuyu grass. There is no doubt that this problem needs to be dealt with as a matter of urgency. The Professor's project has closely studied options to deal with this matter, including experimental burning in limited areas, the use of herbicide and the replanting of native plants and trees. Last Saturday the experiment took place with burning. The timing, in fact, was carefully chosen because at that time of the year the overwhelming majority of penguins are offshore feeding rather than on the island nesting. I make two points: The park staff involved in looking after the penguins and in the research project have won a most substantial international award sponsored by British Airways for their management of the island and for their successful program balancing environment issues with ecotourism.

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

**Mr DEBUS:** Dr Peter Dann of the Victorian parks service has been appointed to conduct an independent inquiry into last Saturday's incident in order that we can all be certain of the circumstances involved. I propose to wait for the outcome of that inquiry, rather than jump to the sorts of shallow conclusions that the honourable member for Southern Highlands has specialised in when commenting about the National Parks and Wildlife Service.

**Mr SPEAKER:** Order! The time for questions has expired.

#### **TREATED EFFLUENT POLICY**

**Mr CARR:** Yesterday I was asked a question by the honourable member for Ballina about effluent policy. I can now advise the House that there is no conflict between the approaches of the Department of Land and Water Conservation and the Environment Protection Authority to effluent reuse. Both government agencies are working together on the appropriate management of treated sewage to achieve the best possible outcomes. The Government is committed to an effective sewage effluent management and recycling policy.

The Environment Protection Authority is chairing the group charged with developing the policy, with the Department of Land and Water Conservation included as a key member of the group. The policy will provide a clear framework for sewage management and assist in determining the best mix of solutions. The Water Management Act 2000 provides for the development of rules for effluent return flows and credits against water entitlements. These rules will be developed as a regulation, requiring the concurrence of the Minister for the Environment. The Government will be developing these rules as the Water Management Act is implemented.

**Questions without notice concluded.**

#### **CONSIDERATION OF URGENT MOTIONS**

##### **Federal Electoral Enrolment Report**

**Mr CRITTENDEN** (Wyong—Parliamentary Secretary) [3.21 p.m.]: My motion is urgent because the Federal government is attempting to bludgeon State governments into adopting fundamentally flawed enrolment procedures that are clearly unacceptable.

##### **Licensing Court Resources**

**Mr OAKESHOTT** (Port Macquarie) [3.21 p.m.]: My motion is urgent because the Licensing Court of New South Wales only recently released figures showing an extraordinary backlog in casino prosecutions and general prosecutions, and a backlog in development applications of up to three years. It is estimated that \$2 million in applications are waiting to be resolved through the Licensing Court. An extraordinary amount of

work waits to be dealt with. That is holding up the processing of development applications in New South Wales. Though this Parliament is about to debate poker machine restrictions legislation, and a gaming package is to be delivered in the coming weeks, the underresourcing of the Licensing Court demonstrates a total lack of commitment by the Government to the incredibly important issues of monitoring, enforcement and compliance responsibilities of the Department of Gaming and Racing.

As far as applications are concerned, an extraordinary 11,106 applications are pending, while currently 6,977 have been lodged. Some 46 casino prosecutions are still waiting, and 1,117 general prosecutions are pending. These extraordinarily high figures demonstrate that the Licensing Court is well and truly behind the eight ball and is not working as it should. At the moment, all sorts of harm minimisation legislation is going to this Parliament, with the Government trying to look pretty and doing all it can to try to demonstrate that it cares about these issues and the portfolio of gaming and racing as well as reform of this whole area. The facts I have given indicate that, to the contrary, the Government simply is not taking these issues seriously and is not dealing with matters such as monitoring, compliance, enforcement and prosecution. Those are being dealt with as secondary matters by the Government while it takes \$954 million in revenue from 101,423 gaming machines, as latest figures indicate. Up to \$954.1 million has been taken up to June this year from poker machines alone.

**Mr Gibson:** Point of order: I am reluctant to take the same point of order that I have taken many times in this Chamber over the years. Standing orders, which the Coalition introduced, clearly state that a member must establish why it is more important to debate his or her motion than to debate a competing motion. The standing orders afford the member no latitude to address the substance of the motion, which the honourable member for Port Macquarie has been doing.

**Mr SPEAKER:** Order! The Deputy Leader of the Opposition will resume his seat. The honourable member will state his point of order.

**Mr Gibson:** It is simply that the member must establish why it is more important to debate his motion than the motion noted by the Government member. That is the scope permitted by the standing orders. As I have said before, if we do not observe the standing orders, we have nothing in this Parliament.

**Mr SPEAKER:** Order! The honourable member for Port Macquarie may proceed.

**Mr OAKESHOTT:** This motion is urgent because more and more issues are being flicked to a date further down the track, such as technical standards on poker machines, which was a big issue from last year. That has been flicked out of the gaming package. The Liquor Administration Board and the Licensing Court have said that they are so underresourced that they cannot deal with the issue, so the matter has been deferred until September this year and therefore will not be part of the gaming package. That is a complete cop-out by the Government, which is demonstrating that it has no commitment whatsoever to the issue. The Government should be ashamed.

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

**The House divided.**

**Ayes, 51**

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 Hunter	Dr Refshauge
Mr Bartlett	Mr Iemma	Ms Saliba
Ms Beamer	Mr Knowles	Mr Scully
Mr Black	Mrs Lo Po'	Mr W. D. Smith
Mr Brown	Mr Lynch	Mr Stewart
Miss Burton	Mr Martin	Mr Tripodi
Mr Campbell	Mr McBride	Mr West
Mr Carr	Mr McManus	Mr Whelan
Mr Collier	Ms Meagher	Mr Woods
Mr Crittenden	Ms Megarity	
Mr Debus	Mr Mills	
Mr Face	Mr Moss	<i>Tellers,</i>
Mr Gaudry	Mr Nagle	Mr Anderson
Mr Gibson	Mr Newell	Mr Thompson

**Noes, 34**

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

**Question resolved in the affirmative.**

**FEDERAL ELECTORAL ENROLMENT REPORT****Urgent Motion**

**Mr CRITTENDEN** (Wyong—Parliamentary Secretary) [3.36 p.m.]: I move:

That this House:

- (1) notes the recent report of the Federal Parliament's Joint Standing Committee on Electoral Matters;
- (2) expresses its concern about some of the recommendations contained in the majority report;
- (3) further expresses concern that these recommendations, if adopted, will disadvantage thousands of citizens, including young people, low income earners, people in rural and remote areas, disabled people and the homeless;
- (4) notes the similarities to the Greiner Government's "ticks and crosses" legislation.

This sorry saga had its genesis on 23 August 2000 when Senator Ellison, the then Special Minister of State in the Federal Parliament, gave a reference to the Joint Standing Committee on Electoral Matters. I understand that up until that time the Joint Standing Committee on Electoral Matters had operated in a bipartisan way to effect positive change for the people of Australia. Even worse, the Prime Minister handpicked Mr Pyne to take over the chairmanship of that committee. At the first meeting of the Joint Standing Committee on Electoral Matters that was chaired by Mr Pyne he used his casting vote to defer the current reference relating to funding and disclosure.

The corporate veil has been lifted on HIH Insurance. The Prime Minister has been dragged kicking and screaming to a royal commission. No doubt the provisional liquidator of One.Tel has more information for the people of this country. The Federal Government was desperate to ensure that the murky arrangements relating to the Greenfields Foundation were not brought to light. So this whole reference relating to electoral rolls fulfils two purposes: first, it gets away from the Greenfields Foundation and, second, it tries to cast aspersions and to muddy the waters on a range of issues relating to enrolment procedures.

As I pointed out earlier, there are two fundamental problems in relation to this report—Government recommendations Nos 4 and 6. In Government recommendation No. 4 the Federal Government is trying to bludgeon State governments into agreeing to fundamentally flawed enrolment procedures. The regulations contained in Government recommendation No. 4 will discourage and frustrate the genuine enrolment of voters. The proposed regulations are deliberately designed to place bureaucratic, social and cost barriers in the way of enrolment. The regulations disfranchise people by placing significant barriers in the way of new enrolments. They will also have little or no effect on fraudulent enrolments.

Just today I was advised by my colleague the Federal member for Dobell that a young woman came into his electorate office at The Entrance. She had with her a birth certificate but, because that birth certificate had been obtained no more than five years earlier, she was not eligible for the Newstart allowance. Those are the proof of identity requirements that have been instituted by the Prime Minister and by the Federal Government. This young person of 16 goes to the trouble of getting a birth certificate, but because it was not issued more than

five years before the Federal Government wants her to starve. If she were 18 and the birth certificate was not more than five years old, not only would she be expected to starve, she would also be denied the vote.

It is regrettable that we have come to this parlous state where the Federal Government is clearly trying to erect barriers to ensure that people in remote localities, Aboriginal people and young people especially are denied the right to enrol on the electoral roll. Lest the Opposition in this place believes that this matter concerns only the Government and the Labor Party, I point out that Professor Colin Hughes, a well-respected former Electoral Commissioner, argued strongly against the proposed regulation. Importantly, he noted that the tightening of enrolment procedures would have a cost that would operate to the detriment of relatively disadvantaged elements of the community.

**Mr Debnam:** What cost democracy?

**Mr CRITTENDEN:** It is all very well for the honourable member for Vaucluse to be complacent about people in his electorate, but a lot of young people in this country deserve the right to vote. They deserve to be given a reasonable chance of getting their names on the electoral roll; they deserve the right to cast judgment on a backward-looking Federal Government that has lost its way, that has never had any vision and has not been interested in promoting this country or providing opportunities for the next generation. Some people accuse the Prime Minister of being caught up in the 1950s with a white picket fence. With this draconian recommendation the Liberal Party is trying to regress to the middle part of the nineteenth century when people had to have a property qualification before they could vote. This is the twenty-first century and people deserve a fair chance to cast judgment on a Federal Government that has been lacking in vision and which simply does not have a clue how to do anything except to try to rot the system.

Recommendation 6 relates to the closing of the rolls. The recommendation proposes that for new enrolments the rolls for an election close on the day the writ is issued, and for existing electors updating address details, the rolls close on the third day after the issue of the writ. That is similar to a provision in the Parliamentary Electorates and Elections Amendment Bill, which was debated in this Chamber on 28 November 1990. That happened to be the night of the press party. The debate raged on while the media were at the press party. One of the onerous provisions in that bill, in addition to the ticks and crosses provisions, sought to ensure that the Greiner Government was able to obtain a redistribution before every subsequent election. The Government then tried to close the rolls on the date of the election rather than, as traditionally was the case, three days after the writs were issued. Today that is not so relevant because we have fixed four-year terms and everyone knows that the election will be held in March 2003. However, on the night of the press party, 28 November 1990, it was important.

Recommendation 6 will cause massive confusion on election day. There will be long queues to vote and significant delays in declaring results in many seats. This recommendation seeks to make sure that aged people in my electorate are on some sort of conga line, that they will have to wait a long time before they get into the voting booths, and will therefore be discouraged from casting their votes. Many elderly people in my area are unable to stand for long periods, but they cherish the right to exercise their democratic vote. This recommendation seeks to make sure that those people stay in that conga line and are discouraged from voting. Even more worrying is the recommendation that the rolls be closed soon after the election is called and no new enrolments be allowed.

That would disenfranchise 80,000 potential new enrollees at each election, most of whom, I suggest, would be young people. That is appalling. Even worse, when he was in Opposition the Prime Minister rejected a solution to this whole problem. On 23 September 1987 he said that the Opposition believed that the Australian Card legislation was flawed—it was not flawed—and the proposed Australia Card could not be introduced. That was in his press release numbered L138/87. If the Prime Minister is fair dinkum about this, why was he not fair dinkum in September 1987 when he had an opportunity to support the introduction of the Australian Card?

**Mr FRASER** (Coffs Harbour) [3.45 p.m.]: I thank the honourable member for Wyong for moving this motion:

That the motion be amended by leaving out paragraphs (2), (3) and (4) with a view to adding instead the following paragraph:

- (2) calls on the State Government to support the Parliamentary Electorates and Elections Amendment (Enrolment and Voting) Bill standing in the name of the member for Coffs Harbour on the business paper.

I am amazed that the honourable member for Wyong has claimed that the standing committee's report contains nasty discriminatory recommendations. Has he asked the Minister for Fair Trading to come down heavily on

local video stores that ask people for more proof, albeit of the same type as the committee recommends, to become a members of the video club than they require to vote? Is that discrimination against young people, low income earners, people in rural and remote areas, disabled people and the homeless?

**Mr Brown:** Don't trivialise the debate.

**Mr FRASER:** I am not trivialising it. All honourable members know about the rorts that have gone on in the Labor Party for years. There is ream after ream of newspaper reports of rorting in Queensland. If anyone thinks that rorting came from Queensland to New South Wales, I have news for them: It went from New South Wales to Queensland. I have talked in this House before and I will continue to talk about Joe Moran, the North Coast organiser for the Australian Labor Party [ALP]. I refer to a report in the *Sydney Morning Herald* of 18 November 1988 headed "Police probe by-election voting: Labor man quits job." Joe Moran stood as a candidate for the seat of Coffs Harbour against Matt Singleton. He came from Macksville, which is out near Yarrahappini. In 1988 he put his name on the roll for the Port Stephens by-election. The electoral official looked at the address given on the form and knew the block of land. The block was a vacant commercial block in Port Stephens. No-one lived there and, when challenged, Mr Moran admitted it. He was eventually convicted and fined. This has been going on since 1988.

The problem here is that, with a Federal election imminent, up to 400,000 voters are on the roll who should not be there. When the honourable member for Wyong talks about the homeless, he means the people who, on paper, move from Western Australia to the Northern Territory, to Queensland, to New South Wales, to Victoria, to South Australia to Tasmania and to the Australian Capital Territory. When an election is coming up they are just shifted over. The Electoral Commissioner is asked to shift them into another electorate, where they can vote. The honourable member knows about the 14 votes in Dubbo. I happened to be at the radio station in Dubbo when the honourable member Dubbo nominated. The radio station fellow said to me, "The ALP walked in here today and cancelled \$6,000 worth of advertising." Why? He won by 14 votes, and a bag of votes went missing from Wellington. I would love to see the roll out there to see how many of these homeless people, dud ALP voters, were on the roll.

How many votes did the honourable member for Clarence win by? He won by 143 votes with 38 per cent of the vote. In both of those cases ALP members walked in en masse to scrutineer. Amazingly, I witnessed 100 votes land on a table in Clarence, and then they disappeared. Why did those votes disappear? They disappeared because I challenged them. Members opposite are top of the pile when it comes to rorting. Not only do they dud electoral rolls; they also dud their own branches. In response to the Parliamentary Secretary, I refer to a widely circulated ALP document entitled "Abuse of Power". That document refers to how the honourable member for Cabramatta and the honourable member for Fairfield illegally stacked branches.

**Mr Crittenden:** Point of order: This debate is about the report of the Federal Joint Standing Committee on Electoral Matters. It has nothing to do with the ancient history of one political party or another. I ask you to drag the honourable member for Coffs Harbour kicking and screaming back to the leave of the motion.

**Mr FRASER:** To the point of order: I moved an amendment to the motion which asks the Government to support my bill, which refers to the frauds and rorts that have taken place in the ALP for years. I call on the Government to support my bill, which exposes the rorts and the nonsense that members opposite have done for donkeys years. Members opposite have been exposed and they are running scared. ALP members have been convicted of electoral fraud.

**Mr SPEAKER:** Order! The honourable member for Coffs Harbour will resume his seat. On which page of *Notices of Motions and Orders of the Day* does the bill appear?

**Mr FRASER:** It is in the amendment.

**Mr SPEAKER:** Do you know which number it is?

**Mr FRASER:** If you want to play games, I will take a point of privilege. Refer to my amendment.

**Mr SPEAKER:** Order! We do not have a copy of the bill so I cannot rule on the point of order. The honourable member for Coffs Harbour has the call.

**Mr FRASER:** It is disappointing to see that the independence of the Chair is affected by this issue.

**Mr SPEAKER:** Order! The honourable member for Coffs Harbour will not reflect on the Chair. When speaking to the point of order, the honourable member referred to his amendment, which refers in turn to the bill he has introduced. I do not know what is in the bill, so I sought clarification.

**Mr FRASER:** The honourable member for Wyong was in The Entrance during the by-election back in 1981, and he knows full well that we scrutinised those tables as votes were cast. I actually caught one ALP member trying illegally to cast a vote at the ballot box.

**Mr Crittenden:** That's ridiculous.

**Mr FRASER:** It is not ridiculous. Members opposite know that it is true.

**Mr Crittenden:** That is scrutinising? How can you class that as scrutinising? How can someone cast a vote when you are scrutinising?

**Mr FRASER:** I was scrutinising at the table. The honourable member for Wyong has no idea. All he knows is what he has been taught by the ALP. All he knows is abuse of power. All he knows is the way ALP members stacked branches. Of late we have had a lot of whingers. Belinda Neal was screaming corruption and branch stacking in the Wyong area. That is how the ALP operates; it likes to stack branches and electoral rolls, and rort the system. Members opposite do not like my proposal to change the system because it will result in the Australian Labor Party being disfranchised. They do not want equity and fairness. The greatest attribute of this great democracy is the right of the people to cast a vote. However, the ALP rorts the system so that it negates peoples' votes. Let us look at "Abuse of Power" to see what the honourable member for Fairfield and the honourable member for Cabramatta did within their own branch structures. Let us look at all the headlines. Let us look at what happened in Queensland. I challenge members opposite to support my amendment and my bill.

**Mr BLACK (Murray-Darling)** [3.55 p.m.]: I must admit that when I was listening to the honourable member for Coffs Harbour my mind immediately went to the Hon. Duncan Gay in the upper House and his arguments about why western New South Wales should be carved up in a particular way. Like most members opposite, the Hon. Duncan Gay is of the view that Coalition members are born to rule and born to control the vote. They believe that unless you have six fingers and one set of grandparents you should not be voting at all. The situation is very clear: this debate is about who has the vote; it is not about who stacked the vote or who did whatever.

I turn now to a matter that was not covered by the honourable member for Coffs Harbour in his tirade. Recommendation 18 relating to regulatory ballots, refers to, "One vote, one value." Guess what? Once again the Tories have been at it. They speak tongue in cheek about one vote, one value and then want to apply it to the trade union movement. Since when did the Tories do anything else but bash the trade union movement? They have bashed the trade union movement to the point at which they have introduced year after year, when they have been in power Federally and in New South Wales, regulations designed to constrict the rights of the trade union movement.

Which organisation fought so bitterly against the principle of equal pay for women, which is one principle of the trade union movement? Who were the last elements in Australian democracy to fall on the issue of equal pay for women? This debate is not only about the issue of one vote, one value; it goes a lot further. I could not believe it when the honourable member for Coffs Harbour spoke about one vote, one value within the Labor Party. What did his party do in Queensland? They rorted the entire State by giving the control of many tiny country seats to people with six fingers and one set of grandparents.

I am pleased to say that in my electorate I do not have any people with six fingers and one set of grandparents. The people of western New South Wales have woken up. However, there are many people with six fingers and one set of grandparents in the peanut belt in Queensland, the belt on which Joh Bjelke-Petersen traded. One vote, one value, huge city seats and tiny country seats in New South Wales are nonsense. What did the Liberal Party, in conjunction with the National Party, do in Western Australia? Once again the National Party wanted tiny, weak country seats with only 15,000 voters and seven large seats in Perth with well over 30,000 voters. Without all the rhetoric about one vote, one value, the Labor Party was still good enough to win the election in its own right.

I am pleased to support a coastal Labor member, and Sydney Labor is to come: the honourable member for Wyong and the honourable member for Wentworthville respectively. The honourable member for Coffs

Harbour referred to the early close of electoral rolls. Why would the National Party support the principle of closing electoral rolls early if not to disfranchise the 80,000 Australians the party's own committee has estimated are eligible to vote? I wonder who these people are. Why would the National Party not want these people to vote? It is very simple: These people are mainly 18-year-old citizens who are enrolling for the first time or, alternatively, new Australians who have difficulty enrolling for all sorts of reasons.

The fact of the matter is that in New South Wales, as well in the rest of Australia, people change their addresses and submit change of address forms at the last possible minute. It is estimated that 320,000 voters do so when each Federal election takes place. Why would the National Party oppose the current circumstances that allow a last-minute change of address? In that context, transient workers has been referred to. It so happens that I represent an electorate in which there are lots of transient workers. Irrespective of whether these people are involved in the fruit industry or in the shearing game, many of them literally work in four States throughout a given season. Many of them obtain work in Victoria, New South Wales, Queensland and South Australia—four States—and they are not responsible for the timing of an election. The transient workers I am talking about are the people who made the shearing industry.

**Mr Oakeshott:** The real workers.

**Mr BLACK:** Yes, they are the real workers. But members opposite are saying, "We are born to rule. We, the bosses, can have the vote and the workers can't." Finally, I ask in relation to the proof of identity to vote: Who are we talking about denying the vote? Those people will be members of the Aboriginal communities and our rural workers. They are the ones who will be disfranchised. [*Time expired.*]

**Mr HUMPHERSON** (Davidson) [4.00 p.m.]: It is always amusing when the honourable member for Wyong moves a motion about the electoral system, talks the feigned, hysterical claptrap honourable members have heard and is followed by the honourable member for Murray-Darling. This debate is really about exposing the Government's opposition to reform of the electoral system. It is about the Australian Labor Party [ALP] attempting to entrench the rorts and mismanagement of the system which it has sought to exploit, at State, Federal and local government level, for its own ends. It is the Labor Party that is opposed to the reforms that have been recommended by a bipartisan Federal committee. The Labor Party is all about retaining the potential within the Federal electoral system for rorting and corruption in which, as all honourable members know, they are so expert. To be fair, I concede that this is the case not only in New South Wales but in all Australian States.

The Labor Party wants to entrench the existing opportunities for the exploitation of power both within the Australian Labor Party and the wider community. The document "Abuse of Power", which was tabled in the upper House and which has become part of the public record of this State, deals with the beliefs of the Labor Party and the exploitation in which it wants to engage. The document describes a litany of abuses of the right wing of the ALP in New South Wales throughout the early 1990s. Members of the ALP have exploited the party and have trampled over the rights of good, hardworking left-wing members of the Labor Party, people such as the honourable member for Wentworthville, who slogged her way through the pre-selection system of the ALP and who was trampled on by the right wing.

This is one isolated case, but I am quite happy to back the honourable member and give her the opportunity to have her say in the debate. But will she speak? Let me highlight two examples which the ALP would prefer not to have revealed. These are indicative of the continuous practice of the abuse within the ALP that is characterised by the rorting or forging of attendance records at the Neutral Bay branch, something that the honourable member for Cabramatta knows all about, and the bribery by the honourable member for Fairfield of the Port Macquarie branch of the ALP.

**Mr Crittenden:** Point of order: The honourable member for Davidson has been a member of this House long enough to know the standing orders. If he wishes to launch an attack on a member of this place, he should do so by way of substantive motion. I would have hoped that the honourable member for Davidson would have made a contribution that is relevant to this debate but what he is saying now is totally irrelevant.

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

**Mr HUMPHERSON:** I challenge the honourable member for Wyong to tell the House whether he supports recommendation 17 and recommendation 18 of the report. Recommendation 17 states that political parties should be able to use the services of the Australian Electoral Commission to conduct internal party ballots. I very much doubt that the honourable member for Wyong or other members of the ALP would be

prepared to stand by that recommendation. Recommendation 18 suggests an amendment to the Act to ensure that the principle of one vote, one value for internal party ballots be a prerequisite for registration of political parties. That is democracy, and I mention that for the benefit of the honourable member for Wyong. I challenge him to support it. I am not alone in my concerns about internal ballots of the Australian Labor Party. Last night the honourable member for Auburn raised branch stacking in the Auburn electorate in this House. He stated:

... hundreds of people with Lebanese names and names from other ethnic groups [are] being promised the world—housing, emigration and all sorts of things—if they join the Labor Party.

He said that he had advised new members of the Labor Party not to be fooled by people who come to them with promises. He said:

Much of that sort of escapade comes from Laurie Ferguson's office and I am absolutely appalled that promises have been made to people that will never be delivered.

Where do members of the ALP stand on those sorts of allegations? Do they support recommendations that will basically stop that type of thing from occurring? I challenge the honourable member for Wyong to support the recommendations of the Federal inquiry. It is now clear that the honourable member for Wyong is really on about a duplication of the rolls for State and Federal elections which will result in a multimillion-dollar cost that will have to be borne by taxpayers.

**Ms ALLAN** (Wentworthville) [4.05 p.m.]: I am delighted to support the motion. It is timely to focus on the recently produced report of the Federal Parliament's Joint Standing Committee on Electoral Matters. When one looks at the body of that report, it is obvious that a range of issues is currently being forced through the Commonwealth Parliament which will have grave implications for all States, including New South Wales. The recommendations will disfranchise people throughout Australia. On the weekend I was most interested to read in the newspapers that one Christopher Pyne is the latest hero of the Australian Liberal Party. A number of articles dealt with the way in which Mr Pyne, because of the great work he has been doing on the Federal Parliament's Joint Standing Committee on Electoral Matters, will be slotted into a Federal Cabinet position as soon as a vacancy occurs. In November 2000 Christopher Pyne, who is a well-known bully in Federal politics, replaced the Federal member for Eden-Monaro, Gary Nairn, as chairman of the joint standing committee. As many honourable members in this Chamber would be aware, Gary Nairn is a true gentleman. He was too much of a gentleman, of course, for the Prime Minister, John Howard.

I am particularly interested in the recommendations made in the Federal committee's report because they will take bullying to a new degree. It must be said that the report has two main targets. One is the Australian Electoral Commission [AEC] and the other is the general voting public of Australia. A close reading of the report of the committee shows that it constantly attacks the integrity and performance of the Australian Electoral Commission. It was not enough that in the various inquiries carried on by the committee there were veiled attacks on the AEC. Recommendations in the report show that the Federal Government is trying desperately to discredit the AEC. That is outrageous, given the AEC's reputation for integrity and diligent performance. However, it is not surprising coming from a political party that traditionally does not even support compulsory voting. I do not know whether the Australian Liberal Party has managed to remove that policy from its books yet, but it is a party that does not want to encourage the Australian community to vote. So what does it do? It attacks the body that ensures there is effective voting in this country, the AEC.

To do so, a number of courses of action have been taken. The Australian National Audit Office has been used in an attempt to discredit the electoral rolls used by the AEC. In an attempt to discredit the current performance of people who already work in the AEC there is talk of greater security measures for employees. As the honourable member for Wyong has already highlighted, the Federal Government is also trying to erode the voting opportunities of the Australian electorate. Changes that will make proof of identity tougher will make it much harder for people to register on the electoral roll. That was essentially the theme of the speeches made by the two members from the Opposition side of the House who participated in this debate.

Closure of polls on the third day after we know an election will be held is a joke. We already know that many people struggle to get their names on the electoral roll within seven days. Many leave it to the last minute. They may have had a change of address, or perhaps they may never have had the opportunity to enrol after their eighteenth birthday, and they do not get on the roll. Yet the Coalition parties around this country are desperate to further discredit and disenfranchise those people. That is not surprising, coming from a person such as Christopher Pyne. We know that these are the sorts of credentials the Prime Minister, John Howard, wants to see on his front bench to succeed Peter Costello, the Federal Treasurer. They are the sorts of qualities that the conservative parties treasure.

The Coalition has made a completely ineffective attempt to shield Jackie Kelly from the scrutiny of the joint committee, and it will stop at nothing to ensure that these people are not scrutinised properly. The entire work of the committee over the past year or two has been totally partisan in its approach, and now the Federal joint committee is forcing through recommendations that will disenfranchise the Australian voting public. The Coalition is attempting to do that at a national level, and also to bully the New South Wales Government to do it with its electoral rolls. The good news is that the Coalition has been exposed at this level. It has been exposed by the minority court, and it has been further exposed by this motion.

**Mr CRITTENDEN** (Wyang—Parliamentary Secretary) [4.10 p.m.], in reply: I do not know enough one-syllable words to help the honourable member for Coffs Harbour. The proof-of-identity information sheet for a Newstart allowance says:

When claiming a pension, benefit or allowance, you and your partner have to prove who you are.

You can help do this by providing AT LEAST THREE ORIGINAL documents from the following. One of these documents must be from the primary document list.

As I have pointed out, just today a young woman in the Federal electorate of Dobell was denied a Newstart allowance. She went to the trouble of obtaining her birth certificate, but because that birth certificate was not procured more than five years before, under the rules of that little charmer Tony Abbott the birth certificate does not count. Those rules place an onerous burden on people trying to get their names on the roll, yet the same conditions are applied, and there is no reason to doubt they will be applied. It is bad enough that young people especially are being forced to borrow from friends or family, or otherwise starve. But as well as that, the Federal Government is now saying that those people are to be denied a franchise.

I turn to the quaint notion that somehow or other Government recommendation 4 will reduce fraudulent enrolment. All I can do is return to the comments of one Russell Hanson, QC, in his closing submission to the Queensland Criminal Justice Commission's Shepparton inquiry. On 19 January 2001 he observed:

The evidence suggests that in the vast majority of detected cases of false enrolment, a requirement for the person when initially enrolling to provide more detailed proof of identity would have had little impact on the conduct disclosed. It was at the point of change of enrolment that the possibility arose of false details being provided. The evidence is overwhelming that persons had originally been lawfully enrolled at an address at which they resided. Being lawfully enrolled, sometimes for many years, it is alleged that they changed their enrolment to a false address to enable them to vote at a particular voting site.

The real issue in this matter—which totally rebuts the comments of the honourable member for Coffs Harbour—concerns people changing their enrolment and not applying for new enrolments. Many of these people are young people who do not have identity. The Coalition suggests that those people should expend their money—indeed, that they should have expended their money at least five years ago—to obtain their birth certificate or whatever other primary or secondary documentation is required. That is a sad state of affairs. The honourable member for Coffs Harbour referred to the card from the video store. I do not notice in the list of primary and secondary documents any reference to a card from a video store. It seems that the honourable member for Coffs Harbour has simply grabbed a quaint line from the media. However, given the list of primary and secondary documents, the burden of proof on new enrolments, especially with regard to young people, is unacceptable.

I have scrutineered in quite a few ballots over a number of years going back to Bathurst in 1981 when—as the then member for Bathurst, Mick Clough, recalled in this place before his retirement—a ballot box was mysteriously found in Orange. As the then member for Bathurst pointed out, if that ballot box had turned up for the count someone would have gone to gaol. Surprise, surprise, it never turned up. The honourable member for Coffs Harbour referred to The Entrance election count. After the May 1991 election there were certainly irregularities and grave discrepancies with regard to the conduct of that ballot, but none of them related to the Labor Party. Interestingly, the returning officer in May 1991 was not the returning officer for the by-election in January 1992. [*Time expired.*]

**Question—That the words stand—put.**

**The House divided.**

**Ayes, 49**

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

**Noes, 35**

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

**Question resolved in the affirmative.**

**Amendment negatived.**

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

**The House divided.**

**Ayes, 50**

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

**Noes, 35**

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

**Question resolved in the affirmative.**

**Motion agreed to.**

### **BUSINESS OF THE HOUSE**

#### **Routine of Business: Suspension of Standing and Sessional Orders**

**Mr WHELAN** (Strathfield—Minister for Police) [4.34 p.m.]: I move:

That standing and sessional orders be suspended to permit:

- (1) the postponement of the matter taking the place of the matter of public importance at this sitting; and
- (2) the resumption of the debate on the following bills at this or a subsequent sitting:

Gaming Machine Tax Bill  
Liquor and Registered Clubs Legislation Amendment Bill  
Housing Bill  
Liquor Amendment (Gaming Machine Restrictions) Bill  
Evidence (Audio and Audio Visual Links) Amendment Bill  
New South Wales—Queensland Border Rivers Amendment Bill.

I indicate to the honourable member for Hawkesbury that his motion of no confidence in the Minister for Agriculture, and Minister for Land and Water Conservation is specially fixed for Thursday morning, when it will be considered. For the benefit of honourable members, if we conclude debate on the legislation, we will resume the budget debate at 7.30 p.m.

**Mr O'DOHERTY** (Hornsby) [4.35 p.m.]: This is the Government which on last Tuesday could not have the House sit at 2.15 p.m., the appointed time, because Government members were too afraid to come through a picket of the Parliament by other members of the Labor Party. This is the Parliament in which the Premier hides upstairs in his office while the Leader of the House sends you in, Mr Speaker, as the messenger boy for the Labor caucus to say that the House cannot sit. The rules of democracy were thrown out last week.

**Mr THOMPSON** (Rockdale) [4.36 p.m.]: I move:

That the question be now put.

**Mr SPEAKER:** Order! The question is, That the question be now put. Those of that opinion say, "Aye", those against say, "No." I think the ayes have it.

**Mr Hartcher:** Closure cannot be moved on this suspension motion.

**Mr O'DOHERTY:** The Leader of the House does not realise that he cannot move closure on a suspension motion.

**Mr SPEAKER:** Order! The honourable member for Hornsby may continue.

**Mr O'DOHERTY:** You cannot move closure on suspension. So you have stuffed it up again. The Government was not prepared to have this House sit when there was a quorum of members on this side who

were prepared to vote on behalf of their constituents, the workers and business people of New South Wales, because Government members would not come into the Chamber. That will go down in the history of this Parliament as one of its blackest days. This is the same Government that could not introduce legislation on that day, which could not have the House sit on that day, which now governs once again by the suspension of standing orders. Every day the Government moves for suspension of standing orders. It cannot provide for the orderly running of the Chamber. It must govern by the crunch and kill method—the suspension of standing orders. That means that the business of this House cannot proceed in an orderly fashion.

The Leader of the House has promised that the motion of the honourable member for Hawkesbury will be set down for Thursday. The motion of no confidence in the Minister is one of the most serious motions that could be debated by this House. The poor Minister for Agriculture, and Minister for Land and Water Conservation! Perhaps he cannot get the numbers; maybe that is why the Government does not want that motion debated and voted on. Why not debate that matter today, and bring the matter to a head today?

**Mr Ashton:** I wasn't sure what I was going to do.

**Mr Aquilina:** I am not sure what I am going to do.

**Mr O'DOHERTY:** The Minister for Education and Training says that he does not know how he would vote, and the honourable member for East Hills does not know how he will vote. Obviously, the Labor caucus is in total disarray. It is the workers compensation legislation all over again, with the left wing and the right wing present. I would like to know where the Minister stands on the issue of the Hawkesbury-Nepean Catchment Management Trust. What does the Minister for the Environment say about the abolition of that trust? What did he say in caucus when that matter was dealt with? He must have voted for it in Cabinet.

**Mr SPEAKER:** Order! Government members will cease interjecting.

**Mr O'DOHERTY:** The Government has moved so many suspension motions that the honourable member for Gosford has lost his voice trying to stand up for a bit of democracy in this House. The motion of the honourable member for Hawkesbury should have been dealt with months ago, because the poor Minister is dangling on a string. His future cannot be secured until Thursday. I return to the point I was about to make. The Leader of the House promised that we will have that debate on Thursday. What are the chances that we will sit on Thursday? I ask the Leader of the House: Do you give an ironclad guarantee that we will sit on Thursday?

**Mr Whelan:** I will give that if you sit down now.

**Mr O'DOHERTY:** A conditional guarantee is no guarantee. I ask the Leader of the House: Do you guarantee we will have question time tomorrow and Thursday?

**Mr Whelan:** If you promise to sit down if the answer is yes, I will answer it.

**Mr O'DOHERTY:** This is too good to be true. I am prepared to enter into negotiations with the Leader of the House. The Opposition opposes the motion to suspend standing orders, but I ask the Leader of the House again: Will he guarantee that we will have question time on both Wednesday and Thursday?

**Mr Whelan:** Yes.

**Mr O'DOHERTY:** The Minister said that he guarantees question time on those days.

**Mr Whelan:** Sit down.

**Mr O'DOHERTY:** I will sit down if the Minister guarantees that we will have question time on both those days.

**Mr Whelan:** Yes.

**Mr O'DOHERTY:** A small, but important, victory for democracy.

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

**The House divided.**

**Ayes, 48**

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

**Noes, 36**

Mr Armstrong	Mr Maguire	Mr Slack-Smith
Mr Barr	Mr McGrane	Mr Stoner
Mr Brogden	Mr Merton	Mr Tink
Mrs Chikarovski	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 Piccoli	
Ms Hodgkinson	Mr Richardson	<i>Tellers,</i>
Mr Humpherson	Mr Rozzoli	Mr Fraser
Dr Kernohan	Ms Seaton	Mr R. H. L. Smith
Mr Kerr	Mrs Skinner	

**Question resolved in the affirmative.**

**Motion agreed to.**

**LEGAL PROFESSION AMENDMENT (PROFESSIONAL INDEMNITY INSURANCE) BILL**

**Second Reading**

**Debate resumed from an earlier hour.**

**Mr DEBUS** (Blue Mountains—Attorney General, Minister for the Environment, Minister for Emergency Services, and Minister Assisting the Premier on the Arts) [4.49 p.m.], in reply: As we are all now aware, the collapse of HIH has brought about an unprecedented crisis for consumers, who believed that their claims would be met, and for service providers, who believed that their liabilities were covered. The Legal Profession Amendment (Professional Indemnity Insurance) Bill represents a comprehensive Government response to the impact on legal consumers of the collapse of HIH. The bill will ensure that the Solicitors' Mutual Indemnity Fund is made available to provide redress to clients who have made claims against solicitors during the three-year period that those solicitors were insured by HIH. The bill ensures that the fund will be topped up by solicitors themselves in the event that it is not enough to meet claims.

I am pleased to say that both the Law Society and LawCover have co-operated in the development of the provisions in the bill dealing with the HIH rescue package, and once the legislation is enacted claimants can be assisted in the normal way by LawCover. The Government has also taken the opportunity to amend the Act to strengthen generally the scheme for administering the fund. The bill will give the Attorney General of the day

new powers to appoint an independent investigator to examine the fund, to consider whether it is adequate to meet its liabilities and the management of the fund by LawCover. This enhanced scrutiny of the fund will protect consumers by ensuring that its administration is examined externally.

The bill also enables payments to be made from the fund in the future to meet the obligations of defaulting insurers. This is a catch-all provision designed to ensure that payments can be made not only for an insurer in the position of HIH but also for an insurer that declines to accept its liabilities for some other reason. These provisions further enhance consumer protection. The bill also makes arrangements consequential on the proposed extension of practising certificates for a short period to enable professional indemnity insurance to be arranged by the Law Society. I thank the honourable member for Gosford for his contribution to the debate on this urgent measure and urge the House to support the bill.

**Motion agreed to.**

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

## **LEGAL PROFESSION AMENDMENT (DISCIPLINARY PROVISIONS) BILL**

### **Second Reading**

**Debate resumed from 22 June.**

**Mr HARTCHER** (Gosford) [4.52 p.m.]: Everybody in New South Wales received a great shock when the *Sydney Morning Herald* revealed the unfortunate activities of a number of members of the bar who had been evading their lawful responsibilities to pay income tax. Every citizen has the responsibility to pay income tax whether they like it or not, and most of us do not particularly enjoy the experience. But to have senior members of the bar so flagrantly flouting their legal responsibility caused a chill of horror throughout the community. Among these members of the bar were Senior Counsel and Queen's Counsel. This lack of social duty caused a great sense of disappointment in the community as, overwhelmingly, the community has always had a very high regard for barristers, especially Senior Counsel.

Accordingly, the Bar Association made it clear that it dissociated itself from those barristers, and the Federal Government made it clear that it would take all necessary measures under the tax Act and, if necessary, under criminal law, to recover the taxation owing to the community and any fine or interest also owing on that money. Consequently, the Attorney General has introduced to Parliament the Legal Profession Amendment (Disciplinary Provisions) Bill, which contains a number of provisions aimed at ensuring that barristers and lawyers generally notify their responsible bodies of any indictable taxation offences they may have committed, and to allow the responsible body to take action against those who have committed an act of bankruptcy or have been found guilty of an indictable or tax offence. This may not necessarily mean disbarment; it may mean that their entitlement to practise is limited to certain conditions, or other action may be taken, such as suspending, for a period, their right to practise.

The Coalition has no objection to this legislation. We accept that the community was outraged by the activities of a few—and I emphasise, as I am sure the Attorney will emphasise, that the overwhelming majority of solicitors and barristers are people of excellent character and worthy of their high repute in the community. Both the Bar Association and the Law Society have taken strong action to uphold the integrity of their members in the great traditions of their associations, and both associations are generally sympathetic to this legislation, even though they have some concerns about certain aspects of it. I am advised that the Law Society—and possibly the Bar Association, although I have not had the opportunity to discuss the matter with the Bar Association—seeks certain amendments to the bill. The submission I received from the Law Society reads as follows:

#### **Schedule 1 [6]**

s.38FB of the Bill requires disclosure of an indictable offence or tax offence. Subsection s.38FB(7)(b) states that the section applies to a finding of guilt of an indictable offence or a tax offence whether or not the court proceeded to a conviction for the offence. However, s.8(2) of the Criminal Records Act 1992 provides that "...A finding that an offence has been proved or that a person is guilty of an offence, without proceeding to a conviction is spent immediately after the finding is made.":

**Recommendation**—s.38FB(7)(b) should be deleted in order to comply with the Criminal Records Act 1992.

I will not move that as an amendment in Committee. I am asking the Attorney to consider that and reply. If the Attorney's reply is satisfactory we will not proceed with the amendment in the Legislative Council. The Law Society's submission goes on:

s.38FC(2) requires action by a Council within 7 days of becoming aware of an act of bankruptcy or finding of guilt of an indictable or tax offence. At renewal of practising certificate time, the Law Society Council may be processing approximately 16,000 applications for practising certificates. A 7-day requirement to notify would create another avenue for appeals on technical grounds:

**Recommendation**—The period within which the Council must act should be amended to 14 days to provide a reasonable time for a Council to act.

That is not an unreasonable request, and I again invite the Attorney to consider it. There are 16,000 lawyers, and at the end of the year their practising certificates have to be processed, and it is a great rush to process them in seven days. Perhaps the Attorney would be prepared to grant the council 14 days rather than seven days to make its determination. The submission goes on:

s.38FC(4) provides that a decision to issue a practising certificate does not prevent a subsequent determination to refuse to issue a certificate or to cancel or suspend. Once a practising certificate has been issued, it is not appropriate to subsequently determine not to issue:

It is logical that once it has been issued one cannot make a decision not to issue. One can only make a determination to cancel or suspend. To make the wording more clear, the Law Society suggests the following:

**Recommendation**—s.38FC(4) should be amended to only refer to cancellation or suspension subsequent to the issue of a practising certificate.

Once a practising certificate has been issued one cannot make a determination not to issue it. Again, I invite the Attorney's response. The Law Society submission states:

S.38FA allows for a period of up to 4 months for a determination to be made under s.38FC. There is a fundamental unfairness to a practitioner in the automatic suspension provision in s.38FH if a determination is not made within the relevant period. If the intention is to ensure co-operation from a practitioner then non-cooperation should be penalized rather than a blanket penalty if a matter is not determined in 4 months:

**Recommendation**—s.38FH should be amended to provide for a discretion to suspend on the part of the Council or Commissioner in the case of a failure to co-operate by a legal practitioner rather than automatic suspension.

#### **Schedule 1 [10]**

S.57GA provides for a minimum period of 28 days within which a Council must furnish a report on a requested review of a rule. This is unnecessarily onerous as a Council may only meet on a monthly basis. A minimum period of 42 days should be allowed to enable a Council to properly review the rule and respond:

**Recommendation**—That the minimum period of 28 days specified in s.57GA be amended to 42 days.

Once again, that is a fair point. In this bill the Government is not targeting practitioners; it is targeting the councils. Often the councils meet on a monthly basis only. To ask a council to reply within 28 days may be unreasonable, and I am sure the Attorney would wish his legislation to be regarded as reasonable. As I said, the Coalition does not oppose this bill. It will not seek to debate the bill in the Committee of the Whole. I will listen to the Attorney General's reply on these points. I can understand if he wishes to reply at a later time; I would appreciate it if he would take these matters on notice and respond to them. Obviously, the Coalition reserves its position in terms of amendments it may wish to move in the Legislative Council. The Coalition supports the thrust of the bill. It understands the sentiments in the community that led to presentation of the bill to the Parliament and, accordingly, will not oppose the principal provisions of the bill.

**Mr COLLIER (Miranda) [5.01 p.m.]**: Society rightly expects much of its legal practitioners. Barristers and solicitors have privileges but they also have duties. Their duties to the court and to their clients are well known. But they also have a duty to fellow members of their profession and to society as a whole. When a person is admitted to the bar or as a solicitor, that person must show that he or she is a fit and proper person to hold a practising certificate. Barristers and solicitors who commit acts of bankruptcy or indictable offences or tax offences may, in the absence of any satisfactory explanation, generally be regarded by society as not being fit and proper persons. Right thinking members of society would say that these lawyers are not fit to practise the law and should not do so. A bankrupt barrister who recently admitted that he has not paid income tax for 40 years might be regarded by right thinking members of society as falling into this particular category.

This bill amends the Legal Profession Act to require lawyers who commit acts of bankruptcy or who are found guilty of an indictable offence or a tax offence to show cause why they are fit and proper persons to hold a practising certificate. The bill places an obligation on the Bar Council, in the case of barristers, or the Law Society Council, in the case of solicitors, to suspend, cancel or not issue a practising certificate to such a person if the council is satisfied that the act of bankruptcy or the indictable offence or tax offence was committed in circumstances that show that the person is not a fit and proper person to hold a practising certificate.

In addition, the councils will have new, express powers to refuse to issue or take away the practising certificate of a person who fails to notify certain matters without reasonable excuse, does not show cause to the satisfaction of the respective council or fails to provide additional information as requested by the council. The bill also confers powers on the Legal Services Commissioner to deal with practitioners who have committed acts of bankruptcy or who have been the subject of findings of guilt for indictable offences or tax offences. The commissioner will be able to take over from a council its consideration of whether such a practitioner should hold, or continue to hold, a practising certificate at any time.

The bill also requires the commissioner to take over a matter if the council has not made a determination about the fitness of the practitioner to hold a practising certificate within three months of being notified of the act of bankruptcy or the finding of guilt in relation to an indictable offence, or when the council received notice of the event, unless the commissioner agrees to extend the period by one month. To ensure that the councils and their commissioner conduct their investigations quickly, the bill provides that a practitioner is automatically suspended if the council or commissioner has not completed their investigation within three months. That period can be extended to four months at the discretion of the commissioner. The practitioner can ask the Supreme Court to remove the suspension, and the court will have a broad power to remit the matter to the relevant council or commissioner, or to make a determination itself. This provision will provide a powerful incentive to both the councils and the commissioner to move swiftly to resolve matters, and to practitioners to co-operate fully with investigations.

I take this opportunity to acknowledge the assistance of the Bar Association in developing this legislation. Senior officers of the Bar Association shared the Government's view about the conduct that is alleged to have occurred and supported the Government in developing a rigorous framework to improve the accountability of the legal profession. This bill sets out to improve the accountability of the legal profession, and it does just that. The number of barristers and solicitors who commit acts of bankruptcy or indictable offences or tax offences is small. One would expect the number of notifications being made by barristers and solicitors also to be low. It is regrettable that a small minority of barristers and solicitors tarnish the reputation of the bar and the legal profession in the eyes of the community. However, the measures contained in this bill will put an end to such conduct and help maintain the reputation of the bar, of which I am pleased and proud to be a member. I commend the bill to the House.

**Mr DEBUS** (Blue Mountains—Attorney General, Minister for the Environment, Minister for Emergency Services, and Minister Assisting the Premier on the Arts) [5.06 p.m.], in reply: As the honourable member for Gosford and the honourable member for Miranda have indicated, the community of New South Wales was appalled to read in newspapers earlier this year of the behaviour of some barristers who have failed to lodge tax returns, used bankruptcy as a device to avoid paying tax and, in one case, appeared not to have filed a tax return for at least two decades. Meanwhile, these barristers appear to have enjoyed a degree of affluence which would be unknown to the majority of people who pay tax.

It was necessary for me to move quickly to ensure that barristers and solicitors are required to disclose to the Bar Council and the Law Society Council respectively acts of bankruptcy and findings of guilt for offences so that the councils can decide what disciplinary action should be taken against them. A regulation to require such disclosure was gazetted on 9 March. I am pleased to say that the problem appears to affect only a small number of practitioners. Clearly, the weeks since the first revelations of this tax avoidance were revealed have shown that the problem appears to affect only a gratifyingly small number of practitioners. Both the Bar Association and the Law Society advise me that only a handful of practitioners have made notifications that warrant further action. However, any conduct of this kind cannot be tolerated among legal practitioners.

Legal practitioners are supposed to be of good fame and character. This means that their conduct in their public and private affairs should be unimpeachable, particularly in the public face that the profession offers to the community at large. They must uphold the letter and spirit of the law. It is a travesty that apparently wealthy barristers can escape the taxation liabilities that everyone else takes for granted. The reputation of the whole profession has been damaged by these activities of barristers and solicitors. They should not be permitted to practise. The bill will ensure that such barristers and solicitors cannot practise in future. New South Wales will have the toughest disclosure and show cause requirements of any Australian jurisdiction.

The bill will ensure that any legal practitioner who commits an act of bankruptcy or is subject to a finding of guilt of an indictable offence or a tax offence has to explain his or her conduct to the relevant council. The council will have no choice but to investigate the matter and make a determination as to whether the person is a fit and proper person to practise or the practitioner will lose his or her practising certificate. For the first

time in matters relating to the licensing of practitioners the Legal Services Commissioner will have new powers to oversee the activity of the councils. The councils, for example, will be required to advise him of what notifications have been made by practitioners who are bankrupt or who have been subject to findings of guilt for indictable offences or tax offences. The commissioner can report to Parliament in his annual report on the performance of councils. In this way the councils will be more publicly accountable for their activities.

The bill also removes any doubt that conduct in relation to bankruptcy or the commission of an indictable offence or a tax offence can be professional misconduct. Such behaviour can certainly be professional misconduct. This amendment will enable any person to complain about the conduct of a barrister or solicitor in relation to his or her bankruptcy to the Legal Services Commissioner or for the commissioner or a council to initiate such a complaint. To further enhance the scrutiny of the profession, the bill also gives the Legal Services Commissioner and the Legal Profession Advisory Council new powers to oversee rule making by the councils. The commissioner will be empowered to report to the Parliament on the exercise of his new functions.

To overcome any perception that the disciplinary system is weighted in favour of practitioners, the bill will enable the President of the Administrative Decisions Tribunal under the Administrative Decisions Tribunal Act 1997 to vary the composition of panels which deal with legal profession disciplinary matters. The tribunal can now be headed by a judge instead of a practising lawyer, if the president considers that appropriate. The object of this change is to ensure that in serious disciplinary matters a judge presides over the deliberations of the tribunal instead of a practising lawyer, which is the case at present. This will enhance public confidence in the objectivity of the disciplinary system.

The bill will enhance public confidence in the regulation of the legal profession. Lawyers are the cornerstone of the justice system and the public must be confident of the integrity and honesty of members of the profession. The measures in the bill are commensurate with community expectations of the standards to which legal practitioners should adhere. The honourable member for Gosford raised the possibility of some amendments that have been suggested by the Law Society. The first concern is the interaction between this bill and the Criminal Records Act. The honourable member for Gosford has proposed amendments to proposed section 38FB (7) (b), which deals with a finding of guilt of an offence for which the court does not proceed to a conviction. The honourable member stated that the Criminal Records Act provides that such a finding is immediately spent.

I am unable to agree to the amendment, because the provision in the bill is intended to ensure that councils are aware of findings. It does not matter that a practitioner does not have a conviction. The significance for the purpose of the bill is the finding of guilt. I have neglected to acknowledge that the honourable member for Gosford made an entirely sensible and appropriate contribution to the debate and also raised the seven-day requirement for the council to notify the Legal Services Commissioner after a notification is made by a practitioner. Time is of the essence in dealing with notifications. The councils will have only three months to deal with notifications unless an extension is given by the Legal Services Commissioner. The commissioner has the power to intervene in an inquiry at any time. This power will have no meaning if the commissioner is not immediately provided with appropriate materials by the councils.

It is important to note that the bill addresses community concerns about lawyers judging lawyers. It is for that reason that I have taken some care to ensure that the commissioner is given this critical role, a role that ensures that the community need not feel that there will not be merely an appearance of lawyers judging lawyers. Although I understand the sentiment underlying the suggestion made by the honourable member for Gosford, it is not appropriate for me to agree to that suggested amendment. The honourable member also suggested an amendment to proposed section 38FC (4). From an initial examination of the Law Society's comments, I would say that the Law Society appears to have misinterpreted the provision. But I will arrange for my staff to further discuss the issue with the society before debate takes place in the upper House. I will also undertake to discuss the matter further with the honourable member for Gosford so that the Government can decide on the attitude that it may take to a possible amendment when the bill reaches another place.

The honourable member for Gosford also referred to section 57GA and I point out that the bill provides that the council has 28 days within which to report on a review of rules requested by the commissioner. The Law Society asked instead for period of 42 days to review the rules at the request of the Legal Services Commissioner. My initial response to the proposal by the honourable member for Gosford is that it appears to be a not unreasonable suggestion. Subject to the type of reservation that the honourable member normally makes

when he participates in a second reading debate, I foreshadow a general intention of the Government to accept an amendment in the upper House along the lines foreshadowed. Having made those remarks, I urge honourable members to support the bill.

**Motion agreed to.**

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

## **BUSINESS OF THE HOUSE**

### **Routine of Business: Suspension of Standing and Sessional Orders**

#### **Special Adjournment**

**Motion by Mr Whelan agreed to:**

That standing and sessional orders be suspended to permit:

- (1) private members' statements to be postponed until after the consideration of the following bills:
  - Waste Avoidance and Resource Recovery Bill
  - Waste Recycling and Processing Corporation Bill
  - Evidence (Audio and Audio Visual Links) Amendment Bill;
- (2) quorums and divisions not to be called after 7.30 p.m. at this sitting;
- (3) the House to adjourn without motion at 10.30 p.m. this day; and
- (4) the House at its rising this day to adjourn until 10.00 a.m. on Wednesday 27 June 2001.

### **EVIDENCE (AUDIO AND AUDIO VISUAL LINKS) AMENDMENT BILL**

#### **Second Reading**

**Debate resumed from 25 June.**

**Mr HARTCHER** (Gosford) [5.20 p.m.]: The Coalition has no objection to the passage through the Legislative Assembly of the Evidence (Audio and Audio Visual Links) Amendment Bill. The Coalition warmly welcomed the introduction of the Evidence (Audio and Audio Visual Links) Act 1998, which was designed to facilitate the use of audio-visual links in court proceedings. Clearly, it is appropriate that the court system adapt itself to the availability of modern technology, especially when this can reduce costs and ensure more effective use of court time, litigants' time and lawyers' time. I note the Government's advice that in June 2000 it committed \$4 million to expand the availability of videoconferencing across justice agencies.

The purpose of the bill is to allow the further usage of audio and audio-visual links where the technology will reduce the risks involved in escorting, transporting and holding in custody people who would otherwise be required to appear in court for certain criminal proceedings, and to reduce the time and costs involved in taking evidence from interstate and overseas witnesses. The Coalition accepts the assurance of the safeguard that the right of a defendant to a fair trial will not be jeopardised but that the usage of the technology will be restricted essentially to preliminary and procedural matters and will not be used in substantive trials. I would like the Attorney General's annual report to address the approach to the use of the new technology, how often it is used, where it is available and its effectiveness in the courts.

If those matters cannot be addressed in the Attorney General's annual report, perhaps the reviews published by Local Court, the District Court and the Supreme Court could contain a section explaining what courts have the facility, how often it is used, how judges and lawyers find it, and whether it is working effectively. This new technology is a valuable tool in ensuring that courts work effectively, and if it is to be used effectively the community needs to be informed about how it is progressing. I note the assurance that there is to be a presumption in favour of physical attendance where there is a danger of loss of liberty. I welcome that important assurance. I note also that the presumptions established by the bill will not apply where the accused or defendant is a child, to ensure that the rights of children are also protected. Accordingly, with the usual caveat that the Coalition's final position in the Legislative Council needs to be subject to further consideration, the Coalition has no objection to the passage of the bill through the Legislative Assembly.

**Mr COLLIER** (Miranda) [5.23 p.m.]: I speak with pleasure to the Evidence (Audio and Audio Visual Links) Amendment Bill. The costs of criminal proceedings and of court proceedings generally are of concern to

my constituents. The bill will permit significant reductions in costs by allowing the use of new technology in certain proceedings. It will bring certain court proceedings into the twenty-first century. The Evidence (Audio and Audio Visual Links) Act 1998 facilitated the appropriate use of audio and audio-visual technology in the administration of justice, and allowed New South Wales to participate in a substantially uniform interstate scheme for the taking or receiving of evidence and the receiving of submissions. This bill amends that Act to ensure that the benefits of this technology are realised, particularly in criminal proceedings.

The bill establishes a presumption in favour of using audio-visual links to facilitate the use of video conferencing by justice agencies in appropriate circumstances. That presumption applies to preliminary criminal proceedings, which generally deal with procedural matters only, such as bail, arraignment on a day other than that the day appointed for the trial of an accused person, and any interlocutory proceedings held in connection with any criminal proceeding, such as an application for an adjournment. As a Legal Aid solicitor and barrister practising criminal law throughout the jurisdictions, I could not help but be aware of the inordinate waste of time, money and resources often involved in preliminary proceedings. An accused person in custody, having been refused bail at the Local Court or, more often, at the Supreme Court, was time and again taken backwards and forwards from the gaol for what was in many cases only five minutes in the Local Court.

Often the five minutes in court related to an application for a further adjournment or setting a hearing date or timetable for the service of a police brief. Sometimes the prisoner was only in court for as little as two minutes. The cost of transporting each prisoner, and the risks involved in doing so, were not proportionate to the length of the proceedings and were completely unjustified given the nature of those proceedings. Corrective Services personnel were engaged at both the gaol and the court, court staff time was wasted, and proceedings were disrupted while prisoners were brought from the cells to the dock. The prisoners received no benefit, except perhaps the privilege of having a day out.

Like most of my legal colleagues, I visited prisoners in gaol to take instructions. There was really no need for them to be physically present in the court. Often the prisoner would be woken at 4.30 a.m. for a two-minute or five-minute application and returned later that evening. All too often a prisoner's program of rehabilitation, medical treatment or psychiatric care was unduly disrupted by the prisoner being away from the prison. The bill will overcome those problems by establishing a presumption in favour of the use of audio and audio-visual facilities for such procedural matters.

Audio and audio-visual facilities are already used for Supreme Court bail applications. The technology has proved to be reliable and has gained widespread acceptance from the judiciary and the legal profession. During my time at the bar and as a solicitor I often had cause to use video facilities in bail applications, and in cross-examination of young persons in cases that were conducted, by law, using the video system. I found them to be effective and reasonable, and frequently they were extremely effective in ensuring young persons who were exposed to cross-examination did not have to confront the alleged offenders. They work well, and there is every reason to suppose they will work effectively in the interests of justice in such preliminary proceedings.

The presumption favouring the use of audio-visual links applies to persons previously remanded in custody in respect of preliminary proceedings arising from the same offence. Two important points are worth noting here. First, despite the fact that they are in different locations, the accused will still have access to their legal counsel. The bill ensures that accused appearing before a court will be able to communicate with their lawyers via a private telephone link. This is important when counsel needs fresh instructions, for example, where an unexpected application is made by the prosecution or where a matter that the prisoner did not understand or could not be otherwise aware of is raised. Second, the presumption in favour of audio-visual proceedings will not override the court's inherent jurisdiction to control proceedings and protect the rights of the accused to a fair trial.

With that in mind, the bill provides a presumption in favour of physical attendance for certain criminal proceedings. These include committal proceedings, any inquiry into a person's fitness to be tried for an offence, any trial or hearing of charges, any sentencing hearing, any hearing of an appeal arising from a trial or hearing, any proceeding relating to bail where it is the accused's or defendant's first appearance before a justice, and any proceeding relating to bail which is the accused or defendant's first appearance before a magistrate. A presumption in favour of the physical attendance of the accused can be displaced only with the consent of the parties, or if the court is satisfied that it is in the interests of justice.

Significant consultation has taken place in the development of the bill, and I commend the Attorney General for that. The Chief Justice, the Chief Judge, the Chief Magistrate, the Bar Association, the Law Society, the Legal Aid Commission and the Aboriginal Legal Service have been consulted in the formulation of the bill

and, where appropriate, their comments have been taken into account. The bill strikes an important balance between the rights of the accused and the concerns of the community about the cost, convenience and expedition of criminal proceedings. The bill will assist the proper administration of criminal justice in the twenty-first century and I commend it to the House.

**Mr DEBUS** (Blue Mountains—Attorney General, Minister for the Environment, Minister for Emergency Services, and Minister Assisting the Premier on the Arts) [5.30 p.m.], in reply: I thank the usual participants in debates of this nature—the honourable member for Gosford and the honourable member for Miranda—for their contributions. I assure honourable members that the Government is committed to maximising the benefits of videoconferencing technology to the justice system. Conferencing facilities are already available at the Supreme Court, the Downing Centre District Court, Darlinghurst courts, the Compensation Court, the Dust Diseases Tribunal and the Land and Environment Court. By mid-April this year a further six facilities were installed at Liverpool, Dubbo, Lismore, Parramatta, Central Local Court and Campbelltown Children's Court. The roll-out of facilities at Newcastle, Penrith and Woy Woy local courts will be completed by September. Bankstown Local Court, Bidura Children's Court and Lidcombe Children's Court will follow by November.

A total of 13 facilities will be installed at various correctional centres across the State by November. Seven facilities will be installed in the juvenile detention centres by November. Facilities will also be installed in the police transportable units at Bourke and Griffith, as well as the forensic laboratory at Westmead and the Sydney Police Centre, by November. Significantly, by July there will be facilities at the Legal Aid Commission in Sydney and Penrith, the Department of Public Prosecutions in Sydney and Newcastle, the Ethnic Affairs Commission at Ashfield and the Sydney chambers of the public defenders. That is a formidable network.

The honourable member for Miranda has shown in his speech that he is aware of the reality of the savings in time and cost that may be achieved by videoconferencing for peripheral matters associated with court cases. Prisoners have made almost 1,000 appearances by landline video links since January from the Metropolitan Remand Reception Centre at Silverwater to the Supreme Court, to the Downing Centre and to the Central Local Court. It is estimated that these facilities could save up to \$1 million a year in prison transport costs and an average of 300 appearances per week in the 13 courts. They will improve security, as pointed out by the honourable member for Miranda, on transport operations and in court precincts by reducing the number of offenders who have to be moved about. Court staff will not have to sit around waiting for prisoners to be moved from cells to the courtroom, and vice versa, on custody list days for short appearances.

I know from past experience that inmates have complained about getting up at 4.30 a.m., transported to a court, received into a holding cell and making a court appearance for a couple of minutes or not at all, before being taken back to the correctional centre late at night. Avoiding that kind of operation will not only save money but will assist discipline in the present system. Many other benefits may be derived from the operation of this new and effective technology. By creating clearer guidelines as to when video links should be used in criminal proceedings, which is what this bill does, we will be able to make optimal use of videoconferencing facilities and realise economic and operational benefits.

**Motion agreed to.**

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

## **WASTE AVOIDANCE AND RESOURCE RECOVERY BILL**

### **In Committee**

**Consideration resumed from an earlier hour.**

**Clauses 15 to 28 agreed to.**

**Schedules 1 to 3 agreed to.**

### **Schedule 4**

**Ms SEATON** (Southern Highlands) [5.35 p.m.]: I move Opposition amendment No. 3:

No. 3 Page 28, schedule 4, line 10. Omit "whichever is the lesser". Insert instead "whichever option is chosen by the person".

This is an important to amendment. I am aghast at the Minister's earlier defence of this section of the bill, which seeks to invalidate standing contracts entered into in good faith by employees of waste boards at senior and middle levels. The Minister said that merely because employees' salary packages might be generous in comparison to the salary packages of others, or because those employees are on relatively high incomes, that made them less able to defend themselves in a contract. He also said that because their salary package happened to be of a generous nature, at a higher income level than the salary packages of others, that they ought to

surrender their contracts and be paid whatever the Government thinks is a fair thing, which in this case is less than their potential entitlements. That is an extraordinary proposition.

If the Government and the Minister truly believed that the levels of remuneration in waste boards, which are the Government's own creation, have been inappropriately too high or too generous for the past several years it was entirely within the Minister's power to do something about it. The Government did nothing about it. People who have accepted contracts in good faith face the possibility of having those contracts severed and destroyed; they have been told to accept whatever is due to them under the Public Sector Management Act. I sincerely hope that every single staff member in the current waste board system who wishes to take up a role in Resource New South Wales is able to do so. The best outcome for all people currently employed in waste boards would be to find new jobs in a part of the new organisation that is the logistically possible for them to get to.

The idea that this Government can simply invalidate a contract by Act of Parliament is morally wrong. There is no guaranteed future for individual staff members. I have read the two memos sent by the Minister to staff. They talk about potential future employment opportunities but it is very much a "maybe" rather than a "definite." Many people are devastated by what has happened in the past couple of weeks. To correct the Minister, not all people affected by this particular section are on senior executive service level contracts. Some of them are at middle management or other levels of management. The Minister needs to rethink this matter. The amendment is designed to give people caught in that situation the choice between terminating their employment with the waste boards according to their contracts or taking the Public Sector Management Act option. I think that is fair. I find it extraordinary that a political party that holds itself out as a party that represents any working person would try to invalidate a legally binding contract. That is totally hypocritical and unsustainable. I commend the amendment.

**Mr DEBUS** (Blue Mountains—Attorney General, Minister for the Environment, Minister for Emergency Services, and Minister Assisting the Premier on the Arts) [5.39 p.m.]: The Government will not accept the amendment. The tendency of the honourable member for Southern Highlands to defend exorbitant entitlements and redundancy packages for senior executives in the waste industry, and then to slide to an implication that she is actually defending rank and file staff, is somewhat alarming. The existing provisions of the bill have been included to protect the public interest and the public purse. I point out that some general managers on existing waste boards may well be joining Resource New South Wales, but I believe I have every reason to closely examine each of the senior executive employment contracts to look at the scale of entitlements that are engrossed in those contracts, particularly as they relate to questions of redundancy.

There is a recent phenomena of moves in some parts of the waste industry towards exceedingly generous severance packages. I have, for that reason, not only included the provisions of the bill now under consideration, but I have offered a process that would satisfy the genuine entitlements of general managers of waste boards while at the same time protecting the public interest. If the Government's audit of general managers' contracts reveals an objective need for greater monetary compensation, the Government will closely investigate the prospect of paying greater compensation. But I can only repeat that I have strong reason for believing that the provisions as they exist in the bill are necessary to protect the public interest.

**Question—That the words stand—put.**

**The Committee divided.**

**Ayes, 50**

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

**Noes, 36**

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

**Question resolved in the affirmative.**

**Amendment negatived.**

**Schedule 4 agreed to.**

**Bill reported from Committee without amendment and passed through remaining stages.**

## **WASTE RECYCLING AND PROCESSING CORPORATION BILL**

### **Second Reading**

**Debate adjourned from 20 June.**

**Ms SEATON** (Southern Highlands) [5.52 p.m.]: The Waste Recycling and Processing Corporation Bill is another admission by the Carr Government of its monumental failure in relation to its waste policies since 1995, and the failure of the taxpayer-owned Waste Service New South Wales to achieve any of its stated outcomes, at a huge cost to the community. Taxpayers and ratepayers who contribute \$70 million to waste charges could reasonably be expected to believe that the Government is putting that money to work through the taxpayer-owned Waste Service New South Wales and the State Waste Advisory Council [SWAC]—issues that were debated earlier in legislation that was dealt with by this House.

Taxpayers and ratepayers would expect government bodies to be testing new technologies to kick-start things that stack up against proper life cycle analysis—things such as reducing carbon dioxide emissions from city landfills and generally being smart about what they do. Sadly, however, the proudest innovation of Waste Service New South Wales has been to create an even bigger garbage tip at Eastern Creek, which nudges up right beside Sydney's back-up water supply at Prospect reservoir. The mission statement in the last annual report of Waste Service states that it will "lead New South Wales in providing waste management solutions". So much for environmental leadership.

Waste Service New South Wales has acquired the reputation of being the dinosaur of waste management in Australia. Another concern that has been expressed in the marketplace—it is certainly a concern in the minds of Opposition members—is that Waste Service has a strong de facto market regulation role. Through its ownership of the seven key landfill sites in Sydney it still controls access to those waste streams and it has the power of political influence to bully councils and former waste boards into choosing its product over other products. Opportunities to choose other products are limited by the fact that Waste Service has this strong monopoly role.

I remind honourable members that, for example, Sutherland Shire Council felt the full force of this Government's attempt to influence it into making decisions that it was reluctant to make. That sort of action has caused much angst in communities such as those in Sutherland shire. I raise in this context the extraordinary contradiction last year by the then director-general of the Environment Protection Authority [EPA], Dr Neil Shepherd. He told an estimates committee meeting exactly a year ago that he agreed with the findings of the report into alternative technologies that Sydney was about to run out of putrescible landfill space and that decisions had to be made quickly about what to do to extend that space.

Not long after that certain waste boards received a letter written by the general manager of Waste Service suggesting that they should be confident that there was sufficient space in Waste Service's owned and operated assets and that development applications to extend several landfill sites within the Sydney area were well in train. The letter stated that certain waste boards ought not to worry about looking further than Sydney as a place to send their waste. If these much-vaunted alternative technologies are to flourish—and we certainly hope that they do—the Government must open up taxpayer-owned waste management sites to innovative and efficient private sector proposals. It must also stop monopolising access to waste.

The Government must come to grips with the fact that private sector applicants have many opportunities to put forward interesting proposals for landfill sites—for example, proposals to capture methane on a commercial basis which might add value to the assets owned by the taxpayer and run by Waste Service. The cost structure of Waste Service is a matter of grave concern. Nowhere in this bill is there any plan to review or reform the fundamental or bloated cost structure of Waste Service. That is probably why it had to increase its charges to some councils by up to 40 per cent. Even though a good deal of money is being expended on Waste Service, I am concerned that it is still spending roughly \$2.5 million per annum on expert consultancies as it apparently lacks consultants within its senior ranks.

Waste Service's annual report last year reveals that its senior ranks were increased by two members—from five to seven—at the same time as its consultancy fees were a hefty \$2.5 million. If Waste Service is engaging additional managers at a Senior Executive Service level, why is it still outsourcing work to expert consultancies? This State Government, far from deserving our trust as environmental and financial managers, is responsible for people's supposed disinterest in waste. People do not appear to look further than kerbside recycling and at the things that they do within their households—a handy shield for this Government from its poor management of waste and the subsequent deplorable environmental outcomes.

Our communities and our environment deserve a much better deal. Last night some important issues were raised at the estimates committee hearing—issues about which I believe all honourable members would be concerned. Last night questions were asked in another place about Waste Service expenditure on its refurbished head office. The general manager was unable to answer those questions in great detail but it was revealed that, despite the fact that Waste Service employee numbers were reduced over the past 12 months, it had expanded its office space from 1¾ floors to two floors at the Zenith Centre in Chatswood.

The reasons for this were apparently to obtain needed space for meetings and to build team spirit, but unfortunately the general manager and the Minister were not able to provide any idea of the cost of the refurbishment. The general manager admitted that last year's surplus was \$11 million and that this year's projected loss will be \$2.6 million. Local government has a good deal of suspicion about what has led to 30 per cent to 40 per cent increases in waste charges to councils and ratepayers. This will hit families very hard. Waste Service head office is expanding and moving fewer staff into greater office space, but at the same time it is asking local government to pass on to families in New South Wales waste charge increases of perhaps \$15 a year per family.

This issue was first raised with me when shadow Cabinet visited Camden a couple of months ago. Camden Council was horrified because the former Minister for the Environment had made a commitment to local government that councils would be advised of any increased charges well and truly before they had made major determinations for the year and exhibited them to the public as required. In this case, after most councils had already completed their budget deliberations they were being hit with a 30 per cent to 40 per cent increase in waste charges. Many of those councils had to think about what services they would cut back to afford to pay these increased waste charges.

The Government's justification for these increases included rising fuel costs, although I do not think fuel rose by 30 per cent or 40 per cent in the past year; higher costs of management, and that is not surprising given we have the admission of the costly refurbishment of head office; and the expansion into greater office space. The Minister also reached for the excuse of a decision of the Independent Pricing and Regulatory Tribunal that was four years old. I would like to know why it had not been implemented before.

This action was simply revenue raising and another way of protecting Waste Service from day-to-day reality by charging families more. I have some sympathy for the mayors who, over the weekend, decided they would boycott this 30 per cent increase in the cost of rubbish collection. I suspect that is unsustainable and that the Government will get its money, but these increases in waste costs are not properly justified by the Government and have more to do with propping up an unsustainable cost structure within the Waste Service than it has to do with the true cost of waste.

Part 2 of the bill describes the way in which Waste Service New South Wales will now become a State-owned corporation. The objects of the corporation include operating at least as efficiently as any comparable business. That is an important statement and one I would very much like to see a State-owned corporation meet. When I discussed this with the Minister's office I was concerned that an impression was developing that these are motherhood statements that are included in any statement of objective. I am pleased that the Minister is inclined to support the amendment I have circulated, which will place in the bill a better test of whether the Waste Corporation has met that objective.

This process is not about assessing whether a State-owned corporation is acting efficiently, nor is it about the normal processes that the Auditor-General would go through to see whether a State-owned corporation had kept its books properly and expended its money properly. This process will compare the performance of the Waste Corporation with a comparable business, I imagine, in the private sector. No private sector business is directly comparable but it is important to set benchmarks to enable, for example, the cost and pricing structure of Waste Corporation, to be tested. I shall be moving an amendment to that effect in due course.

Another concern the Opposition has about the bill is proposed clause 7 of part 2, which describes the process of nomination of directors of the board. The board of Waste Corporation will be an important group of people: they will have to make those objectives come to life. It is very important for the taxpayers of New South Wales that the Waste Corporation performs efficiently and returns a good dividend to the taxpayer. I am concerned that according to clause 7 (2) (a) one director is appointed by the voting shareholders on the recommendation of a selection committee, comprising two persons nominated by the portfolio Minister and two persons nominated by the Labor Council of New South Wales, being a person selected by the committee from a panel of three persons nominated by the Labor Council. I have never seen such an extraordinarily convoluted method of nominating a single person, but my difficulty with this part of the bill is that I cannot understand why a Labor Council nominee is so vital to the working of this board when the board is deficient in so many other qualifications desirable in directors of similar State-owned corporations.

I will be moving an amendment that seeks to replace that type of board member with someone who has business qualifications, credentials in the private sector and some experience of running a business in a normal commercial environment. Without such a person on the board the Waste Corporation will have difficulty achieving the objective of operating at least as efficiently as any comparable business. Whether to satisfy that test or not, it is essential that at least one member of the board of directors have private sector experience, business experience and qualifications, and is competent to assess issues before the board and bring that experience to bear. I also have concerns about the ownership of waste received by the corporation. I have spoken before about the de facto regulatory role that Waste Service had taken upon itself. It seems to be a clearing house of waste regardless of its ultimate destination.

If Waste Corporation is to be truly transparent and accountable and to operate in a businesslike environment, it is important that it surrender some of these monopoly functions. If we are truly going to encourage the private sector to invest and come up with innovative proposals that meet the objectives of the Wright report to make alternative waste treatment and management technologies viable—bearing in mind that alternative technologies are costed at about \$150 a tonne, more than current costs of \$95 or \$97 for traditional methods, mainly landfill—it is important that we remove obstacles to access to the waste stream and thus generate more interesting private sector proposals. If the private sector knows it has access to that resource, and the Minister has called it a resource, I think many more innovative technology proposals will become viable and come to the fore. If the Waste Service owns all the waste, as it does at present, it is difficult to see how the Government will move to make that waste accessible to other proponents on a commercial basis.

I hope that the Waste Recycling and Processing Corporation is a success. It is coming from a very low base. The Waste Service is not renowned as one of the best performing State agencies, and I think it has a long way to go. It has an important role to play if it does it right. Rather than being a monopoly and rather than being an obstacle to participation in waste avoidance, waste processing and waste reduction technologies, it should be a partner and it should make available on a commercial basis the assets that it owns and manages on behalf of taxpayers. The Opposition will not oppose the bill, but I will move amendments in Committee.

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

**Pursuant to resolution business interrupted.**

**PRIVATE MEMBERS' STATEMENTS**

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**EAST KURRAJONG PUBLIC SCHOOL**

**Mr ROZZOLI** (Hawkesbury) [6.11 p.m.]: I draw to the attention of honourable members the plight of students and staff at East Kurrajong Public School, which is situated in East Kurrajong Road, East Kurrajong. The school has served the residents of East Kurrajong for many years. Indeed, some years ago it celebrated its centenary. Essentially, the school currently comprises demountable buildings. It has one permanent building—it is the original small wooden school building—that is now used only for support services, rather than as a formal classroom. The rest of the school comprises demountable buildings. The school has a problem: Although the geographical area on which the school is sited is about 3½ acres, much of that runs down into a gully, and only a relatively small area is available for the siting of the school and for playground purposes. As the school has developed, this area has become very much restricted.

For some years the school community and I have been trying to find a way to redevelop the school to provide the same level of facilities as is available at most other schools in the Hawkesbury electorate. This would require the acquisition of land immediately adjacent to the school, which is currently vacant land. At last discussion the owner of the land was quite interested in selling some of the land to the school. If that is possible it will allow the school to be rebuilt on the newly acquired land while still operating on the current site, thereby enabling the demountable buildings ultimately to be removed from the current site and the area of land utilised for playground purposes. So it would be a convenient operation in that sense. I urge the Minister for Education and Training to look seriously at bringing forward a program for redeveloping East Kurrajong Public School as soon as possible.

I must draw to the attention of honourable members another matter relating to East Kurrajong school which is much more serious in its short-term priority. As I indicated, the school comprises demountable buildings and is serviced by a demountable toilet block that has been on the site for some time. The use of demountable buildings as toilet blocks means that, unlike classrooms, they tend to have a much shorter life because of the amount of water involved and the cleaning necessities of the block. The current demountable toilet block is in a parlous condition.

Until recently there was no electricity to the block and this made maintaining and servicing the block very difficult. I understand that works to fix the problem are under way. If the school is not redeveloped in the next couple of months, which it certainly will not be, the demountable toilet block needs to be replaced as a matter of urgency. No facility in any school, workplace or gathering place for people is more important than adequate toilet facilities. At East Kurrajong Public School there is an occupational health and safety problem in industrial terms and a health and safety problem in terms of the students at the school. It is a matter of the greatest concern to the parents of children attending the school, the school principal, the school staff and me that the students must go to the toilet under circumstances which leave much to be desired.

Many of the students come from homes with excellent toilet facilities—they are modern homes with clean, healthy and hygienic septic systems; obviously there is no sewerage system in East Kurrajong. They must then go to school and use a toilet which under any circumstances is very poor. It is very off-putting to the young children who must use these facilities, as it brings with it all the consequent traumatic problems that particularly affect young students using such facilities. I implore the Minister to give urgent consideration to completely replacing the demountable toilet block at East Kurrajong Public School so that the children and staff can be provided with facilities that should be basic to any community.

**GEORGES RIVER ELECTORATE LIONS CLUBS**

**Mr GREENE** (Georges River) [6.16 p.m.]: Honourable members would be aware that this time of the year is an opportunity for local members to attend changeover functions at Lions clubs. In the past week and a half I have had the pleasure and privilege of attending three such functions. First, on Friday 15 June I attended the changeover dinner for the Georges River Lionesses. The function gave me, on behalf of the community, the opportunity to thank the Georges River Lionesses under the leadership of Gladys Abbott last year. I thanked Gladys for the contribution she made in her leadership role, and I welcomed Joan Locke, who takes over as the new president of the Georges River Lionesses. At the function the Lionesses presented to Father Chris Riley, from Youth off the Streets, with a cheque for \$6,000. It was a very generous contribution to that worthwhile charitable cause.

The Lionesses announced that they were presenting funds to the St George Hospital cancer unit, especially in memory of their charter president, Mrs Anne Button, who, unfortunately, recently died from cancer. Anne's husband, Ken, who is a member of the Lugarno Lions Club, was in attendance on the night. I congratulate the Georges River Lionesses on those contributions and on the work they do. I attended the changeover dinner for Lugarno Lions Club last Friday evening with my wife, Frances. At the function I thanked Noel Burchmore, the President of Lugarno Lions Club in the past year. Noel had the privilege of receiving, on behalf of Lugarno Lions Club, a Premier's award that was presented in Parliament House last year by the Premier.

The Lugarno Lions Club has made an enormous contribution to our local area. Noel talked about many things that Lugarno Lions have done in the past 12 months: their successful and popular annual spring fair, jazz in the park, a contribution to the Reverend Bill Crews and helping people in the community, including assisting a lady in Mortdale who needed a new fence on her property. That shows the full spectrum in which the Lions clubs in our community contribute to the community. Last Saturday evening I attended, again with my wife, the changeover dinner for Oatley Lions Club. In the past 12 months Oatley Lions Club was led by Mr Ken Nimmo, who now passes the baton to Mr Kevin Parker.

Oatley Lions also make a great contribution to the community. Oatley Festival, which occurs in October each year, is a very large community event which provides the opportunity for many community organisations to raise funds. The Oatley Lions Club is also a very strong supporter of the Oatley after-hours school care at the primary school. Without the support of the Oatley Lions, I am sure that the after-school care would never have been able to commence—at least not within the time frame within which it has begun to operate. I am sure that under the leadership of Kevin Parker, who has been very successful with running raffles, Oatley Lions Club members will continue to be great contributors to the Oatley community.

Lugarno Lions Club will this year be led by Mr Neil Thompson, who runs a very successful smash repair business. A point that was made in each of the speeches and at each of the three Lions changeover functions was that many people who have taken up leadership roles and who have served the community have grown within themselves. Neil Thompson actually commented on the fact that when he joined Lions he was very shy and found it difficult to stand and speak. Now he has taken on the role of President. His sentiments were reflected by a number of speakers. There is no doubt that our society is a better place because of the work of the various service clubs that work throughout their communities. The three Lions clubs to which I have referred are good examples of that.

Unfortunately I did not attend the St George-Hurstville Lions breakfast club changeover. I look forward during the next week or so to attending the changeover of a couple of Rotary clubs as well. The St George Central Rotary Club will have its changeover when Chris Lee transfers to Kevin Pretty. The Georges River-Riverwood Rotary Club will have its changeover in the near future as well. I commend these clubs and their work in the community. [*Time expired.*]

**Mr McMANUS** (Heathcote—Parliamentary Secretary) [6.21 p.m.]: I acknowledge, not only as a member of this House but also as a charter member of the Helensburgh Lions in the 1970s, the undoubted service rendered by service clubs to the community, as the honourable member for Georges River has pointed out. Without doubt, service clubs in the community are the backbone of fundraising and creation of community awareness of the needs that exist in various communities. I am particularly proud to be a longstanding member of Lions. I thank the honourable member for Georges River for acknowledging that the Lions club does for his community what the Lions club does for all communities.

#### **NORTHERN RIVERS GROUP TRAINING CENTRE**

**Mr GEORGE** (Lismore) [6.22 p.m.]: I pay a tribute to the Northern Rivers Group Training [NRGT] which is based at Lismore. The group is responsible for employing apprentices or trainees, which means that employers have no contractual obligations, no records to keep, no workers compensation claims—which is an important consideration—and no group certificates to prepare. Employment of apprentices and trainees through the Northern Rivers Group Training is the only way to go. It takes all the hard and time-consuming work out of putting on apprentices and trainees.

When the Northern Rivers Group Training commenced in May 1988 in Lismore and was managed by a former TAFE teacher, Christine Russell, only one apprentice carpenter and joiner, Anthony Gibbs, was on the books. Christine stayed with NRGT until 1997, when Toni Russell took over for a short time until the current

manager, Janelle Ware, was appointed in 1998. By February 1989 the group had 500 apprentices on its books in 24 trades in an area from Grafton to Tweed Heads. The first apprentice to graduate was electrician Phillip Rushby of Lismore, who graduated in January 1990.

In February 1991 the group indentured its one-hundredth apprentice. Zoe Baker, an apprentice chef, was placed with Ocean Shores Country Club. She was the only female apprentice in the scheme and the third chef to be employed by NRG. In 1995 the company developed a training program to address the special needs of 49 long-term unemployed people in the Lismore region. The group developed and delivered a curriculum package and scheduled local trainers to handle day-to-day delivery. Over the past three years, Northern Rivers Group Training has moved into traineeships, and 50 trainees are now employed in the region.

Links and partnerships that have been forged with the Southern Cross University, Northern Rivers Health Service, Rutherford's Accounting and the Lismore District Education Office ensure that there are ongoing traineeship opportunities for local young people. In 1999 the first pilot group of part-time school-based trainees was introduced into the northern rivers region. Under that program, six trainees completed their Higher School Certificate courses and traineeships in hospitality, business services/administration and horticulture in 2000. All six are now undertaking higher-level traineeships or apprenticeships in their chosen fields. To achieve such results, the Northern Rivers Group Training works closely with local schools and the Lismore District Education Office.

Intakes of in-school trainees have continued throughout 2001. The group is co-ordinating and managing three indigenous projects. Other projects in the development stage include two large housing ventures which should provide employment for a large number of apprentices and trainees. Although the early years of the Northern Rivers Group Training were a struggle in an area that has the highest rate of youth unemployment in New South Wales, it is now a thriving unit under the energetic leadership of Janelle Ware and the enthusiastic co-operation of her colleagues. Recently I had the pleasure of attending the group's annual function, when 27 of the region's top apprentices and trainees were honoured with awards.

I presented the certificates accompanied by the Mayor of Lismore, Councillor Bob Gates, and the Federal member for Page, Ian Causley. Among the recipients of awards were apprentices in trades which include carpentry, electrical and automotive mechanical, and full-time and school-based trainees in fields including hospitality, laboratory operations and office administration. Employers were also recognised for their contribution to the local economy and their support of Northern Rivers Group Training. Over the past 18 years the Northern Rivers Group Training has contributed to the training and employment of more than 500 young people. I recognise that the success of the centre is largely due to the hard work by the current manager, Janelle Ware, who is doing a tremendous job.

I had great pleasure in presenting to Mark Brown of Casino his Apprentice of the Year award. Mark works for FHW Electrical at Casino, which is operated by Col Humphreys—one of the original employers associated with the group. A highlight of the evening was the presentation of certificates of achievement to five Aboriginal apprentices who are completing four-year apprenticeships in carpentry and bricklaying. They have been involved in building houses and a health centre for the Mulli Mulli community near Woodenbong. [*Time expired.*]

#### **BLACKTOWN BOYS HIGH SCHOOL AND BLACKTOWN GIRLS HIGH SCHOOL CLEANING CONTRACT**

**Mr GIBSON** (Blacktown) [6.27 p.m.]: Recently a deputation of cleaners from Blacktown Boys High School and Blacktown Girls High School visited my office to tell me of the position in which they find themselves at the moment. Tempo Services Ltd, cleaning contractors, has moved in and taken over the Government contracts for cleaning schools. Blacktown Boys High and Blacktown Girls High merged and, as a result, lost one cleaner. In cleaning hours that means 30 hours of work per week have been lost. Moreover, job descriptions have changed. The cleaning contracts are naturally outcome based but the people who visited my office believe that the standard of cleaning has declined since Tempo took over the contracts.

Most of the people concerned are middle aged and are mainly women. Most of them come from a non-English-speaking background and they take tremendous pride in their job. Some of them have been working at the schools for a number of years and on a daily basis they deliver the school to the students in a spick and span condition. The problem is that the quality of work cannot be sustained under the contracts as they have been formulated. For example, they tell me that they have nine minutes to clean a classroom, 18 minutes only to clean a laboratory, and 28 minutes to clean a kitchen. These workers are stressed, and they maintain that because of

the stress under which they work, there is no time to do the chores they did prior to the contracts with Tempo. These cleaning tasks include cleaning the playgrounds and ovals. At the two schools there are a lot of gum trees, and fallen gum nuts can be extremely dangerous if children slip on them and fall. The cleaners used to clean them up, but they cannot now do that. After speaking to the cleaners I wrote to the Minister, who replied to me on 12 June in the following terms:

The cleaning contracts are outcomes-based, with cleaning standards judged by the level of cleanliness achieved rather than the hours worked by the cleaners...

Advice has been provided by [the Department of Education and Training] indicating that when last inspected, the level of cleanliness at Blacktown Girls and Blacktown Boys High Schools was very high.

The Minister concluded by saying:

Advice has been provided by DET indicating that another random inspection will be conducted at Blacktown Girls and Blacktown Boys High Schools during term two to ensure that a satisfactory level of cleanliness is being maintained.

Also on 12 June I received a letter from Noel Brackenbury, the New South Wales Teachers Federation representative on behalf of the school. He said:

Despite the concerns expressed by the school and teaching staff, Tempo Services Ltd has introduced rosters that reduce the hours of cleaning at Blacktown Girls High by 15 hours per week. They conducted a two week trial of the new rosters concluding on Friday 11/5/01.

On 6/6/01 three representatives of Tempo Services attended a meeting with Edward Gavin, the Principal, and myself to review progress of the trial of the revised cleaning rosters. The Tempo representatives claimed that, despite staffing difficulties, the reduced rosters had been satisfactory.

Mr Brackenbury went on to say:

The survey indicated that in most rooms a significant number of prescribed cleaning tasks were evidently not done.

While acknowledging that improvement was required, Tempo did not concede that the trial had demonstrably failed. Nor did they concede our conclusion that the removal of 15 hours cleaning had significantly reduced the cleanliness of the school.

Two conflicting answers were given to me on the same day. I asked the Minister to send an officer of the department to the schools to look at not only the standard of cleaning that has been done but to also look to see what cleaning has not been done. As I have said, the cleaners take great pride in their work. The stress that is now being put on them is tremendous, and they feel that they cannot keep up the pace. Ultimately, the people who will lose out will be the students who attend Blacktown Boys High and Blacktown Girls High. I ask the Minister to investigate the situation and ascertain if it can be rectified. [*Time expired.*]

### HOME WARRANTY INSURANCE

**Mr BROGDEN** (Pittwater) [6.32 p.m.]: Firstly I welcome to the Parliament this evening the school captains from Barrenjoey High School, Pittwater High School, Narrabeen Sports High School, Mater Maria High School and Northern Beaches Christian School, who will join me this evening in the parliamentary dining room for dinner, and also a discussion on leadership issues in their schools and the local issues for young people. There has been much discussion in recent weeks and months about the collapse of HIH Insurance and many of the innocent victims involved. A scheme has been established by the Federal Government to assist the people who are most in need. Indeed, that will clearly be an ongoing legal process and the outcome will be dealt with over a lengthy royal commission inquiry.

I would like to discuss my concern about some other people who have been badly affected by the collapse of the insurance company. They are builders who are affected by the inability to gain insurance through the home warranty insurance scheme. Honourable members will recall that some years ago the then Minister for Fair Trading, the Hon. Faye Lo Po', deregulated the old Government Building Insurance Scheme and it was put onto the market. HIH was a major player. In the last few months I have been approached by many builders in the Pittwater electorate who have been badly affected by the collapse of HIH. In particular, I have been approached by two swimming pool builders. When they met me three weeks ago they had not worked for 13 weeks. They told me that if they had known they were going to have 13 weeks off, they would have planned to take a holiday. But they had not planned for this. They are desperate to find insurance. They are putting their credentials on the line; they are putting their family homes on the line in order to get back into business.

The builders are having great difficulty finding work—and these are people who want to work; they do not want something for nothing. They want a chance to get back to work, and they are desperate to find an

insurer. They have found that the remaining insurers—and there are only two in the market—are placing requirements on them that are simply ridiculous. In some cases they are required to put up a bank guarantee of 5 per cent of their turnover. I do not keep 5 per cent of my annual salary in a bank account. Indeed, I do not know many people who do. I certainly do not know many small to medium builders who could afford to give a bank guarantee at 5 to 10 per cent without putting their homes and their livelihood on the line. Worse than that, many of these people have had to lay off their work force. These are people that they know well; they work closely with them.

I was contacted by a close friend who lives across the road from me and whose family I know well. He is a builder who cannot get insurance and therefore cannot start new jobs. He employs a crew of eight people. He is now at the point where he is considering putting those people off. The situation is becoming desperate. These people want to work and provide employment for others. They are not asking for something for nothing; they are willing to pull their weight, but are restricted by the mean-spiritedness of insurance companies and the ridiculous conditions they are placing on them. Many of these people have been in contact with the office of the Minister for Fair Trading. They have indicated to me that they have received phone calls from the Minister's office, but have not been given any indication of any future plan. There has been a lot of talk and a lot of rhetoric about the collapse of HIH, but what the Government needs to do at a State level is to step in and indicate to these insurers—

**Mr Collier:** Insurance is a Federal issue.

**Mr BROGDEN:** The honourable member for Miranda indicates that from his perspective insurance is a Federal issue. Home warranty insurance is a State issue. It is State legislation, and it is a State requirement that builders must have private insurance.

**Mr Collier:** Regulation is a Federal issue.

**Mr BROGDEN:** I am not speaking about regulation. I am speaking about people who cannot get back to work because the insurers are simply playing the game too tightly. The Government needs to bring pressure to bear. I am not speaking about laws, or about the Government's stepping into the breach at this stage of the game. I am simply speaking about the Government using its weight in a public forum in the parliamentary sense to call on these insurers to cut some slack to these people who are willing to work hard to put bread on their tables and on the tables of those they employ.

**Mr McMANUS** (Heathcote—Parliamentary Secretary) [6.37 p.m.]: I concur with much of what the honourable member for Pittwater has said, because I have just completed extensions to my home and I am also caught up in the HIH issue. However, I am lucky that the builder, who happens to be a particularly good friend of mine, was able to make alternative arrangements. People in the Sutherland shire are experiencing the same difficulties. Many builders that I am involved with, many of whom are friends of mine, are in the same position.

However, I must say it is unfair not to acknowledge the fact that the State Government has tried to do something about the matter. The Premier of this State very quickly handed over \$600 billion to immediately assist those in desperate and dire straits. We must accept also that HIH would not be in its current position had the Australian Prudential and Regulation Authority done its job properly. Having said that, a royal commission inquiry may well be on the way, but it is not happening fast enough. John Howard may well not have a parliamentary responsibility in this matter, but it would be good if he were able to do the moral thing and match the State Government's contribution to help the people and the builders of New South Wales.

#### **TYNAN MOTORS MAZDA DEALERSHIP**

**Mr McMANUS** (Heathcote—Parliamentary Secretary) [6.39 p.m.]: I think most honourable members are aware that I and my colleague the honourable member for Miranda have worked tirelessly and assiduously to ensure that the people of the Sutherland Shire are protected in so far as employment is concerned. In fact, we have been working very hard with the Minister for Regional Development, the Hon. Harry Woods, to ensure that our voices are heard in his office in regard to future employment in the shire.

Undoubtedly honourable members will understand that we are both dismayed at having to bring to their attention Mazda Australia's grossly unfair and unjust decision which will affect the livelihoods of some 30-odd Sutherland shire residents who rely on the Mazda product for their employment. The decision of Mazda Australia has serious commercial implications for the Tynan Motors Group, a family owned company that has traded in the Sutherland shire for more than 35 years, with local Sutherland shire staff as stakeholders. Mazda Australia has made a decision not to extend the dealer agreement with Tynan Motors past 30 June.

It is claimed that Tynan's has failed to conform to Mazda Australia's facilitation policy, even though Tynan's has just committed \$10 million to further investment in Sutherland shire at Oak Road, Kirrawee, and a new showroom at Sutherland. Tynan's now have a new two-storey, 10-car showroom, which is built to conform to the eight-car showroom policy of Mazda Australia. On 30 June that showroom will be empty of product because, I am led to believe, Mazda Australia pursues a policy based on an unjust, inequitable premise that Tynan's have not, or will not, conform to the Mazda facilitation policies. I am informed that Tynan Motors were fourth in volume of sales in New South Wales as at May, and that Tynan Motors always achieves Mazda's volume targets. Honourable members can understand our dismay that Mazda Australia has made such a determination. However, those achievements apparently cannot satisfy Mazda Australia, and instead, it offers the franchise to Sumotomo Bank and other absentee owners who are not directly connected with the franchise.

It is obvious that Mazda Australia has no knowledge of the parochial nature of residents of Sutherland shire. It is at Mazda Australia's peril that it abandons a well-respected corporate citizen of 35 years standing and offers the franchise to absentee owners. If Mazda Australia is successful, the result will open up a huge potential for the manipulation of any Australian dealer by manufacturers and/or distributors which is foreign to the best interests of the Australian dealer organisation. How can Mazda Australia reject a new luxury service, parts and administration centre at Oak Road, Kirrawee, constructed at a cost of approximately \$9 million, because it is not "fitting into their facilitation policy", thereby putting in jeopardy the livelihoods of some 30 Sutherland shire residents and their families?

Tonight I spoke with Mr Malcolm Gough, Managing Director, Mazda Australia, Melbourne, who understands that Michael Tynan, head of Tynan Motors, is a great corporate employer. Disappointingly, he has no intention of changing this business decision. I ask again that Mazda quickly reassess the decision both for the protection of people in the shire and for the benefit of the company and those who have worked for many years with Tynan. In my lifetime I have had two Mazdas, both of which I bought at Tynan Motors. I can only speak with pleasure about the respect I have received in those dealings, which have been nothing short of exemplary. It is pity that the Tynan family has to face what has been thrust upon it after 35 years in the business.

#### NATIONAL PARKS AND WILDLIFE SERVICE MANAGEMENT

**Mr STONER** (Oxley) [6.44 p.m.]: As honourable members would be aware, the electorate of Oxley has a substantial area of National Parks Estate. Issues regarding the management of national parks are, therefore, of great concern to my constituents and I. On 11 April I spoke in this Chamber about National Parks and Wildlife Service [NPWS] whistleblowers and about the investigation—including an investigation by the ICAC—of serious allegations. Since that time, a number of documents have come into my possession which indicate maladministration in the management of the NPWS, a lack of accountability, a culture of covering up and, even worse, a culture of attacking the credibility of and victimising those who have the courage to speak out.

Amongst the matters raised in the documents I have received are the issuing in 1998 of 3,157 NPWS annual passes with a value of \$226,170 when only \$199,091.70 in receipts was credited, a major unexplained loss of more than \$27,000; inadequate systems to prevent the forgery, via colour copiers, of annual passes such as K80250170, despite knowledge of the practice; the integrity of accounting procedures, such as annual pass No. K0133747, date stamped 5 October 2000, being recorded as having been sold on 29 October 2000; unfettered spending on offices and perks, including \$81,000 on refurbishment of offices at Parramatta, \$1,500 on a wallpaper consultant to advise on renovation of a post office, and \$339 on restaurant meals at Coffs Harbour on 27 November 2000; the lack of action on basic park problems such as blackberry infestations in Garigal National Park and deterioration of historic tracks such as Ensigers Track in the Blue Mountains; the sale to staff members at bargain basement prices of unwanted office furniture; and the sale at auction of computers containing sensitive information, including tender documents and submissions intended for the Minister.

Other issues contained in the documents I have received relate to the use of a corporate credit card by a senior officer to pay for expenses of his wife, who accompanied him on a business trip to Adelaide late last year; the use of a corporate credit card charged to NPWS Central Region at Parramatta in October 2000 to purchase alcohol and pizzas; procedures so lax that the Parramatta office paid registration renewal fees in 1999 on a vehicle that did not exist and on a number of vehicles that had previously been sold; vehicle inspection fees paid twice on the same day for the same vehicle from different inspectors, despite it being passed on both occasions; and extreme tardiness in paying accounts, to creditors including Telstra, one overdue account for more than \$35,000; Qantas; ANZ Visa, resulting in substantial late payment fees and interest; Sydney Water, resulting in threats to disconnect; TNT; Link Communications; Gosford; Blacktown and Holroyd city councils; Cleanaway;

Department of Public Works and Services, one overdue bill for more than \$118,000; Integral Energy; State Mail Service; Waterways Authority; Media Monitors—the list is endless. That many angry creditors cannot be wrong.

The seriousness of the financial ineptitude is evidenced by the fact that one government agency owed money by the NPWS was forced to go to the State Debt Recovery Office, which is under the control of the Minister who has responsibility for the NPWS, on three separate occasions to seek payment of \$491. That brings me to the role of Minister for the Environment. Surely a competent Minister would be aware of such serious problems in a statutory authority for which he is responsible. Perhaps he is not, because of the way he has been overloaded with portfolios since the Premier was not prepared to take on the factions of caucus when choosing a new Minister to replace the former Attorney General. These issues are of grave concern to the Oxley electorate, which has vast areas of National Park Estate. Of equal concern is the cover-up culture in some parts of the NPWS, about which I have previously spoken, concerning past whistleblowers John Kyte and Clive Bennett. The issues I have just described have been swept under the carpet by the management of the NPWS. I have an email from Industrial Relations Manager, Kate Molloy, to senior NPWS manager Bob Conroy, which she suggested he pass on to other staff:

All be assured that although there have been a lot of accusations made, the investigation has been thorough and found that there was no substance to those accusations. There will be no residual damage to your careers.

[*Time expired.*]

### **Dr JUAN SABAG DEREGISTRATION**

**Mr TRIPODI** (Fairfield) [6.49 p.m.]: I speak on a matter of significance in my electorate involving issues of natural justice for Dr Juan Sabag. This doctor has practised in Fairfield for over 20 years and is respected and supported by his patients, many of whom constitute the sizeable Spanish-speaking community of the Fairfield and Liverpool areas. In February this year Doctor Sabag was deregistered by the Medical Tribunal for a period of three years. Dr Sabag has appealed against the decision, maintaining he had not performed the procedures claimed by the Medical Tribunal.

Dr Sabag's deregistration arose when the Health Care Complaints Commission received a section 66 referral from the Health Insurance Commission. An investigation ensued and, in accordance with the Medical Board, it determined what action should be taken. It is not clear whether the board or the HCCC determined that the matter should be prosecuted before the Medical Tribunal, but the most serious view is the one that must be acted upon according to the law, and it was decided that the matter should be prosecuted.

It was a peculiar decision. I am advised that the investigation into Dr Sabag's professional and clinical conduct did not involve any patient interviews. There were no complaints from patients to trigger the investigation, nor have any come to light since his deregistration. The HCCC does not need a substantial case to initiate a prosecution. The decision to prosecute follows what appears to have been a less than comprehensive investigation revealing little evidence of any risk to public health. This then begs the question: Why prosecute? A substantial part of the complaint presented to the Medical Tribunal related to incorrect claims to Medicare. It is my understanding that this was a matter for a different jurisdiction, the Health Insurance Commission, and that it in fact had already been dealt with by that body.

With the HCCC presenting this matter as a complaint before the tribunal, it is arguable that Dr Sabag has been subjected to double jeopardy—a breach of natural justice. The disciplinary arm of the Health Insurance Commission, the Professional Services Review Committee, which considered the question of incorrect claims did not conclusively determine whether Dr Sabag was performing so-called nerve blocks, the clinical procedure in question. The matter was referred to the New South Wales Medical Board, which deals with matters of doctors' clinical and professional performance. The Medical Board placed restrictions on Dr Sabag's practice preventing him from performing nerve blocks and referred the matter to the HCCC for investigation. Neither of those Medical Board restrictions has been breached.

As I have stated, even though the HCCC does not require a substantial case to proceed with a prosecution, it is my view that to proceed in such circumstances is unfair to Dr Sabag. He has been subjected to a public process whereby doubts have been created about his ability to practise, and he has needed to incur substantial personal expense. Furthermore, he has been placed in a situation where his livelihood and reputation have been at risk and at the mercy of the tribunal considering the matter. It is wrong that Dr Sabag has been subjected to this.

The complaint prepared and submitted by the Commissioner of the HCCC related primarily to two matters. Firstly, between 1 July 1994 and 30 June 1995 the practitioner performed, or attempted to perform, what are known as nerve block procedures while not being appropriately qualified and trained to conduct such procedures. This constituted instances of inappropriate practice. The second matter related to incorrectly claiming from the Health Insurance Commission for these procedures. The Medical Tribunal considers complaints prosecuted by the HCCC. It is constituted by a District Court judge, in this case Judge Taylor, two doctors selected from a list approved by the health Minister, and a lay person. I understand that the two doctors can be members of the Medical Board.

The structure of the tribunal is of concern to me as members, or former members, of the Medical Board sitting on the Medical Tribunal may be privy to doctors' histories. Judges in the criminal jurisdiction must base their determination solely on the evidence at hand and make their findings accordingly. However, doctors forming the tribunal advising the judge involved may have knowledge, direct or otherwise, about the history of the prosecuted practitioner. I do not know whether, nor am I in any way suggesting that, the doctors involved in the tribunal considering Dr Sabag's case had any knowledge of his history. However, I am concerned that the structure, as it exists, opens itself to this possibility.

The transcript of the case included evidence provided by Dr Ditton, an expert witness, who expressed the opinion that the procedures conducted by Dr Sabag were trigger point injections rather than the procedure known as nerve blocks. The tribunal concluded Dr Sabag was administering intramuscular injections, not the alleged nerve blocks, with the tribunal accepting Dr Ditton's evidence on this matter. It was determined "inherently unlikely that he could have conducted so many procedures identified in the ... complaint without recorded patient complaint. A further fact is that Dr Sabag now admits he did not carry out the procedures."

I ask a simple question. If the tribunal determined Dr Sabag had not conducted the procedures that were the subject of the complaint prosecuted by the HCCC, why was he struck off? I understand the joint parliamentary committee responsible for the oversight of the HCCC is interested in many of the issues that concern me. Unfortunately, I also understand it does not have the authority to intervene in this specific case. But the process involved should be examined. I wish Dr Sabag the very best in his appeal.

### **MOBILE SCHOOL DENTAL SERVICE**

**Mr R. H. L. SMITH** (Bega) [6.54 p.m.]: I speak on the matter of the children's dental health system in the electorate of Bega. For years I have been raising the issue of the public dental health system in New South Wales. I have always received the same reply, which is, "It is the responsibility of the Federal Government." That, as the New South Wales Government knows, is not the case. However, recently the problem has become more serious than it had been previously with the Government's decision to close the mobile school dental van, which services students who attend 24 schools in my electorate.

I have had letters from many principals, parents and citizens organisations and concerned parents regarding the closure of this important service. During a 12-month period the mobile van moved between six base schools. The dental team then travelled from that van to the outlying schools. Assessments were carried out in a designated room at the school, and each child was prioritised as to the nature of their dental status. They were then given letters to take home to their parents or carers, who in turn made appointments with the school dental therapist or private dentists to have whatever treatment was required to maintain good dental health. This invaluable service has now ceased.

The mobile school dental van now rests in the yard of the Community Health Centre in Pambula. Parents are expected to drive their children to Pambula for assessment. The Minister obviously has no idea of the distances that people have to travel in country areas where there is no public transport. Has he considered the people living on lower incomes who do not own vehicles, or just cannot afford to make such a journey? I think not. I am still waiting for a reply to my letters on the subject, letters that were sent to the Minister in February this year. School principals, anxious parents and parents and citizens organisations are also waiting for replies.

It is bad enough that the public dental health system has more than 170,000 adult people on its waiting list, but now there is a waiting list for children as well. This is an appalling situation. In June 1998 rumours spread through my electorate regarding the closure of the school dental van. I was assured then by the chief executive officer of Southern Area Health that there were no plans to change the school dental service. I have been told that over the July school holiday break a dental therapist from Queanbeyan has been asked to come to Pambula to assist with the growing numbers of children with dental problems. This will not solve the problem

that people have with travel costs and distances—for some, well over a 150-kilometre round trip. In the long run, children will suffer: assessments will not be attended to, children will grow into adults, teeth will rot, and the waiting lists will get longer and longer.

Why has the mobile dental van been put off the road? It delivered an invaluable service to thousands of children for many years, diagnosing and preventing dental decay. That more and more older people still have their own teeth is attributable to good education and early detection. This service was delivered in our public schools and worked extremely well. In the budget the Minister announced that a voucher system would be introduced to alleviate some of the waiting lists in the public dental health system. The President of the Australian Dental Association, Dr Bonanno, said that it required the participation of private dentists, which might be difficult to obtain, given the fact that they will only be paid half of the standard fee.

The dentists in my electorate are already booked out for many weeks into the future, and I would not expect them to take on more work than they already have, and for which they get paid only half of the fee. It is an insult to highly trained technicians to expect them to pick up the mess that has been made in our public health system, simply because the Minister for Health will not inject funds where they are needed the most. By tampering with an already workable system, that of the school mobile dental van service, the Minister has created a problem that is worse than it was before. I urge the Minister to bring back the school mobile dental van service to provide a solid basis for dental health for the children of the electorate of Bega.

### **EAST HILLS ELECTORATE BANK BRANCH CLOSURES**

**Mr ASHTON** (East Hills) [6.59 p.m.]: A little over two months ago the Colonial State Bank branch in Revesby closed. With the takeover of the Colonial State Bank by the Commonwealth Bank many, if not all, Colonial State Bank branches will eventually close. I have detailed in this House before how many bank branches have closed in my electorate. Bank branch closures in other electorates have been referred to by other honourable members. The closure of the Colonial State Bank branch means that all its customers now have to go to the Commonwealth Bank branch in Revesby. Based on reports that I have heard from people who have accessed services at that bank, the staff at that branch are hard-working and overworked.

Constituents in my electorate have complained that they have to queue for more than 30 or 40 minutes to conduct simple banking transactions. It may surprise the bank overlords to learn that not everyone wants simply to obtain cash through a machine. People need to ask questions about problems they face in relation to their accounts and they need a person to help them. The elderly, the handicapped, those with poor sight, the young and many other people cannot easily use ATMs. People using ATMs are often the target for criminal activity. Banks make billions of dollars from these small, local users of suburban bank branches. Are the banks interested only in those who bank millions of dollars?

Many people who try to see bank staff have to queue outside the doors of the bank building. When I have been at the bank I have simply refused to get caught up in a queue like that. Many people in my electorate spend nearly all of their lunch break in slowly moving conga lines outside various bank branches. Those people are not queuing for Australian Football League grand final tickets in Melbourne; they simply want to use the bank. Some people want to deposit their money and others want to withdraw their money. The banks are making a great deal of interest on the money that those people deposit, but they are paying very little interest on the savings of ordinary people. My office has been inundated with complaints about the lack of service at the Revesby branch of the Commonwealth Bank.

On Monday I needed to talk to someone at the Commonwealth Bank in Revesby. I rang the bank's number after 9 o'clock and I redialled that number several times before I finally got a recorded message to the effect that someone would talk to me soon. As I had to travel to Parliament House I left my mobile phone on for 15 or 20 minutes waiting for a response, and finally gave up as I entered the airport tunnel and lost contact. People do not have time to spend 30 or 40 minutes in a queue at the bank and they do not want to spend the same amount of time on the phone in the hope that they might be able to talk to someone at the bank. People using mobile phones are not able to use those phones in their cars if they do not have audio speaker facilities. The issue that I wanted to resolve with bank staff was simple from my point of view. I wanted to know where my parliamentary salary had gone. It appeared to have vanished when the Colonial State Bank was taken over by the Commonwealth Bank.

I do not think members of the community would be sympathetic about the disappearance of my parliamentary salary. My wife continually tells me that I do not take enough interest in banking matters. I make

the point that I was just trying to find out what had happened to my salary. I was not able to obtain an answer by joining a queue of people at the bank and I was not able to obtain an answer by phoning the bank. At a time when banks are announcing record and obscene profits, why are they continuing to close bank branches? Why are they not providing bigger branches and additional staff? I dare say that banks in Australia are the most unpopular institutions that we have. Panania has lost two of its four banks, with the closure last year of the Westpac branch and the closure a year or two before that of the Colonial State Bank. Colonial State Bank customers had to go to Revesby.

As a result of the closure of the Revesby branch, customers from two suburbs have been forced to go to the Revesby branch of the Commonwealth Bank. So bank branches in that area have been reduced from three to one. I would have thought that the most junior bank teller would be able to do the sums. If there are fewer banks more people would have to use remaining branches. That leads to long queues, frustrated and angry customers and shell-shocked staff. No amount of cash for comment could hide that reality. I fully support the action taken by the finance sector union to try to improve conditions in banks for staff and customers. I commend those who have sought to establish community banks, such as the Bendigo Bank in New South Wales. The duplicitous banks argue that fewer people are using banks and that the vast number of transactions are effected through electronic banking. That might well be the case. As there are no longer bank branches in any suburbs people are not able to go to a bank to do ordinary banking.

Not everyone is capable of using either EFTPOS or ATMs. When people in a queue finally obtain the services of a bank employee they are told, "We cannot do that here. You have to go over there." I refer honourable members to an incident that occurred recently. A local customer at the Panania branch of the Commonwealth Bank was told, "You will just have to get used to the way we do things now. After all, the Commonwealth Bank took over the Colonial State Bank and that is your problem." That is not good enough. I will continue to raise bank usury issues and refer to the lack of services for ordinary constituents in my electorate. I am reminded of that famous statement by Groucho Marx, "I would like to complain about the service, but there isn't any." It is a pity that there are no longer government-run banks in Australia and/or New South Wales. [*Time expired.*]

**Mr MOSS** (Canterbury—Parliamentary Secretary) [7.04 p.m.]: I concur with the sentiments expressed by the honourable member for East Hills and with the statement that he made about the banks providing no service. Recently, when I was in a queue at a Commonwealth Bank in Campsie, I talked to a number of constituents in the same queue. I said that the Commonwealth Bank in Campsie was probably one of the safest banks to deal with in Australia. I told those in the queue that the Commonwealth Bank in Campsie had been held up on a number of occasions but that burglars never did any damage or got away with any money because nobody bothered to serve them. That raised quite a laugh from people in the queue, but bank staff just snarled. I do not blame them for that as staff numbers in bank branches are limited.

What the honourable member for East Hills said earlier was true. The people with whom I sympathise are those who spend their entire lunch hour waiting in bank queues, only to be told, "We cannot help you at this counter; go to the next counter." This matter has been debated in this Parliament on a number of occasions. I have spoken in debate on this issue on three occasions. Over a period of 10 years—and honourable members should remember that there has been a change of boundaries within that time—Canterbury electorate has lost 10 banks: five Commonwealth Bank branches, three Westpac Bank branches and two ANZ Bank branches.

I sympathise with the sentiments expressed by the honourable member for East Hills. These days banks are interested only in those who invest and in those who require bank loans. Banks are no longer interested in ordinary customers, which is scandalous when we read of the profits they make year after year. We cannot do much other than continue to raise these issues. I thank the honourable member for East Hills once again for raising this issue.

#### **EASTERN DISTRIBUTOR CONSTRUCTION HOMES DAMAGE**

**Ms MOORE** (Bligh) [7.06 p.m.]: Tonight I call for action for constituents whose homes appear to be seriously damaged as a result of the construction of the Eastern Distributor. The problems are consistent with subsidence due to vibrations or groundwater changes as a result of the construction of the toll road. Problems range from cracks in many rooms to one home with gaps which are wide enough to put one's hand through. Doors and windows do not close because frames are warped and built-in cupboards are separating from walls. As a city councillor I fought to save the castellated heritage building on the former Resch's site on South Dowling Street, which is now part of Moore Park Gardens at Redfern. It appears as though that significant building has been hit by an earthquake, with a widening crack zigzagging up two storeys.

When residents first reported problems to me, I told them that consent condition 41, imposed on the tollway project by the Minister for Urban Affairs and Planning, required that damaged property was "to be fully restored at no cost to the owners". I advised residents that they could make a claim to Leighton, the construction company. When the extent of the problems became clear I wrote to residents in the most affected areas, telling them of their rights. I advised constituents that, if they were not satisfied with Leighton's response, I would send their claim to the Minister for independent review. I have now referred 14 claims. Nine other claims are in the pipeline. Distressed residents are still contacting me.

Leighton's treatment of the local community is shameful. Residents do not believe that their claims have been taken seriously. Consent condition 37 required Leighton to inform the community how to make a claim, but no-one recalls receiving that advice. There is no claim form and no transparent review process. Leighton has not responded to all claims. Some residents have waited months for a reply. Some official correspondence has been sent with incorrect dates, numbers or photographs. Residents with poor English have been pushed into signing forms without access to an interpreter or without being given an adequate explanation, releasing Leighton from liability. In every case Leighton has denied any liability. Its representatives, who claim to be independent assessors, have argued that the damage is not Leighton's fault.

When pressed for an alternative explanation, Leighton has given answers that have bordered on the absurd, especially as these houses have stood the test of time for 80 to 100 years. Three geotechnical experts surveyed three homes on three streets and came to one conclusion: tollway construction is responsible. Residents fear that their homes need structural underpinning to prevent damage recurring after repairs. Leighton has done cosmetic repairs for some residents or made an ex gratia offer of payment for a fraction of the actual cost of repairs in exchange for a signed waiver enforcing silence and releasing Leighton from any past, current or future liability. The home of one couple who had repairs carried out is now as bad as ever. The picture of that couple's home in yesterday's *Sydney Morning Herald* graphically shows that only the symptoms were cosmetically repaired, but the cause is unaddressed.

The Minister for Urban Affairs and Planning has stated that his department independently reviewed each complaint. However, from the Minister's letters it seems he asked the Roads and Traffic Authority [RTA] for an explanation. The RTA asked Leighton for an explanation and Leighton provided the entirely predictable response that it was not responsible. There has been no independent assessment or independent review of compensation. Due to the increasing number of homes affected and the lack of action, I am working with affected residents to get a fair and just response from the Government and Leighton and, if necessary, to explore legal remedies. A coalition of around 50 affected residents and small business owners has now formed. At its first meeting on 12 June the coalition unanimously asked me to seek a meeting with the Minister for Urban Affairs and Planning, the Minister for Roads and a representative from Leighton.

I ask the Minister to urgently schedule a meeting and respond to the Coalition's unanimous resolutions, which include calls for an independent inquiry to be undertaken by persons endorsed by the Coalition, at no expense to the affected property owners; and exclusion of Leighton from bidding on the cross-city tunnel until it has abided by the findings of the inquiry and guaranteed any repairs against a recurrence of problems. The lack of action raises concerns about the relationship between lucrative public infrastructure contracts and lucrative political donations. Leighton Holdings gave more than \$67,000 to the New South Wales ALP prior to the last election. It received significant profit from the \$700 million Eastern Distributor and is now bidding on the \$400 million cross-city tunnel as part of the E-Tube consortium. I say in conclusion that the cost of repairs to residents' homes is negligible in comparison.

**Private members' statements noted.**

*[Mr Acting-Speaker (Mr Lynch) left the chair at 7.11 p.m. The House resumed at 7.30 p.m.]*

**APPROPRIATION BILL**

**APPROPRIATION (PARLIAMENT) BILL**

**APPROPRIATION (SPECIAL OFFICES) BILL**

**INSURANCE PROTECTION TAX BILL**

**STATE REVENUE LEGISLATION FURTHER AMENDMENT BILL**

**Second Reading**

**Debate resumed from an earlier hour.**

**Mr McGRANE** (Dubbo) [7.30 p.m.]: Before speaking on how the budget affects the electorate of Dubbo, I would like to refer to the taxation system in Australia and in New South Wales. The GST was

introduced by the Federal Government. That change in our taxation system has been accepted in some quarters, and welcomed in other quarters. Taxation in Australia should be taken a step further and consideration should be given to establishing regional taxation zones. Recently the Institute of Chartered Accountants of Australia and the Local Government and Shires Associations delivered a detailed report on the creation of regional enterprise zones. The 112-page report was handed down in April and addressed the gaps between certain regional areas, with job creation being the key.

The study revealed that this was a fundamental weakness of the Australian economy which, although it did not hinder growth during the 1990s, is likely to do so in the future. In fact, the costs of unemployment rates alone have reached a point where all levels of government must face the choice between intervention and national disintegration. Only last weekend the media reported that some politicians advocated that those communities that are struggling should be left to do so and left to die. I do not prescribe to this view. I advocate a more proactive approach from government to ensure that all communities are provided with quality opportunities for development. The well-compiled study outlines telling arguments as to why private sector job generation via the creation of enterprise zones must be of the highest priority to arrest the gap between many parts of regional Australia. I shall outline to the House the first 15 recommendations of the report, which are as follows:

1. The Commonwealth, State and Local governments, the Institute of Chartered Accountants and other relevant business, industry and community organisations join to form a taskforce to develop sustainable strategies for incentives via Enterprise Zones in regional Australia.
2. The Commonwealth Government recognise the need for specific policies to improve the economic performance of under-performing regional areas.
3. The Commonwealth Government recognise the role of business and private industry in supplying job growth in under-performing regions and implement policies to assist such industry to develop and prosper.
4. The incentive program should include the creation of Enterprise Zones to encourage the introduction of new industry and the expansion of existing industry in under-performing regions.
5. For the purpose of identifying Enterprise Zones regions should be defined as local government areas with provision that regional groupings of local government areas should be encouraged.
6. Declaration as an Enterprise Zone should be available to regions which are experiencing economic distress, particularly high unemployment. Eligibility for Enterprise Zone assistance be based on objective criteria of disadvantage.
7. Regional commitment to an economic development strategy/plan be mandatory for selection as an Enterprise Zone.
8. Enterprise Zones be financed by the Commonwealth and implemented by State and local governments.
9. Each Enterprise Zone must provide strong incentives to job generation and to investment which is expected to result in job generation.
10. Investment incentives in Enterprise Zones be guaranteed to remain in place for sufficient time to have a full incentive effect for at least 10 years and preferably 15 to 20 years.
11. Financial intermediaries be required to report their investments by region and receive incentives to invest in Enterprise Zones subject to these investments meeting commercial requirements.
12. Provision for increased priority for infrastructure projects in Enterprise Zones especially in regards to infrastructure identified for the plan's success.
13. The development of community colleges and similar educational, research and technology institutions should form part of the development plan in each Enterprise Zone.
14. Each Enterprise Zone be monitored under government guidelines.
15. When the Enterprise Zone program is implemented, individual taxpayer Zone rebates should continue to be provided in the income tax system.

I commend this study to the House as part of my response to the budget. Economic zones are coming to fruition in the Dubbo electorate. I acknowledge, as does the Government, the importance of Dubbo as one of the success stories on regional development in New South Wales. In the Dubbo electorate progressive councils work together to ensure that the region as a whole moves forward by providing quality opportunities and job creation for generations to come. I welcome the capital works allocation, which amounts to \$31 million, excluding Federal road grants of \$20 million and State road grants of \$5 million. The areas of local expenditure include \$2.5 million to upgrade facilities at the Dubbo multicampus college; \$1.6 million for additions to the Rural Skills Centre; \$3.7 million for an acute psychiatric inpatient unit at Dubbo Base Hospital, as well as general mental health services; \$1.35 million for the Burrendong Dam upgrade; and \$3.2 million for land and water conservation projects.

The biggest winner in my electorate was the Western Plains Zoo at Dubbo. This year's budget has allocated \$5 million for the zoo, with ongoing allocations for 12 years amounting to \$35 million. The Western Plains Zoo is the hub of tourist development in Dubbo, with just under 200,000 visitors per year. Indeed, it also encourages tourism in the surrounding cities and towns. We must continue to update and upgrade the area's tourist facilities. A highlight of the roads budget is the allocation of \$500,000 for reconstruction of the narrow, winding stretch of the Newell Highway 10 kilometres north of Parkes. I note that Federal Government money will also be spent in this area in the next few years. My constituents welcome the budget's various tax cuts, such as the abolition of duties connected with superannuation and franchise agreements from 1 July 2001.

The budget allocation for my area focuses strongly on education. We hope that Dubbo will become a mecca of education excellence as a result of government and private sector initiatives regarding private schools. In the past two years the State Government has spent \$27 million upgrading the public education system in the city of Dubbo. A super campus catering for students in years 10, 11 and 12 was opened only on 1 June this year and \$7 million has been spent upgrading another high school in Dubbo. The Anglican Church has also announced two programs to develop education facilities in the city. It is great news for regional New South Wales that people can choose between private and State education options. The super campus gives students of the Dubbo region the chance to study a much greater variety of tertiary subjects. The Charles Sturt University campus has operated for three years within the confines of the TAFE building. Expenditure of some \$7 million on a new building to be completed in the next three months and the Federal Government's allocation of \$6 million makes a total expenditure of \$13 million on the university campus. My area has certainly been extremely fortunate in receiving allocations from both State and Federal governments.

They are the positive points of this budget, but it also has some negative elements for rural areas. Payroll tax in New South Wales has been reduced from 6.5 per cent to 6 per cent. Although that is down on its previous level of 8 per cent, it does not compare well with other States, where the rate of payroll tax is about 4 per cent. That is a disincentive for entrepreneurs to establish their businesses in this State and I urge the Government to address that problem. New South Wales is certainly highly taxed in this area. The States are very competitive when it comes to attracting new industries, and State governments must take the lead. Victoria and Queensland compete strongly with New South Wales in this regard and are out there selling their States. Both Victorian and Queensland governments have adopted a policy of State and private sector partnerships, which is similar to the approach developed by the United Kingdom Government. I do not claim that that is not happening in New South Wales, but I believe we should place more emphasis on that approach.

This State can, through joint ventures with the private sector, initiate many projects that it could otherwise never afford. It is a very competitive world, which is now much smaller than it was a few years ago when the taxation system was slightly easier. New South Wales must be on the front foot when it comes to offering incentives as we have the population base and the existing infrastructure. My electorate welcomes this budget. It is a positive budget for New South Wales as it is in surplus, but it has several shortcomings. We must consider how to vet Government expenditure effectively. There is overexpenditure in many areas—I will not list them now—and I believe Government spending should be monitored more closely. Some people believe the system allows for a progressive taxation increases every year and a subsequent increase in revenue. However, it is a matter not of how much money is collected but of how that money is spent. That is the crux of the matter, and I believe it requires greater scrutiny. I commend the budget to the House.

**Mr BLACK** (Murray-Darling) [7.46 p.m.]: Practically every day in the New South Wales Parliament Country Labor parliamentarians debate issues important to the daily lives of country families. These issues include the Rural Counselling Service, West 2000 Plus, dairy deregulation, flood assistance, rebuilding country bridges and reopening country rail lines, and attracting qualified doctors to isolated communities. Country Labor is there putting the case first and loudest. I wish to make some general observations about the budget in so far as it affects regional and rural New South Wales. Comparisons of population and State capital works spending show that country New South Wales will this year receive 6 per cent more than its per capita share of public investment. This is another year of extra commitments to help develop the whole of the State, not just the principal cities.

While 42 per cent of the State's six million people live outside Sydney, the Government is spending 48 per cent—more than \$3,000 million—of its \$6,400 million capital works and roads maintenance budget in areas beyond the State capital. Some 28 per cent of those who live in non-metropolitan areas—that is, outside Sydney, Wollongong, Newcastle and the Central Coast—will receive 34 per cent, or \$ 2,160 million, of the State's capital works and road repairs expenditure. The spending is expected to sustain 32,500 jobs in country communities. More than \$1,900 million will be spent in the coming year to provide health care to rural and

regional communities—a 52 per cent increase in funding since 1995. The record health capital works budget of \$529 million will pay for the completion of six major hospital developments outside Sydney, including work at Tweed Heads, Coffs Harbour and Dubbo.

Schools and TAFE colleges outside Sydney will receive nearly \$3,500 million from the budget. This includes more than \$40 million to improve the literacy and numeracy of rural children, and \$55 million for an expanded maintenance program in rural schools. Nearly \$70 million will be spent on distance education centres, grants for isolated schools and other measures designed to tackle educational challenges in rural communities. The Government will invest \$1.12 billion over the next four years in the largest school capital works program ever undertaken. There is also more than \$275 million in the budget to subsidise country rail freight services and a further \$73 million to support country passenger rail services. I will provide more details about that later.

Rural and regional roads will attract \$1.2 billion—or 62 per cent—of the Roads and Traffic Authority's expenditure on road building and maintenance. The Government will direct more money to protect families outside Sydney from fires and natural disasters. The Rural Fire Service will receive \$115 million—a record budget and a 127 per cent increase in funding since 1995. Funding for the State Emergency Service will rise to \$27.1 million—an increase of 88 per cent since this Government came to office. This budget also increases concessions for pensioners on their electricity and gas bills. Around 190,000 pensioners in country areas will receive up to an extra \$29 a year. As a special initiative to help country people connect to government, 38 additional government access centres will be opened in rural towns. The centres will provide convenient one-stop shopping for information, licence renewals and registrations—matters that I will refer to later.

I refer now specifically to the Murray-Darling electorate. In the Carr Government's sixth surplus budget the Murray-Darling area wins a healthy share of the record \$5,581 million being spent on new and upgraded schools, hospitals, roads and other public facilities across the State. Local people and businesses will also benefit from new tax cuts worth \$1,215 million over the next four years. This budget comes up trumps with more spending on community improvements and more tax cuts to help families and small businesses in the Murray-Darling region. The Government's total capital works and services allocation to the Murray-Darling is \$77 million in 2001-02 and will sustain about 1,153 jobs. Key areas of local infrastructure expenditure this year are \$54.6 million on roads and \$1.55 million on education.

The Carr Government's spending priorities include \$66,000 on building six public housing units at Balranald, \$827,000 on a multipurpose community centre at Wilcannia, at least \$1.55 million on a multipurpose centre at the Hay War Memorial High School, \$365,000 on repairs and improvements to Aboriginal housing, \$655,000 on salinity treatment at Buronga, \$740,000 on replacing the Salthole Creek Bridge on the Silver City Highway and \$1 million on replacing the Paroo River Bridge on the Wanaaring to Tibooburra Road. A further \$230,000 will be spent on replacing obsolete fire fighting equipment, and \$192,160 will be given in grants to Broken Hill, Balranald, Carrathool, Hay, Murray, Wakool and Wentworth councils.

Families and businesses receive direct benefits from the budget: They will no longer pay any State taxes on bank accounts when debits tax is abolished from 1 January 2002. The budget also contains \$145,000 to increase the electricity concession provided to nearly 5,000 pensioners in the Broken Hill area from \$78 to \$107 a year. Again the budget generally helps small businesses by cutting other taxes that regularly niggle at traders and contractors. Specifically from 1 July 2001 the Government will abolish stamp duties connected to superannuation and franchise agreements and lift thresholds for stamp duties on leases from \$3,000 to \$20,000 and on hiring arrangements from \$6,000 to \$14,000.

The budget suspends the \$100 million a year electricity distributors levy from 1 July 2001 and makes allowance for a further cut to payroll tax from 6.2 per cent to 6 per cent from 1 July 2002. As well as repeatedly trimming State taxes the Carr Government continues to fund the largest capital works program ever undertaken in New South Wales. This year an extra \$577 million will be spent—nearly 12 per cent more than last year's \$5,004 million expenditure.

The Government continues to attack State debt and slash the annual interest bill. Since coming to office in July 1995, when the State's net debt was \$12,000 million the Carr Government has trimmed that burden to \$7,500 million and expects to bring it down to less than \$5 billion by 2005. This will save nearly \$1 billion a year in interest payments compared to the position in 1998 and it will be money that can be redirected into hospitals, schools and policing. On 7 May the Opposition rural roads spokesman, the honourable member for Myall Lakes and Deputy Leader of the National Party, John Turner, claimed on Dubbo Star FM radio that the State Government would slash funding to local councils in the wake of the Federal Government's recently

announced Roads to Recovery package. I shall now set the record straight on this matter. This coming year the following councils will receive increases in Roads and Traffic Authority expenditure: Balranald \$9.287, Bogan \$2.379, Bourke \$2.849, Broken Hill \$1.025, Carrathool \$7.341, Central Darling \$3.365, Cobar \$2.624, Hay \$4.502, Lachlan \$2.735, Murray \$2.166, Wakool \$4.696, Wentworth \$4.236 and Windouran \$1.302. That totals \$48,587 million, which is an increase on the \$38 million last year.

In the Murray-Darling we have an extremely efficacious organisation of mayors that works for the benefit of the community, particularly with regard to roads funding, which has increased from \$38 million to \$48 million. But this is not all. The Murray-Darling also has the unincorporated area. The grant for the unincorporated area has increased from \$6.56 million in 2000-2001 to \$10,171 for 2001-02. This brings the total road expenditure in the Murray-Darling to \$58.7 million—hardly a decrease as prophesied by the Opposition.

I shall refer now to funding provided for specific bridges across the Murray River. We have gone through the sorry saga of the Federal Government, particularly the Federal National Party, opting out of its obligations to fund the bridge spans that were given in 1998 by the then Federal Leader of the National Party. Of the anticipated \$22 million cost for stage one of the Moama Bridge the Federal Government provided only \$15 million, the Victorian Government \$2 million and New South Wales \$5 million. The estimated expenditure is now \$37 million, but we are still waiting for a response from the Federal Government. Stage one of Euston Bridge is expected to cost \$33 million rather than the anticipated \$40 million. The Federal Government again fell short by supplying only \$17 million. New South Wales agreed to provide \$10 million and Victoria \$6 million. This issue will not go away. I assure members opposite that pressure will be maintained on the National Party to meet its 1998 promise.

I turn now to something very close to my heart, the Year of the Outback, which we will celebrate next year. The State Government will provide \$2 million to support the New South Wales component of the 2002 Year of the Outback. This is the largest single contribution for Year of the Outback projects from any State or Federal Government. The Year of the Outback is a national project aimed at raising the profile of rural communities and their key role in the development of Australia. It looks also to future focusing on tourism, employment, education and culture, creating jobs and attracting investment to regional areas throughout Australia. Initiatives that will benefit from the \$2 million funding from this State Government include a major opening event, a Going Bush work exchange program, the New South Wales Outback Business Opportunities package, a Marketing Your Outback Community program, a Spirit of the Inland tourism campaign and arts and cultural events highlighting the important role of indigenous and non-indigenous cultures in the development of outback communities. I acknowledge those who developed the budget submission for this purpose: Anna Stephenson, chairperson of the working committee for the Year of the Outback, and Jenny Molloy, State co-ordinator for the Year of the Outback.

I wish to comment also on funding for migrant communities in rural and regional New South Wales, which often are isolated and need specialised services. The 2001-02 budget programs for migrant communities in rural and regional New South Wales include around \$300,000 to employ three Community Relations Commission regional co-ordinators to service migrant communities in the Illawarra and southern New South Wales, the Hunter and northern New South Wales, and western New South Wales. Over the next three years \$1.725 million will be spent on the Migration Heritage Centre, and for continuing projects in rural and regional New South Wales by that centre \$50,000 has been allocated for regional and rural migration heritage identification programs in Orange, Albury and Broken Hill. The program involves also increasing the involvement of local government in preserving migration heritage, particularly in Broken Hill. The Community Relations Commission will provide \$1.5 million for grants and subsidies in which rural and regional New South Wales will share.

I turn now to tourism. The New South Wales Government's strong support for regional tourism continues in the 2001-02 State budget. Under the Regional Tourism Action Plan more than \$8 million is committed to the development and promotion of viable well-marketed tourism products and destinations in regional New South Wales.

The State Government's regional action plan includes support for tourism initiatives for the State. Each region has a regional tourism organisation providing an umbrella for collaborative tourism marketing and development programs. The plan includes: more than \$2 million to regional tourism organisations to support marketing and development plans; more than \$4 million to run Touring by Car, Short Breaks and other innovative and advertising and promotional campaigns highlighting the holiday experiences available in regional New South Wales; more than \$1 million to fund international marketing and advertising campaigns to

promote regional New South Wales to overseas markets, including the development and marketing of regional New South Wales touring routes in the international tourism market; more than \$400,000 to programs assisting the development and promotion of regional visitors centres; and \$150,000 to the Sydney Convention and Visitors Bureau to implement the regional conferencing strategy to promote meetings and conventions in regional New South Wales, particularly for the Year of the Outback.

The Regional Economic Transition Scheme [RETS] will be extended for another four years. The \$5 million-a-year program will enable country communities to diversify their economic base to attract new investment and, ultimately, new jobs to the region. RETS is already helping many communities such as Broken Hill and Cobar. Another highlight of the regional development budget was \$4 million over four years for the continuation of the Country Lifestyle Program. The budget includes \$179.7 million for child and family services in regional New South Wales. The Government is working hard for all New South Wales, particularly in regard to community services. This budget demonstrates a firm commitment to regional and remote families in New South Wales.

The Department of Community Services [DOCS] is well aware of the growing demand for its services in regional and remote areas, with a large number of young families in need of support. People in regional New South Wales can be assured that additional funds will be spent where they are needed most. After taking account of the transfer of the Pensioner Electricity Subsidy Scheme to the Ministry of Energy and Utilities, funding for community services has increased by \$45.9 million, that is 8.4 per cent, to a record \$595 million. The DOCS 2001-02 budget for child and family services in the western area, which includes Walgett, Nyngan, Mudgee, Dubbo, Coonamble, Coonabarabran, Cobar, Brewarrina, Broken Hill, Bourke and Wilcannia, will be at least \$48.7 billion.

The Department of Community Services is keeping in touch with the needs of families in the Orana Far West. DOCS is well aware of the growing demand for services in areas with a large number of young families in need of support. People in the Orana Far West can be assured that additional funds will be spent where they are needed most. The Government is working hard for all of New South Wales. This budget demonstrates a firm commitment to children, young people and families in the Orana Far West. This budget continues the Carr Government's commitment to support older people, and people with disabilities and their carers living in rural and regional New South Wales.

The Government has committed \$1.1 billion for ageing, disability and related community support programs through the new Department of Ageing, Disability and Home Care, an increase of more than \$76 million. Building on current funding levels, this budget is terrific news for older people and people with disabilities across New South Wales. The Attorney General's Department's 2001-02 budget includes: \$1 million for a new indigenous justice strategy designed to reduce the overrepresentation of Aboriginal people in the criminal justice system, including a pilot Circle Sentencing Program to start in regional New South Wales this year, which is particularly important to our river communities.

In matters cultural, the budget provides \$1 million over the next three years for top-quality theatre and music to tour regional New South Wales. This extra money means that more people in regional and rural New South Wales can now experience first-class music and theatre. The additional funding made available in the State budget includes an extra \$560,000 over the next two years for the Sydney Symphony Orchestra, Opera Australia and Railway Street Theatre. The regional arts touring budget has been increased from \$862,500 in 2000-01 to \$1.14 million in 2001-02, rising to \$1.34 million in 2003-04. This year's extra funding includes: \$80,000 to Railway Street Theatre to visit up to 30 small and isolated New South Wales towns, including Nyngan and Broken Hill; and \$50,000 to Opera Australia for its highly successful schools tour. This year a production of the *Magic Flute* will visit about 186 primary schools across the State—this was funded as a pilot program in 2000.

The State Government is working to improve homes and to help more people in regional and rural New South Wales through its 2001-02 housing budget. This year we will spend \$68.6 million to improve more than 14,000 homes. Improvements will include new kitchens, bathrooms, floor coverings and painting. This year we will spend \$66.2 million to build, buy and lease 1,087 new public and community housing properties in the regions, and provide new accommodation for Aboriginal people. Through Rent Start and rental subsidies this year the Department of Housing will also provide 30,500 new assistance for families and households in regional New South Wales to assist in securing affordable homes in the private rental market.

We are also working to help people in crisis, and this year in regional and rural New South Wales we will spend: \$3.6 million to build and buy 13 new homes for crisis accommodation and new housing for people

leaving refugees; and more than \$60,000 to lease six new homes and provide a greater range of housing options for homeless people in rural and regional areas. We are increasing funding to those most in need, including the elderly, people with disabilities, large families and people with support needs. The Aboriginal Communities Development Program [ACDP] will invest \$32 million in regional and remote communities as part of New South Wales Government's 2001-02 State budget. We have recognised the need to improve the living standards of many Aboriginal communities.

The ACDP is an important step forward. It is working to raise the health and living standards of communities by improving housing, water, sewerage, roads, services, and recreational and cultural facilities. An unprecedented \$200 million has been allocated to the program. People in the townships of Wilcannia, Hillston and Lightning Ridge, as well as others, will get Fair Trading services directly through Government Access Centres [GAC] in the next few months. The extension of services to the centres was made possible by a record \$135.7 million allocation for Fair Trading in the 2001-02 New South Wales budget. The GACs will distribute information on consumer and trade rights and responsibilities in the marketplace. They will accept applications for business names and home building licences. Time does not permit a comment on extraordinary increases in expenditure for the bushfire services and SES services. That will come later. [*Time expired.*]

**Mr R. W. TURNER** (Orange) [8.06 p.m.]: I support the Appropriation Bill and cognate bills, and I will refer to a number of issues within my electorate. Although the Minister for Police and his commissioner continue to boast about police numbers and police officers taken from clerical work and relocated onto the beat, there is still a shortage of police officers available for duty. Sadly, I—as do all my colleagues in this House—continue to have constituents ring or visit our electorate offices complaining that police officers have not attended a crime scene or that they have arrived too late at a crime scene. Police officers cite officer shortage as the reason for not attending earlier.

All honourable members have heard of police being complacent about what they appear to regard as petty crime. But to people who have had their possessions stolen or their homes violated it is a major crime. A couple of weeks ago Mr and Mrs Lance Churchill, who run a mechanical repair business in Orange, rang the police at around 1.00 p.m.—not 1.00 a.m.—to report that three thieves were attempting to ransack their car, which was parked and padlocked outside their business premises. Despite the Churchills having locked and parked their car outside their business on a sunny day in a street with a steady traffic flow, and despite Mr Churchill chasing one of the culprits, who was around 10 years of age and who was later arrested in respect of a separate incident, the police officer who attended the crime scene had the temerity to suggest that the Churchills should be more careful where they park their car.

There is a real shortage of police in the service's Fingerprint Squad and Accident and Investigation Squad. Tragically, a few weeks ago two people died when two semitrailers collided at Wellington. It is some six weeks since the collision and still one of the semitrailers, which was operated by a company in Orange, has not been inspected by the Accident and Investigation Squad, which means that an insurance claim cannot be paid and the driver cannot get his trailer back on the road to resume earning an income. The trailer had virtually no damage, yet it has not been inspected and it is not back on the road. The conditions of the various police stations in my electorate are of concern. Orange police station consists of a building with reception cells, associated rooms and other police areas. On the other side of the street opposite a building houses the detectives. In another street there is a building for administration, along with two demountable buildings for other police duties. The whole area is old and inefficient, which is of concern to me and to the police officers who are doing their best to serve the city of Orange.

Despite repeated calls over many years for a new station on one site, it was disappointing that no money was allocated in the budget for a new station, or even acknowledgment by the Treasurer or the Minister for Police of a capital works program at a future date. However, I acknowledge the near completion of the long-awaited expansion to the Orange courthouse. This extension has been a capital works item since 1997 and is being completed at a cost of more than \$7 million, compared to the initial estimate of about \$4.5 million. Certain heritage issues and certain historical artefacts, which are being preserved, have helped to add to the enormous increase in costs. However, at least the project is finally being finished.

Another issue is the subject of police stations and residences in small towns, especially those in the Orange electorate. The villages of Cudal, Manildra, Woodstock, Koorawatha, Gooloogong, Eugowra, Stuart Town and Millthorpe have one-man stations, and Molong and Canowindra have two-man stations. Who would know how many police are stationed at Cowra, which is the second largest town in my electorate? Although the Cowra station is within the Canobolas command, it never seems to know how many officers are stationed at

Cowra because both the Cowra and Orange stations are manned with certain shifts per month by officers from the one-man stations. However, the residents of Cowra often complain about a lack of police numbers and the time lapse between when a crime or incident is reported and the time an officer attends the scene.

All the police officers in the one-man stations attend either Cowra or Orange stations for an agreed number of shifts per month. This leaves many of the stations unmanned and with no security for the officers' wives or partners and children. Whilst these officers are on duty elsewhere, their wives or partners often have no security at night, and it is only through good luck that there has not been an incident. Many smaller police stations and residences are described, at best, as quite basic in appearance and condition. It is most unfair that officers and their families, who are mainly young, are required to work and live in accommodation that should have been upgraded many years ago. I call on the Minister for Police, the Premier and the police commissioner to give all the points I have mentioned top priority. We must provide a modern, safe environment for our police officers if we are to continue to attract suitable officers and, more importantly, to retain those officers in the police force.

**Dr Kernohan:** And they are paying full market rental too.

**Mr R. W. TURNER:** That is right. I was pleased to read in the budget that \$500,000 has been allocated to the design and planning of Bathurst Base Hospital and Orange Base Hospital. That is vital to my electorate of Orange. In particular, Orange Base Hospital is old and inefficient, and it is unable to be airconditioned economically. There is very little parking, which creates problems especially at night; often when nurses come off duty they must walk hundreds of metres in the dark to get to their cars. Other facilities, including the bathrooms and Howse ward, are antiquated and not worth updating. They need to be replaced by a new modern hospital.

It has been discussed that these facilities are to be built on the existing sites or, alternatively, on greenfields sites. In terms of a new hospital for Bathurst, the Bloomfield hospital site has been mentioned, perhaps in conjunction with St Vincent's Private Hospital. Even a greenfields site at Victoria, between Bathurst and Orange, has also been mentioned. Investigation of the most suitable sites for a new hospital would take into account population needs, needs of the service providers in the hospitals, environmental requirements and cost efficiencies of all possible options. I hope that these discussions involve the Federal Government, which is proposing to develop a clinical school at Dubbo with Orange, Bathurst and, to a lesser extent, Cowra playing important campus roles in this major proposal.

Most of the medical profession and the large number of specialists who provide services on either a full-time or part-time basis acknowledge that Orange Base Hospital, with its large range of specialists, surgeons and GPs, is the pre-eminent specialist hospital in central-western New South Wales. We also have Orange Private Hospital—formerly Dudley Private Hospital—and we have an excellent private eye hospital under the ownership of Dr Henry Liu, who attracts patients from throughout New South Wales, including Sydney, to his private facility every week.

Tonight I acknowledge the enormous contribution of services clubs in terms of supplying equipment to our hospitals, especially Orange Base Hospital. The hospital auxiliary, which runs the hospital canteen, continually raises in excess of \$100,000 to provide vital equipment to the hospital. Over the years the Apex rehabilitation centre has supplied cots for the maternity ward, and this year the premi-babes group donated two brand-new humidicribs, which have been an enormous boost to facilities in the maternity ward. It means that children no longer need to be transferred to Sydney; they can be housed in Orange Base Hospital, where they should be in the first place.

The local Rotary club is about to construct four units to enable friends and relatives of patients to stay overnight or for a couple of days. Often people travel hundreds of kilometres to Orange Base Hospital because of its wide range of services and it is simply not practical for them to return home each day. They will be able to stay in the units supplied by Rotary. Other service clubs such as the Lions are continually adding to the equipment at Orange Base Hospital.

A specialist retrieval team is available in Orange to stabilise seriously injured patients before being conveyed either by road or air ambulance to Orange or Sydney. The facilities available at Orange Base Hospital were key factors in Careflight's decision to build its central-west headquarters in Orange. This ultra modern facility, which was opened recently, houses and services Careflight helicopters. The servicing area may be expanded to cover other helicopters at a later date. At present one older Careflight helicopter with some 5,000 hours on it is being serviced. Eight engineers will spend about \$250,000 on servicing that helicopter, bringing vital dollars in accommodation and food into the Orange area. It is a major asset to the area.

A modern hospital facility in regional areas is a must if we are to attract new population and minimise the need for residents to travel to Sydney or elsewhere for medical treatment. We must also be mindful of the hospital and medical facilities in the smaller towns of Canowindra, Cudal, Molong, Yeoval, Blayney and Cowra, which has a major hospital. Cowra has a population of more than 12,500, and these people must not be forced to travel to Orange, Bathurst or Sydney for procedures that can be performed in Cowra by the excellent medical team residing in this great town.

There were other large and small announcements in the budget. One announcement was the allocation of funding for the sewerage plan for Millthorpe village, finally after two or three years, and upgrading of the wall at Spring Creek Reservoir in Orange. Many other smaller announcements on roads, health, law and order and grants to local government will follow. Some of those details have not even been finalised by the Government. However, one major announcement was not made, that is, a major commitment on the Great Western Highway over the Blue Mountains. This Government and the previous Coalition Government announced various stages of an upgraded Great Western Highway from the Nepean River up as far as Katoomba.

Although people have noticed that the highway is slowly being upgraded to four lanes, there remain major obstacles to its becoming a suitable, modern highway. Some of the impediments are restrictions in speed, with a maximum of 80 kilometres per hour; numerous traffic signals; a dangerous mix of highway traffic, including heavy vehicles and local traffic; the highway's continual splitting of towns, villages and shopping centres; and other commercial activity, including schools. These impediments mean that the highway will never have a capacity equal to the capacity of the Hume Highway or the Pacific Highway or be able to allow reasonably safe, high-speed travel by commercial and private vehicles to or from Sydney and access for local traffic.

Through the Minister for Transport, and Minister for Roads, Mr Scully, the Government has announced an eight-year extension of the upgrade of the Great Western Highway beyond Katoomba and reaching out to Lithgow. The upgrade between Katoomba and Lithgow is proposed principally to be three lanes only compared with four lanes between Katoomba and Penrith. Although certain works are currently being carried out between Mount Boyce and Mount Victoria, very little work has been carried out on the section between Katoomba and Penrith, apart from a few passing lanes. Although the surface is in reasonable condition, most of the road is narrow and dangerous and travels through the small villages of Medlow, Bath, Blackheath, Mount Victoria and Hartley. It also winds down the treacherous Victoria Pass. The majority of that section of road has speed limits of 60 and 80 kilometres per hour but only one small section which is rated at 90 kilometres per hour.

Last week I called on this Government to stop all work on the Great Western Highway between Leura and Lithgow and allocate what I estimate to be approximately \$400 million for an arterial bypass, which has been a longstanding proposal of mine, consisting of a tunnel beginning at Leura and a highway through the Megalong Valley which would rejoin the Great Western Highway at Lithgow. My proposal will bypass Leura, Katoomba, Medlow Bath, Blackheath, Mount Victoria, Victoria Pass, Hartley and the River Lett Hill and would allow for a continuous speed of 110 kilometres per hour between Leura and Lithgow. That, in turn, would allow the towns and villages I mentioned previously to return to being village lifestyle areas instead of being split by thousands of cars and trucks daily.

I also draw to the attention of the House the Orange to Cowra rail line. I believe that no serious thought has been given to attracting freight. A sum close to \$2 million has been spent on upgrading the track but it is still absolutely deficient in its ability to carry freight economically. However, if the track were upgraded properly, it would be able to compete against road transport in the carriage of freight. I believe there has been no attempt to take a serious view of transporting substantial quantities of freight on that rail line. Local roads are at times completely unsafe and a reasonable speed cannot be maintained. The Carbonne council, which is located in my electorate, is described as a doughnut council around the city of Orange and has imposed a speed restriction of 80 kilometres per hour on gravel sections of roadway because of the unsafe condition of the roads. There is a lack of funding on the part of the Carbonne council to bring the roads up to a reasonable standard. Because the Roads and Traffic Authority [RTA] will not agree to the council's request, an impasse has been reached over this issue.

A number of business owners in my electorate have mentioned to me the enormous increase in new contracts that are being written by the electricity authority. People tell me that prices stated on the second contract that they are being encouraged to sign have more than doubled, which increases the burden on small businesses located in my electorate. Within the past 12 months a wind farm was commissioned at Carcoar and it

is a wonderful asset. It demonstrates the utility of green power in its supply of electricity to my electorate. I hope it will prove to be highly successful. Currently the suitability of some sites for more wind farms to be located in my electorate is being assessed.

My electorate still does not have a women's refuge but there are women's refuges in Bathurst and Forbes. This facility is vitally needed in my electorate. Although a short-term refuge is available to provide emergency accommodation, I believe that it is not satisfactory because women in crisis often have young children to care for and are forced to share crisis accommodation with males. I believe that is unsatisfactory and the result is that many women who would leave their family home have no reasonable accommodation to go to.

On a brighter note, vineyards continue to expand in my electorate, including the high country and cool climate areas around Orange, Canowindra and Cowra. On previous occasions I have stated in this House that if my electorate could obtain the benefit of a decent highway across the mountains, all those areas would be as close to Parramatta and areas of western Sydney as they are to the Hunter Valley, but my electorate is burdened with a huge barrier: lack of a decent highway across the mountains. Conversely, my electorate has been fortunate to have received excellent rainfall over the past two or three years. In addition, the Cadia and Ridgeway goldmines continue to inject money and jobs into my electorate. There are currently approximately 600 people in the work force. Cattle prices are in good shape at the moment and the sheep and wool industries continue to improve. As I said earlier, Careflight has opened its headquarters in Orange. Sadly, the apple industry continues to struggle against the importation of frozen concentrate from South America and China. The dairy industry in my electorate also continues to struggle through deregulation.

Electrolux, which recently took over Email, has injected large quantities of expertise and new management into the former Email plant, and local production and major expansion increases are expected to be greater than imports. All of the good news in my electorate has been achieved with no thanks to this State Government. Everything has been achieved by private enterprise and through private initiative. Very little initiative or funding has been contributed by this State Government. Imagine what could be achieved if New South Wales had a Government that was serious about regional development. I believe there would be no holds barred in increasing productivity and population in the central western part of New South Wales. [*Time expired.*]

**Mr PRICE** (Maitland) [8.26 p.m.]: I support the Government's budget and the bills that are before the House. This year's budget is probably one of the best that this Parliament has seen in many, many years. In particular, the electorate of Maitland has received benefits as a community inasmuch as I can say that every major election promise that was made by the Government has been fully funded. Almost all projects will be completed by the end of 2002. This is great news for the people of Maitland, in particular the shires of Dungog and Port Stephens, the City of Maitland and the portion of Newcastle which is within the Maitland electoral boundary.

The major project of interest to many people, particularly elderly people and young mums with children, is the easy-lift proposal for three major railway stations on the Newcastle to Maitland line. The Beresfield railway station will have two lifts fitted at a cost of \$2 million and the Government is committed to the installation of three lifts at the Maitland railway station at a cost of \$3 million. Expenditure has been committed to the installation and construction of two lifts and an overpass for the Thornton railway station at a cost of \$1.7 million. All these projects have been approved by the respective councils and all are at the tendering stage, with at least one project due to commence within the next two months.

This program has given a tremendous boost to my electorate. The project has been long awaited by the people of Maitland. The campaign for the Beresfield railway station project took nine years to come to fruition. Nevertheless, the representations have achieved results and local Maitland residents will be enjoying the benefits of the construction program in a very short time. The details of the program are clearly set out in Budget Paper No. 4, the State Asset Acquisition Program, and are certainly better than the estimates that were made previously. I believe that the Government has done an excellent job in bringing together three projects in one tendering process as opposed to dealing with the projects individually, which would have cost more. The cost-effective exercise that has been undertaken has certainly been worthwhile.

Another major project that was launched by the Premier during the Cabinet visit on 13 June in Maitland is the relocation of the Police Traffic Infringement Processing Bureau. The building will be constructed opposite the courthouse in High Street, Maitland as part of a lease program. In sympathy with the courthouse, it will be of heritage-style construction with car parking underneath for some 34 vehicles. Of the amount of \$1.07 million,

\$1 million has already been allocated for the project, and \$7.07 million of the total funding of \$11 million has been allocated for the information technology outfit. The building is to be opened and operational by the end of next year.

The relocation of the bureau is a tremendous advance with regard to employment opportunities in the city of Maitland. A total of 150 jobs are involved in the project, and it is anticipated that 50 people will be relocated from Parramatta, where the bureau is currently located. This will provide 100 job opportunities, particularly and purposely for young women who will be able to find employment and training opportunities there. The building will be located at one end of High Street, which will provide a great injection of commercial activity for the local shopping centre, and this will be welcomed by everyone. It can be easily accessed by both rail and road, and will certainly make a difference to that end of the town.

I now refer to road upgrades, particularly bridges. I commend the Government for its continuing support in replacing timber bridges in my electorate with more substantial structures. In particular I refer to the Boatfall Bridge on the Glen Martin Road in the Dungog shire, where additional funding of \$200,000 will be applied. The bridge project was considered by the local council; in fact, the council purchased some of the main girders for the bridge from the Olympic site at the conclusion of the Games. The council was able to effect fairly substantial cost reductions, and the Government is happy to support that self-help initiative by providing that extra \$200,000.

The Tumbledown Creek Bridge on Clarence Town Road in the Port Stephens shire is currently under construction. In the last budget the Government provided \$50,000 for a study to be conducted in conjunction with the Port Stephens shire. The Government has now funded the total project to the tune of \$1.1 million. Some \$0.75 million has already been allocated and construction of the bridge is now under way. It is a tremendous advance for Clarence Town Road and it eliminates the last of the single-lane bridges. The bridge was a deathtrap; it had been a serious black spot for many years. That black spot is now in the process of being totally eliminated. It is the second bridge of its kind to be removed in the last two years. Together with the reconstruction of the black spot in the vicinity of Wiragulla, the new bridge will be of tremendous benefit for through traffic travelling from Newcastle, Raymond Terrace and Maitland to the Dungog township.

Another advance for the Dungog shire is the announcement that \$0.25 million will be provided for an additional fire engine. The fire station there comprises retained firefighters, who are delighted that they will have a new pumper in operation some time later this year. It is a great advance for them personally, and it is a greater acknowledgement of the need for more advanced equipment in a shire such as Dungog, which is so far away from other major firefighting appliances. In times of crisis, of course, the fire station relies on assistance from the Rural Fire Service, but there is nothing like having your own brand new pumper on site to ensure that the job is done efficiently and quickly using the latest equipment.

The establishment of the East Maitland fire station has been announced and approved by Maitland council, and almost \$0.4 million will be spent on the station over the next four months. That station will be unique in the annals of firefighting stations, because it will be eco-sensitive. The bulk of the power will be brought from solar sources, and the surplus power will be sold back into the grid. The use of glass in the construction of the building will provide a tremendous amount of open space; natural lighting will support the heating and cooling arrangements of the station; and the landscaping will lend itself to the type of station proposed. Work on the site is well advanced, and hopefully construction will begin soon. I look forward to the opening of the station in the next six months or so.

Funding in the amount of \$1 million has been allocated to Seaham Public School to replace several demountables and provide a new library and classrooms. Seaham is a very pleasant community village within my electorate at the top end of the Port Stephens shire, which worked quietly to build itself up as a self-contained community. Funding for the school is recognition of the project that the committee has in hand. It also acknowledges the hard work of the parents and citizens association, whose members have worked strenuously towards the replacement of those buildings and provided many items with their own resources in support of their children.

Whilst it is not a line item in the budget papers, there is a significant proposal for the Clarence Town Public School, which has for many years been plagued with being on a very difficult site. The Minister visited the school recently to announce that the school site area will be increased by way of an arrangement with the Presbyterian Church. Hopefully an exchange of documents will occur within days, the church will be relocated at no expense, and the school will be able to expand onto the church property, including what I assume was a

glebe area adjacent to the church. This will allow for the construction of a number of new buildings and renovation of some of the existing buildings. There has already been an upgrade of the septic system, but I understand that Clarence Town is to be connected to a modern sewerage system. Of course, that will coincide with the construction of the school, which is anticipated to begin during 2002-03. We look forward to a major improvement in that school. The planning money will be available from the current budget, and we look forward to full construction funds being announced in next year's budget.

Link Road between Thornton Road, Thornton, and Anderson Drive, Beresfield, has now finally been approved. We have had three years of nominal funding of some \$600,000, and \$1 million has now been allocated to the project. There have been some difficulties with the project. The site is part of a floodplain, which has had to be considered. The environmental impact statement had to be done very carefully, and the discovery of a number of Aboriginal artefacts has required additional study and agreement between the Minmi River Land Council and the National Parks and Wildlife Service before final planning could be approved. With the \$1 billion funding in hand, the Roads and Traffic Authority will be able to proceed to finalise designs, call for tenders and commence construction before the end of this year. The entire project will cost about \$5 billion, and it is anticipated that the project will be completed by the end of 2002.

Some \$500,000 in Federal funding has been allocated for the grade separated interchange joining Weakleys Drive, Thornton, Anderson Drive and the New England Highway. This is an extremely contentious project that is worth about \$20 million. The grade separated intersection would join Link Road, the New England Highway and Weakleys Drive, which is currently the temporary F3, and allow the elimination of three sets of traffic lights. In terms of road safety, it is extremely important that this project proceed. All I can do is encourage the Federal Government—and I know my Federal colleagues in the area have also encouraged the Federal Government—to recognise its responsibility.

The F3 is a Federal responsibility. Road safety is a key issue and the Federal Government must agree to proceed with that road. Laurie Brereton funded that project when he was the Federal Minister for Transport, but the present Federal Government, for its own reasons, has decided that it will not fund it. The road passes through a lot of country areas that are held by Coalition members but the project was still put on the backburner. I look forward to a reversal of that decision within the next few months and for funding to be made available to allow the interchange to proceed because public and road safety is certainly extremely important.

I suggest that the Minister for Roads double his efforts to have the F3 extension from Seaham to Branxton constructed. The project is scheduled to commence in 2007, but if it could be commenced sooner it would reduce traffic on the temporary F3, which is currently the New England Highway between Beresfield and Branxton, by some 18 per cent. Local residents would certainly welcome any reduction of heavy traffic on the New England Highway strip. I know that it is an expensive project—worth more than \$320 million—but the sooner the Government commits itself to constructing the road and the sooner it begins, the better off the lower Hunter community will be. Another major announcement that has a direct impact on my electorate is the 14 new Hunter Valley commuter train sets that will service Newcastle to Scone and Newcastle to Dungog. That project is worth \$50 million, and it is anticipated that design and construction programs will take approximately four years. However, preliminary meetings have been held with prospective tenderers, and tender documents are currently being prepared.

The trains will not be an addition to the Endeavour class trains, a few of which already service the region, but will be new design sets specifically for that regional rail service. The Government has allocated \$1.5 million to that project, so it is well and truly under way. If we can get rid of the existing 620 and 720 sets, which are 40 to 60 years old, we will not only do the Government a favour but we will do the commuting traffic and residents of my electorate a great favour in terms of safety and comfort. The rail upgrade will continue between Dungog and Craven. Another \$12 million out of a \$25 million project has been announced to replace sleepers on the main northern railway line through to the Queensland border. That is certainly a vital rail link for Australia, not only New South Wales. It keeps quite a number of people in my area well employed and will continue to do so during the next two years. It is extremely important that rail services are maintained in the best possible condition. There have been some nasty derailments on that section of rail. No-one has been killed, but nevertheless severe disruptions have been caused to commercial traffic, and that must be corrected as soon as possible.

Additional moneys have been provided for the Hunter Area Health Service. As honourable members know, extreme concerns have been expressed about problems associated with the Mater hospital, which is a schedule 5 hospital and is a vital link between the university and the rest of the health and general communities.

The budget announcement is that work will proceed and will be staged over five years. That will include the polyclinic in Newcastle, and the final closure of the Royal Newcastle Hospital and relocation of the bone and joint section to a new facility on the John Hunter site. It also means significant upgrades to Belmont hospital and additional more senior staff personnel to the hospital. For instance, two additional paediatric specialists will make a tremendous difference to the outreach through the Cessnock and Dungog areas, which we have waited for for some time. I recognise that the Government has done the right thing by providing those facilities.

There will never be enough money for health, no matter who is in government or what we try to do, but if we can recognise the pressure points and deal with them before they burst, we will have done a good job. This Government will continue to do that. The Minister is to be commended for his efforts in the Department of Health. The money is being well spent. If I were to look at the professional side, there would be considerable angst between the various specialties as to what the shares are, but the end result is that the whole community benefits. I am looking forward to additional facilities being available and an increase in the number of specialties in a number of hospitals within the local area.

The budget has been good for New South Wales. It has been a great budget for the electorate of Maitland. I commend the Treasurer and the Premier for a great job distributing funds in an equitable way that will benefit the community of New South Wales. Certainly I am happy about what has happened in Maitland, Dungog and Port Stephens. It is important to remember that it is part of a contiguous community. Everyone who travels through the lower Hunter gains a benefit from the things that the Government has done in my electorate. I congratulate all those Ministers. I appreciate the angst they have had to put up with during the budget discussions. The additional funds that this State has received during the past 12 months have certainly been well distributed to the people of Maitland. I look forward with great interest to receiving further responses to my requests from the Ministers concerned.

**Dr KERNOHAN** (Camden) [8.46 p.m.]: On 1 June the *District Reporter*, one of Camden's local newspapers, published an article under the headline "Carr hits out at Opposition claims about Camden" in respect to the money that has been put into Camden in the past and in the current budget. The article quoted the Premier as saying:

We are spending \$18.6 million to give Camden a richly deserved new high school. This major project is already underway. In fact, stage 1 is due for completion in July.

It continued:

The 2001-02 State budget has provided \$5.7 million for stage 2.

It does not worry me that I cannot find a reference to the \$5.7 million for stage two in the budget papers. I would have thought that the Premier or his advisers would know that staff and students are expecting to move into the high school early in the third term, which begins on 23 July. In other words, the school is finished. In fact, a robbery has already occurred at the school. A four-wheel drive Ag bike and a number of white goods, including fridges and microwaves, were stolen on the weekend of 19 and 20 May. The Premier did not say that the \$18.6 million new school was meant to be open to students in first term this year and is at least six months—and will probably be about eight or nine months—late. He also did not say that the school had to be built because of pollution found in June 1996 on the old school grounds from a former gasworks on site.

The school site is in the centre of Camden. It is zoned "3F town centre support", and depending on the cost of rectification of the pollution, it will be sold at a profit. I will be interested to know how much money will go back to the department when it is sold. The Federal Government contributed \$14.3 million to the cost of the new school: it always contributes approximately 85 per cent to new schools. The State only allocates priority to the schools, though adds a little surplus capital funds. The State is not catching up with the needs of Camden's ever-growing population. Are the planners not doing their job, or is it not a Labor priority to keep up with growth in the area?

Camden has three high schools—Camden High School has 926 students, and the new school will enrol 1,000 students; Elderslie High School, which has four demountables, has 1,050 students; and Elizabeth Macarthur High School has an enrolment of 1,251 students, and it has four ordinary demountables and one science demountable. The feeder schools in the growth area—I repeat only the growth area of Camden—are Mount Annan Public School, with 625 students and 10 demountables; Currans Hill Public School, with 420 students and five demountables; Narellan Vale Public School, with 753 students and nine single and two double demountables; and Narellan public school, with 467 students and four demountables.

Those schools have, between them, 260 students in year 6. Where will they attend high school in the next three to five years? It will take that long before the new Mount Annan High School is built. For a couple of years now I have been screaming about getting this new high school under way. The Mount Annan High School is provided for in the budget this year, with \$1.634 million for stage one and \$5.65 million for stage two, totalling \$7.314 million. This school is to be completed in 2003, according to the budget papers, at a cost of \$20.437 million. It is to be a comprehensive high school, with six classes in years 6 to 12, with approximately 1,020 students and 110 staff. The budget papers state:

Work will continue on the construction of the first stages of new high schools.

That includes Mount Annan High School. That statement looks good on paper. However, once again it is not mentioned that \$2.1 million came from the Federal Government for site preparation, and that the Federal Government expects the school to be completed in 2004, which is probably more realistic given the rate at which schools are built. The development application went to Camden council only on 28 May. The council probably will be blamed for any delay as it has deferred a decision on the application because Busways is seeking an off-street bus turning facility within the six-hectare—or, in the old terminology, 14.82 acre—site. Buses are expected to use the existing layby for normal bus routes. The question is: Is it more dangerous for buses to leave the school grounds—which was one reason for the department's failure to provide the bus-turning facility—or is it more dangerous for children to cross this very busy major through road? If only the New South Wales Government would do the job properly in the first place and did not penny pinch on multimillion-dollar projects.

In respect of primary schools, it is good that \$1.103 million has been included in the budget to complete the \$4.12 million much-needed Harrington Park Public School. Of course, \$1.6 million was given by the Federal Government to complete the school so that it could open, hopefully, at the beginning of the 2002 school year. Currans Hill Public School opened officially on 16 May this year, with student enrolments, commencing from the beginning of the year, now standing at 420. The school opened with four kindergarten classes and five demountables. It has no airconditioning. In summer and early autumn temperatures rose to 40 degrees Centigrade. When will the Camden demountables get airconditioning? I rephrase that. When will the demountables in the old Camden electorate get airconditioning—because all of those formerly in Badgersy Creek, now in the electorate of Camden, were airconditioned when the seat was held by Madam Acting-Speaker, in other words by the Labor Party. It is just as hot in all parts of my electorate.

I note that the budget contains an allocation of \$80 million for new school halls. Perhaps the Narellan Primary School, which opened in 1875, and Leppington Primary School, which opened in 1923, have waited long enough for their halls! Funding for planning for the Leppington school was noted in the 1996-97 budget, but there were no moneys for construction. Hopefully, the poor old relatives in the Camden electorate will receive something this year. I have been asking for this for years. It is about time that their needs were recognised. I note \$45 million for landscaping and fencing improvements at old schools, but how about some security fences? The Elderslie High School needs \$30,000 for sensory lights and fencing. On the weekend of 26 to 27 May this year five schools in Campbelltown were burgled. Two of those were in the Camden electorate—Mary Brooksbank Special School at Rosemeadow and the Thomas Acres Public School at Ambarvale, the latter using audio-visual equipment for the library, and television and computer equipment with a total value of about \$2,600.

Camden is growing. Each week over the past five years 16 new dwellings have been occupied and 52 people have been added to the population. There are now at least 20 new dwellings and 60 new occupants per week. As well as urban development programs under way, two other areas are talked about as being rezoned. One in particular is the Elderslie infill, and no primary school site is included. Why have Department of Education and Training planners not specified this? Narellan Primary School cannot take any more. Budget Paper No. 4 notes that \$11.6 million is allocated for the completion of the M5 East. What a wonderful thing to hear. At last, the M5 East will be finished. It certainly has been long awaited. Originally, it was planned to have that road built for the Olympics. But I put that to one side. Once again there was a little penny pinching. Why not put the filters on the exhaust stack and do the job properly?

The Carr Government's 2001 budget papers were designed to conceal, rather than reveal, most of the proposed Government spending. It has taken a fortnight and numerous telephone calls to find out how much is to be spent on Camden electorate roads. The picture is still not quite clear. The Premier stated in the *District Reporter* that it was "good news especially for roads" and, "We will be providing over \$7 million in road funding for Camden, including \$900,000 for widening of Northern Road between Narellan and Penrith". Yet the budget papers show that that project is well outside the Camden electorate, being between the M4 and Wentworth Road. At least recognition has been made of the need to widen Northern Road to Penrith, which it has been said will cost a total of \$8.4 million, with \$30,000 being allocated this year for planning.

The Premier's "substantial road funding"—just under \$3 million being provided to four local councils in the Camden electorate—somehow has diminished to \$1.92 million. Councils will receive grants for traffic facilities: Camden, \$94,000; Wollondilly, \$120,060; Campbelltown, \$47,000; and Liverpool, \$38,760; with Camden council also allocated \$48,000 for the Camden to Narellan cycleway. The only recognition of the horrendous traffic conditions in peak hour on the Camden Valley Way is an allocation of \$220,000 for road safety audit remedial works south of Springfield Road—a mere pittance! The major budget allocation of \$4,181,810 is listed for infrastructure maintenance, but as yet I am unable to find out which roads are involved. The surfaces are not that bad on most roads. Could Camden Valley Way be one?

The only major development listed in the supplementary information package—it is not listed in the budget for the second fastest growing area in New South Wales—is \$900,000 for the Bulli Heights-Glenfield, Appin Road and Copperfield Drive to Narellan Road overtaking lanes. That budgetary allocation is to be shared with other electorates. I doubt very much whether my electorate will receive a great deal of that \$900,000. The only really good news in the roads budget for the Camden electorate is the tardy acknowledgement of problems on Camden Valley Way and Northern Road, but little has been done to rectify those problems. Yesterday I referred in a private member's statement to the problems associated with Narellan Road. I said that the roundabouts were not effective and that a new link road was required between Camden and Campbelltown. I will not refer again in detail to that issue. The Premier was reported in an article in the *District Reporter* of 1 June as stating:

Local health is a big winner with a new hospital at Camden costing \$18 million.

That new hospital, which is due for completion in August, is a great building.

**Mr Fraser:** But which year?

**Dr KERNOHAN:** It is due for completion this year. But we will have to wait to see whether it fulfils the needs of the ever-growing population in the Camden electorate. The Premier did not refer in that article in the *District Reporter* to cutting beds from 121 in 1997 to 84, of which approximately 40 are for geriatric, rehabilitation or palliative care. Have recent technical advances in day surgery really been such that only 24 beds are needed for medical or surgical patients? Will the 10 beds in the maternity department—previously it had 24 beds—be enough to cater for our ever-increasing population? Will the new emergency department be a walk-in clinic, with no ambulance patients?

The metropolitan hospital plan, which was recently adopted by the Carr Government, includes recommendations from a leaked draft report entitled "NSW Government's Action Plan for Health—Bulletin No. 1", which states that the South Western Sydney Area Health Service needs only 3.8 emergency departments based on population criteria, yet it has six. Camden Hospital has only 10,400 attendances each year. According to the report it has to have 20,000 attendances if it is to remain open. The report states that that hospital must be no further than 20 or 30 minutes by car from another emergency department and that it must serve a population base of 200,000 people. The future of Camden's emergency ward looks grim.

The report also states that only if equity factors are considered—that is a way out for this Government, which I hope it will take—such as the needs of people at Oakdale, Nattai, Werombi and Orangeville, can a proper emergency department survive. It takes people 20 to 25 minutes to get to Camden Hospital so I cannot imagine that it would please many people if they had to travel a further 20 minutes to Campbelltown. I say again to the Government and to all honourable members: Only if equity factors are considered will we have a decent, proper full-scale emergency department at Camden Hospital—an emergency department that is much needed in Camden, the second fastest growing area in New South Wales.

There is no mention by the Premier in the *District Reporter* article or in the budget of the new \$3.7 million police station for Narellan, which was announced on 10 June 1998. In the 1999 budget moneys were allocated for a \$4.3 million Narellan police station. Where is that police station? It certainly has not been built at Narellan. Camden council has been blamed by the Carr Government, but in June 1999 it provided the police department with all the information necessary to apply for rezoning and for the development of the site. However, Camden council has not heard anything about that issue for two years.

Every survey carried out in the electorate shows that crime is a major problem, despite that fact being denied by the police. Of course, it is all relative and it is probably insignificant compared to the crime in Cabramatta. Nevertheless, crime is very real to my constituents. A little lateral thinking on the part of the Carr Government could have resulted in the use of part of the old Camden High School site for the building of a new

police station and courthouse complex, which would solve two major problems of overcrowding. Both those current Camden buildings are heritage listed. The police station was built towards the end of the nineteenth century and I believe that the courthouse was built early in the twentieth century. So a bit of positive thinking and a bit of positive action by the Government would be much appreciated.

A number of budget items refer to the East Hills and Campbelltown railway lines, which I hope will mean that the trains will run on time. I refer particularly to the quadruplication of the East Hills line, a matter about which the honourable member for Georges River spoke at length in his contribution to debate on the Appropriation Bill, and cognate bills, so I will not go into any detail on that issue. Perhaps I am grasping at straws, but the current on-time services on the Macarthur line are woeful. I welcome the 81 new Millennium trains over the next two years but I doubt whether we will see many on the Macarthur line, as we rarely see any airconditioned Tangaras now.

The budget did not reveal any memory courses for SRA staff to enable them to remember how friendly and co-operative they were during the Olympics, and nor do I see any such courses for cleaning contractors or extra money for cleaning trains. However, I noted an article in the *Sydney Morning Herald* 18 June which said: "\$3 million funding boost to the SRA with a promise of returning Sydney's train, bus and ferry services to the high standard enjoyed during the Olympics." I hope that there are such hidden goodies in the budget for the Camden electorate, for example, the upgrading of Camden Valley Way, which might also be reported in newspaper headlines prior to the Federal election. [*Time expired.*]

**Mr McMANUS** (Heathcote—Parliamentary Secretary) [9.06 p.m.]: I listened intently to the contributions of the honourable member for Camden and other Opposition members. I compared those negative contributions with the positive contributions of Government members, which leads me to believe that either Opposition members are crying poor or they simply are not representing their communities in the way in which Government members are representing their communities. Today I wish to announce, as did some of my colleagues, some of the Government's important financial achievements.

The Carr Government's seventh budget will result in a healthy share for the Heathcote electorate of a record \$5,581 million that is being spent on new and upgraded schools, hospitals, roads and other public facilities across the State. Local people and businesses in my electorate will benefit from tax cuts worth \$1,215 million over the next four years. Families and businesses throughout New South Wales will receive direct benefits from the budget. They will no longer pay any State taxes on their bank accounts when the debits tax is abolished on 1 January 2002. This budget will also help small business by cutting other taxes that regularly niggle traders and contractors.

Specifically, the Government will abolish stamp duty connected to superannuation and franchise agreements on 1 July 2002 and it will lift thresholds for stamp duties on leases, that is, from \$3,000 to \$20,000, and on hiring arrangements, from \$6,000 to \$14,000, as at 1 July 2001. The budget will suspend the \$100 million a year electricity distributors levy from 1 July 2001 and make allowances for a further cut to payroll tax, from 6.2 per cent to 6 per cent, once again from 1 July 2002. As well as repeatedly trimming State taxes, the Carr Government continues to fund the largest capital works program ever undertaken in New South Wales, a matter to which I will refer later.

The electorate of Heathcote and the Sutherland shire have benefited greatly from those capital works projects. This year an additional \$577 million will be spent, nearly 12 per cent more than last year's \$5,004 million expenditure on the capital works program. The Government continues to attack State debt and has slashed the annual interest bill. Since coming to office in 1995 the Carr Government has trimmed the debt from \$12,000 million to \$7,500 million and it is expected to bring it down to less than \$5,000 million by 2005. That will save nearly \$1,000 million a year in interest payments compared to 1998. That money can be redirected to hospitals, schools and policing. It is a measure of the Government's sound financial management that the Treasurer can repeatedly cut taxes and increase spending on community needs and still deliver budget surpluses year after year. As far as I am concerned, as a Government member, it is an outstanding record that suggests continued prosperity and security for our children.

Let me turn to some of the capital works that will benefit my electorate. The budget comes up trumps with more spending on community improvements and more tax cuts that will help families and small businesses in the Heathcote electorate. I welcome the capital works program and services allocation to Heathcote of almost \$29 million in 2001-02. That will sustain about 433 jobs in my region. Two key areas of local expenditure this year are \$11 million on roads and \$1.2 million on health. The Government's spending priorities include a number of areas, particularly in Jannali and Sutherland, where \$1.1 million is allocated for the building of 11 units for public housing and \$200,000 for park improvements.

The sum of \$1.2 million has been set aside for the upgrading of Coledale hospital, a small hospital in the southern part of my electorate that is badly in need of renovation. I am pleased the Government has honoured its commitment to provide money for the upgrade of that hospital. Another area of need has been the Engadine railway station, which required easy access for residents. I will touch on that later. An amount of \$2.5 million has been allocated for the stabilisation of Lawrence Hargrave Drive. Only last week I joined representatives of the Roads and Traffic Authority in an investigation of the road, one of the most beautiful and scenic in New South Wales. The stability of some of the rockslide areas was of concern to me and to the RTA, and geological surveys are being carried out in the region to assess what work will have to be undertaken. A great deal of money will be needed to ensure the wellbeing and safety of my community and those who travel through the region as tourists.

There is also a \$500,000 allocation for noise barriers in Heathcote Road and Patterson Road in Heathcote. Now that work on the intersection of Heathcote Road and the Princes Highway has been completed, there is a need for further noise barriers, and I understand that Paterson Road will be given priority, with work to continue on the rest of Heathcote Road as funds become available. Already I have spoken to the Minister in relation to those issues. The sum of \$3.5 million has been provided to improve the Bundeena-Maianbar sewerage system. They are two small townships on the edge of the Royal National Park.

Obviously there are some environmental concerns, and the Government and the Minister have moved swiftly to provide money to ensure that the environmental sensitivity of these townships will be maintained. There is also \$7 million allocated for the planning and construction of the northern town sewerage system, which will include Coalcliff, Stanwell Park, Otford and Stanwell Tops. In the next couple of years planning and construction will ensure that this work will occur in the Helensburgh area, which abuts the Royal National Park and will take all of the pressure resulting from environmental concerns once the surrounding districts have been sewered.

One issue that has been raised since the \$40 million was spent on the Woronora Bridge is the right-hand turn into Acacia Road at Sutherland. I am pleased to re-announce that the Minister for Roads has allocated \$1.75 million for the Princes Highway intersection with Acacia Road. That means that anyone travelling east on the Woronora Bridge will be able to turn right and continue through Engadine on the highway towards the South Coast, thus avoiding any traffic crisis that might occur in Sutherland, Loftus or Yarrawarra. Obviously, that is also a pleasing announcement.

I congratulate the Minister for Education and Training for what he has done in my electorate over the past couple of years. The small school at Otford has received an allocation of \$700,000 for renovations. Only recently Engadine Central Public School hall was opened, something we have been fighting for since 1987. I acknowledge the parent and citizens association and the school council at Engadine for the work they have done to secure the construction of that hall. I note the Minister has his eye on a number of other matters, and I hope that planning will be completed for the hall at Helensburgh this year. I hope also that the Minister will see his way clear to providing me with some commitment to the hall that is required at Yarrawarra.

There has also been an allocation of \$800,000 to another small school in my electorate that is badly in need of classrooms. I refer, of course, to Stanwell Park Public School. The Minister has advised us that in 2001-02 there will be an allocation of \$800,000 to Stanwell Park Public School for new classrooms. The State Government provides a record \$7.6 billion for education and training and it is certainly pleasing that the Heathcote electorate has been the beneficiary of many of the Minister's initiatives. I turn quickly to the issue of rail. I still have some concerns in relation to the Heathcote East Bridge. At the last election the Government indicated that \$500,000 had been set aside for the construction of the Heathcote East Bridge and that Sutherland council was expected to come on board with its share of the money to ensure that that very old bridge, which has a 27-tonne weight limit, would be replaced, and that the road deviation and whatever else needed to be done would be done. Sadly, negotiations are continuing between the State Rail Authority and the council and I am hopeful that there may soon be a determination about when work on the bridge can start.

As I said, \$500,000 has been allocated for easy access to Engadine station. I congratulate the senior citizen clubs of Engadine as well as the Chamber of Commerce, Rotary and Lions for the fight they have put in over the past decade for that facility to help the aged and infirm. It is already under construction. In the near future I will be pleased to show the Minister what has been done following the allocation of funds for that facility. I am pleased, as the Parliamentary Secretary for Health, to tell the House about what we have achieved in health, statewide, throughout the shire and in the Illawarra.

The fact is that since Labor came to government 206 hospitals have been opened, 13 multipurpose centres have been planned, and 280 community health centres and 500 early childhood centres have been built or planned. For the first time the New South Wales Government has committed to a three-year recurrent budget from 2000-01 to 2002-03. An additional \$2 billion is being injected into New South Wales health. It is important to realise the enormity of the money being spent to improve our health system. I simply point to the amount of money that has been set aside in the budget for the specific issues I have already mentioned. In the budget is an allocation of \$1.2 million for Coledale hospital; the Illawarra Regional Clinical Services block is receiving \$827,000; and \$25 million has been allocated for the redevelopment of Sutherland hospital. That redevelopment is progressing well, with tenders being called for certain stages of the project.

When one considers what happened a couple of years ago, it is a little wonder that a Minister in a previous government lost his job. The former member for Miranda let Sutherland hospital in his electorate go to waste, almost in a destructive style. When Labor came to office it realised the enormity of the problem and is doing something about it. I also acknowledge that a great many police initiatives have been undertaken. Only recently the honourable member for Cronulla said that he had some problems with the Government doing nothing in policing in the Sutherland shire generally and in the Cronulla electorate in particular.

Since coming to office Labor has gone ahead in leaps and bounds in terms of policing. As Parliamentary Secretary to the police Minister for four years I have been personally involved in police matters, and I know that the Carr Government has done a great many things for the shire. Only the other night the honourable member for Cronulla said that policing was, in his words, "the worst it has ever been". However, I point out that for seven years the Coalition Government did nothing about improving police numbers. The Carr Government has improved police numbers throughout the region. In the areas of St George, Sutherland and Miranda the following offences have been reduced: assault, indecent assault, robbery with and without a weapon, break and enter dwelling, motor vehicle theft, steal from a retail store, malicious damage to property, possession and/or use of cannabis, dealing in cannabis, offensive conduct, offensive language and breach of apprehended violence order. They are big steps.

One recent initiative is bike patrols. Currently, there are bike patrols in the Miranda and Sutherland local area commands. They are fully equipped with bikes and uniforms, and are available to assist beat police to fight crime on the streets. Not only are bike patrols covering the Cronulla area; they are operating very well in the Engadine region, which is pleasing to see. The new Commander of Sutherland Local Area Command, Henry Karpick, has revamped the crime management squad, resulting in better management of crime in the local area. The Sutherland intelligence response team provides a proactive policing capacity in the local area command. The New South Wales dog squad is based at Menai police station, and the dogs are available whenever they are required.

The Miranda local area command is negotiating with the local council to install closed-circuit television cameras to assist police and the council to combat crime and vandalism in Cronulla mall. Police from Miranda local area command provide extra patrols in Miranda, Caringbah and Cronulla on Thursday, Friday and Saturday nights to prevent antisocial behaviour. So many things are happening in Sutherland shire and in the Cronulla electorate. However, the honourable member for Cronulla seems to have little knowledge of the those initiatives and simply wants to bag the Government whenever possible. It is a pleasure to be part of a government that is proactive in building community facilities so often and so well to meet community needs. Time does not permit me to congratulate all the Ministers personally. However, Ministers are working continually to ensure that communities are heard and their requests are acted on. It is a pleasure to speak on the Appropriation Bill, and cognate bills, and I commend them to the House.

**Mr MERTON** (Baulkham Hills) [9.24 p.m.]: I am pleased to speak on the budget, because this truly is a budget that the goods and services tax [GST] brought to New South Wales. This budget is based not only on GST revenue but also on a buoyant economy which, with the greatest respect to the Government, is the result of a well planned, sound and economically oriented Federal Government. Record low interest rates have resulted in a property boom, of which the State Government is one direct beneficiary. In the present economic climate it is not difficult for the Government to announce that it has a surplus of \$320 million, for which members opposite should thank the Howard Government. Within the next six months the people of Australia will re-elect the Howard Government.

[*Interruption*]

I am pleased to see those people in the gallery, although I do not recognise them from this distance. I simply say that this is a Chamber that encourages participation by members and subtle participation by members

of the public. One does not have to be an economic genius or a wizard to produce a positive budget result, as this Government has produced. Nevertheless, we have a surplus in New South Wales, which is positive. In my electorate of Baulkham Hills there are many concerns that I suppose one would expect in an area that is on the edge of probably the greatest development ever seen in New South Wales for many years as far as the north-west sector is concerned.

On the edge of Baulkham Hills we have a development the size of Canberra: 250,000 people and 80,000 home sites in the north-west sector, which, I might add, the Premier signed off on when he was the Minister for Planning and Environment in the Wran and Unsworth governments. Hence, our infrastructure is being stretched to the limit. For many years my colleagues the honourable member for The Hills, the honourable member for Hawkesbury and I have fought hard to get Windsor Road upgraded. Although the Government was dragged screaming, kicking, whining and wailing to make a decision, I commend it for agreeing to upgrade Windsor Road. That project will cost about \$323 million over the next five years.

Without adopting the role of a doubting Thomas, I was a little concerned to find that about \$47 million—less than one-fifth of the \$323 million budget—will be directed to work on Windsor Road. That is not so good because a great proportion of that \$47 million will be spent on Old Windsor Road: \$31 million will be spent on Old Windsor Road and only \$16 million will be spent on Windsor Road. With the greatest respect, the Government has got its priorities fundamentally wrong. That is what is known in the trade as back-end funding. Because that is the situation, I suggest that the people in north-western Sydney will have to continue to bear gridlocked traffic conditions for many years to come. Nevertheless, parliamentary representatives of the north-western area—the honourable member for Baulkham Hills, the honourable member for Hawkesbury and the honourable member for The Hills—will be vigilant in maintaining their watch over what happens to Windsor Road.

The Baulkham Hills area is well served by local newspapers. Both the *Hills Shire Times* and the *Hills News* provide excellent newspapers containing local news for residents. A headline in the *Hills Shire Times* states, "But cash for road too little say MPs", and in fact that is the situation. Because I am a very fair and reasonable person, I acknowledge that the Government has made an allocation in the amount of \$1.889 million. That occurred after a great deal of pushing in a campaign and as a result of the efforts of the hardworking people associated with the Baulkham Hills High School—that is, the school council and the parents and citizens association. The amount of \$1.889 million was granted for a new gymnasium which will also be used as a community hall and a speech hall.

The Baulkham Hills High School has a need for a school hall but the Government has granted the school only \$1.889 million. When the Minister announced the allocation, I congratulated him on a job well done. However, I understand that since the grant was made, there seems to be a problem from the point of view of the school in that the grant is insufficient for the construction of a hall of a suitable size to meet the needs of the school. But the funding is certainly a start. Part of my shadow ministerial responsibility includes western Sydney. I must say that when I read the budget allocations for western Sydney, I believed that the Government was strong on rhetoric but somewhat low on action.

Upon reading the budget allocations for western Sydney, I could have been forgiven for becoming confused about whether I was reading the allocation for the previous year or for this year because effectively the figures published concerning western Sydney are nothing more than a rehash of the previous year's figures. The statements in relation to western Sydney simply repeat the claims that were made last year, namely, that \$12.1 billion would be spent on infrastructure for the area. One has to realise that western Sydney is the home of 1.7 million people, which is of 10 per cent of Australia's population. The population of the area is projected to increase to 2.6 million by 2011.

As I stated in a press release, the Carr Government is like a parrot. It repeats itself over and over. I would like to know the time frame for the supposed \$12.1 billion infrastructure investment. Instead the Carr Government goes on like a broken record and promises to spend money on projects such as roads, rail and hospitals in the western areas of Sydney but hypocritically postpones major projects such as the badly needed Parramatta to Epping stage of the Parramatta to Chatswood rail link and then back-ends funding for the upgrading of Windsor Road. I have to say that the people of Western Sydney feel great disappointment in the Parramatta to Chatswood rail link. The project was announced in 1995 and until recently the Government was committed to pursuing it. At the end of the day, the project is no longer the Parramatta to Chatswood rail link; it has become the Epping to Chatswood rail link.

The project no longer benefits western Sydney where, as I said previously, 10 per cent of the Australian people live. Those people will be deprived of the rail link between Parramatta and Epping. The Government has

decided to build almost half of the original length of the link, but it will not be the Parramatta to Epping half; rather, the Government will build the Epping to Chatswood half which is a betrayal of the hardworking people of western Sydney who deserve and need that infrastructure project. I also have serious doubts about the Government's claim that its infrastructure splurge in western Sydney will create jobs, including 3,000 jobs in the ailing building industry. A recent job outlook for Western Sydney that was completed by a leading recruitment firm was bleak and showed that western Sydney is floundering behind other districts of the Sydney metropolitan area.

The Government's so-called western Sydney jobs plan is failing miserably with only 20.3 per cent of businesses in the area indicating that they will be hiring new staff for the next quarter whereas 15.8 per cent of businesses will reduce staff with a net result of just a 4.5 per cent increase in employment. It is true to say that western Sydney really is at the crossroads as far as employment is concerned at a time of a record income and record revenue. Western Sydney is, as I said earlier, an area that houses 10 per cent, not of the New South Wales population but, indeed, of the Australian population. I am also concerned about the Health budget for western Sydney. There has also been a rehash announcement of long-term building projects from last year while capital works spending on public housing will decrease.

How does the Carr Government intend to address the concerns of the hardworking staff of the western Sydney hospitals who are struggling to meet performance measures and to provide care for the rapidly growing population? Does it intend to do that by regurgitating a whole lot of tired announcements? Our dedicated and committed staff in public hospitals have been set benchmarks that are difficult to cope with because of a lack of staff and a lack of facilities. In western Sydney, there are 17,785 households who are on the waiting list for public housing. That is the longest public housing waiting list in New South Wales, yet the Carr Government increases spending by just \$3 million. That is simply not good enough.

Earlier I referred to the New Children's Hospital at Westmead and indicated that the hospital is certainly in need of upgrading. Although funds have been allocated, I believe that the funding is not been made available quickly enough or in quantities that are sufficient to maintain the required services for a rapidly growing area. I commend the Government for the improvements, but I think that the funding is needed urgently. Waiting lists in western Sydney are growing whereas the shortage of nurses has been widely documented. The proposed upgrade of the Westmead hospital and the Auburn hospital will certainly be a bonus but they must be fast-tracked before the situation reaches a crisis point. The people of western Sydney, like residents in the rest of the State, have particular problems and I note that on 30 May the *Sydney Morning Herald* published an article concerning retirees. One of the problems worrying retirees was the problem of green slips. The newspaper interviewed a man who lives in Auburn, which is, of course, in the heart of western Sydney. He was very concerned about the escalating price of green slip premiums.

I might add that the Government introduced into this Chamber and has debated in the Legislative Council proposals for reform of workers compensation legislation which are designed to reduce premiums and arrest the workers compensation deficit. Similar legislation was introduced earlier which was also supposed to reduce the price of green slip premiums. That simply did not happen and the people of Western Sydney are greatly concerned about the escalation of the cost of green slip insurance, which is an essential requirement for registration of motor vehicles. Western Sydney is a growing area with a lot of problems that exist as a result of a lot of young people living in the area. I note that there were plans for a new children's court at Parramatta. The 2001 budget showed that the \$17.335 million court complex would be built. Of course, the negative news was that the court complex would not be completed until 2006. In fact, in this year's budget a measly \$482,000 has been allocated for the project, which is much needed in Parramatta. In a press release I was quoted as saying:

This means that children, parents, DoC's staff and legal representation will continue to endure the existing inadequate facilities in Parramatta.

To take five years to plan and construct a simple court building is ridiculous, when private enterprise, if given the job, could do it in a year.

I believe it is probably a question of money. The press release went on to say:

Mr Merton said he would urge the Carr Government to bring forward funding for the project so it could be completed by 2003.

The people of Western Sydney should not have to suffer as a result of the Carr Government's penny pinching.

This is just another example of the Carr Government's contemptuous attitude to the residents of Western Sydney where it seems all major infrastructure projects are continually being placed on hold.

For how long can Mr Carr ignore the fact that Western Sydney is the fastest growing region in the country, with one in ten Australians choosing to live here, hence the need for vital infrastructure.

Many issues concern me as shadow Minister for Western Sydney, and Minister for Public Works and Services. I have some concerns about the budget for the Department of Public Works and Services, and I believe I have justification for those concerns. I note that in 2000 the department had a loss of \$2.31 billion. I note also that Budget Paper No. 3 indicates that projected employee-related expenses for 2001-02 are estimated at almost \$193 million—an increase of almost \$13 million more than the previous wage bill of \$180 million, which itself exceeded the original budget by \$6 million. If the Department of Public Works and Services has a similar salary blow-out this year, taxpayers could face a salary bill of \$200 million, which would mean that the projected profit of \$3 million will be shattered, resulting in a loss as occurred in the financial year ending June 2000, when the department lost \$2.3 million.

I am concerned that the projected surplus for the Department of Public Works and Services for 2000-01 is \$7.083 million, and \$3.043 million for 2001-02. It must be asked whether that is a reasonable outcome for what has been described by the Government as a commercially focused entity generating about \$375 million. I suggest that that is not a realistic return. I note with concern, having regard to my particular interests, that in 1994-95, 1,857 construction contracts were let by the Department of Public Works and Services and that in 1999-2000, 1,423 construction contracts were let.

I also note with concern that during the period October, November and December 2000, for the first time since the department started operating on a commercial basis, its cash balance was in overdraft. That is almost unbelievable, because in 1994-95 the department had a profit of something like \$40 million. As I said earlier, the Government had a perfect opportunity to achieve something in a year of record income and revenue. I believe that that opportunity has been squandered. This was the time when the Government could have spent money on infrastructure that would have improved not only my electorate and western Sydney but, indeed, probably the whole of New South Wales. The budget is a reflection not on the economic expertise of the State Government but, indeed, on the economic expertise of the Federal Government.

**Ms HARRISON** (Parramatta) [9.44 p.m.]: It is with pleasure that I speak in support of the Government's 2001-02 budget. Once again this Government has succeeded in producing another surplus budget that eminently addresses the needs of New South Wales. It does so in a responsible manner, consistent with the previous six budgets, and builds upon their successes. In some way the Government's success can be measured by the inability of the Opposition to lay a finger on the Government with regard to its budget. That started with its somewhat ridiculous walkout during the first question time following the Treasurer's Budget Speech, and has continued with the lack of questions about the budget since then.

This budget allocates a record \$5.5 billion for new and upgraded schools, hospitals, roads, and other public facilities and services across the State. Businesses and constituents in my electorate of Parramatta will benefit greatly from their share of tax cuts in this budget. These tax cuts will be worth more than \$1.2 billion over the next four years. In particular, families in Parramatta will gain from the Government's budgetary allocations in many areas. The Department of Community Services 2001-02 budget for child and family services in the metropolitan west region of Sydney will benefit by more than \$66 million.

The most vulnerable people in the Parramatta area, the frail and the old, will benefit greatly from the \$97,488 boost to home maintenance. This allocation through the Department of Community Services will assist home modification and maintenance. It will also support new gardening and lawn-mowing services, and will keep the homes of frail and older people safe and habitable. These services are carried out by Our Lady of Consolation Aged Care Services in Parramatta. The funding will go a long way towards assisting it to provide these valuable services. I think most members of Parliament would have had occasion to try to find care services for an older person who wished to stay in his or her home, and I was therefore delighted to see this funding boost in the budget.

Education in the Parramatta electorate has also benefited from this budget. Funding of \$86,000 has been allocated for stage one of a proposed \$2.5 million upgrade of Westmead Public School. This is great news for this school community. Enrolments at the school have increased rapidly over the past five years. The acquisition of land and buildings from the University of Western Sydney at Westmead will allow for the school's expansion. It was this Government that arranged for the buildings to be provided to Westmead Public School. Upgrading and refurbishing of these buildings will certainly enhance the school's learning and teaching environment. This is another firm commitment by the Carr Government to ensure that students in Sydney's west have access to the best possible education facilities.

The budget also allocates \$5.46 million for 60 units of public housing at Oatlands, Parramatta and Ermington. Funding of \$1.95 million will allow for the building of seven units for Aboriginal people in Parramatta, Harris Park and Westmead. The budget allocates almost \$12 million for major traffic development and maintenance programs in my electorate of Parramatta. Foremost among the major works will be \$4.3 million for the construction of the Parramatta to Granville cycleway, which has been a pet program of mine for some time. The budget also provides \$750,000 for planning the Parramatta to Mungeri transitway, and \$35,000 for planning the Parramatta to Strathfield Transitway. Other allocated funds for my electorate are \$350,000 for noise treatment along Cumberland Road at North Parramatta and \$50,000 for M4 viaduct drainage and landscaping, which is an ongoing project. Again, it was this Government that finally rehabilitated the land under the M4 for the people of that area. The Roads and Traffic Authority had neglected it for decades, but this Government is now making a difference to the lives of the people whose properties back onto the dump.

These and other development works will bring the road network infrastructure to \$551,650. In addition, other infrastructure maintenance allocations will be in the order of almost \$2.5 million. Perhaps most importantly, road safety programs within my electorate will benefit greatly by an allocation of \$558,410 and will include construction of pedestrian display upgrades, display signs, overhead bridge screening, new traffic lights and calming devices and the provision of \$17,850 for the Parramatta local government area road safety program. Traffic and transport management programs within Parramatta have been allocated \$3,263,940 for diverse elements including \$1.8 million for the western Sydney transitway network, \$155,000 towards regional road traffic facilities and \$389,040 for various other programs including red and priority bus lanes, local bicycle routes and pedestrian access routes.

It is unbelievable that the honourable member for Baulkham Hills criticised and whinged about the budget in relation to Westmead Hospital which is the most significant input into western Sydney health that I have seen, certainly in my time as a member of the Government. The Minister deserves to be congratulated on this budget. The highlight of the budget for the west is the allocation of \$178.5 million during the next six years to implement the Western Sydney Strategy. I do not believe that the honourable member should complain about \$178 million for his local hospital. The project will include a major upgrade of Westmead and Auburn hospitals, an expansion of psychogeriatric services at St Joseph's Hospital in Auburn and the redevelopment of services provided by Lottie Stewart Hospital.

The proposed construction and funding time lines for the project are: this year, \$2 million to finalise planning; 2002-03, \$10 million when construction begins; 2003-04, \$30 million; 2004-05, \$40 million; and 2005-06, until construction is complete, \$96.5 million. I ask the honourable member for Baulkham Hills how can a Government spend all that money without planning how to do it? The project will generate an average of 250 jobs each year. In addition, in this budget Westmead Hospital has been allocated \$7.7 million for improvements. They will include a centre for the New South Wales Breast Cancer Institute, a neonatal emergency transport service, a transit unit and completion of the Westmead procedural centre. The last will provide a one-stop facility for surgery combining pre-admission, peri- and post-operative care. Westmead Hospital will also benefit from allocations to replace crucial diagnostic equipment, funding for an acute stroke unit and enhancement of facilities in the intensive care unit and emergency department.

Other areas of funding from which my constituency benefits includes \$4 million to relocate the Heritage Office to the Marsden Centre, Parramatta, and \$145 million towards the Parramatta rail link, incorporating a massive upgrade of Parramatta Station. I have already placed on record in this House my disappointment that the Parramatta to Epping part of the rail link has been delayed. I am delighted that money in this budget has been allocated for the Parramatta rail link incorporates the upgrade of Parramatta Station. Additionally \$482,000 initial funding has been allocated towards a new Metropolitan Children's Court headquarters building in Parramatta. That will enable greater co-ordination of services throughout the Sydney region and the State. It will provide a place to support 14 specialist children's magistrates, especially those working in Sydney's west. Parramatta's Police Service, together with the community, will also benefit from improvements to the recently opened Forensic Services Satellite Laboratory at Westmead. The acquisition of state-of-the-art technology featured strongly in this budget. This means that the \$800,000 SEM/EDX microscope will now be housed at the laboratory. Together with the crime faculty at Westmead they are set to give police access to sophisticated forensic analysis.

Briefly I will refer to Parramatta Park about which I have spoken on many occasions in this Chamber. To some extent I am delighted with this year's budget because it allocates the most money, \$2.3 million, that any State Government has ever given to Parramatta Park, and for that the Minister should be congratulated. That follows earlier legislation this year to create an independent stand-alone trust to manage Parramatta Park. That is

a great investment in the future of the park. I expect that there will be great works and advancements with this money for the park in this new structure. Of the \$2.3 million, \$1.2 million will be spent on continuing capital works at the park, including new roadworks, signage, parking bays and walking and cycling tracks. A new depot will also be built, and improvements will be made to the visitors centre.

In praising the Minister, and making sure that it is on record that it is the most money Parramatta Park has ever received from the State Government, I also point out that on numerous occasions I have raised safety issues at Parramatta Park. I run there most mornings, but not when Parliament is sitting, and my son cycles. I have repeatedly said in this Chamber that the road around Parramatta Park is not wide enough as it is heavily utilised by cyclists, runners, cars and rollerbladers and it is not safe. Most drivers of cars try to stick to the speed limit but it is still dangerous and major capital works need to be done at the park. The works that need to be done have been prioritised, and the high priority works total \$7.6 million. I am talking about a much bigger budget than provided for in this budget for its very first year. I hope that this budget is a start, and in the future we will make sure that the park receives the funding that it deserves.

Certainly there has always been anger in the community that in the west we have received so little from previous governments and from councils compared with the allocations for Centennial Park. I am delighted that this Government has been addressing those issues. I commend the Government for what I call beginning the road to equality for western Sydney. I also refer to the funding the Parramatta electorate has received from the Department of Urban Affairs and Planning. Social and community development projects in Parramatta fared well under the State Government's Area Assistance Scheme in this budget. The gains are part of the \$8.3 million Area Assistance Scheme funding approved by the Deputy Premier, Minister for Urban Affairs and Planning.

The Parramatta projects which received funding are: \$63,163 to Holroyd Community Development Association for an Aboriginal community development worker to develop an Aboriginal peak organisation that will co-ordinate services and support local Aboriginal groups; \$84,900 to Western Sydney Housing Information and Resource Network Inc. for a community development worker to develop, promote and co-ordinate a regional approach to housing and homelessness issues which are a very big problem in my electorate; \$6,950 to the Baulkham Hills, Holroyd and Parramatta Migrant Resource Centre to improve access to services by disadvantaged communities; and \$17,726 to the Multicultural Disability Advocacy Association for a trained consultant to train people with diverse disabilities from different non-English-speaking backgrounds, and their carers, to conduct information education awareness raising sessions with community groups and organisations, businesses and local government.

We especially focus on innovative self-help projects and partnerships that improve social and community infrastructure with these grants. I believe that the Area Assistance Scheme is successful because it draws on the local knowledge of the community and local councils, and builds their capacity to deal with the challenges of change. With these budget allocations, and the Government's ongoing capable fiscal management, the constituents of Parramatta can and will continue to prosper. I therefore commend the 2001-02 State budget to the House.

**Mr MAGUIRE** (Wagga Wagga) [9.59 p.m.]: Compared to last year's budget, the electorate of Wagga Wagga has won a healthy share of funding. And why not—considering that Scrooge McEgan continues to keep New South Wales as the highest taxed State in Australia. A review of the budget papers for last year and a comparison of them with this year's budget papers reveal a much improved picture, which is good news for my electorate of Wagga Wagga. It would appear that the squeaky wheel is getting oiled. The \$400,000 funding for improved training facilities, basic maintenance, painting and decorating of the Riverina TAFE, Wagga Wagga campus, is most welcome. Our TAFE and its staff are a great organisation, led by Rosemary Campbell and Pam Green, dedicated and most capable professionals. I am very proud of TAFE's achievements, and I will continue to support this most valuable organisation. I encourage the Government to continue to resource this facility, to ensure that it will attract the very best of professionals, and will continue to deliver the types of services that Wagga Wagga and the region are used to receiving from TAFE.

An allocation of \$196,000 towards building five public housing units is also welcomed. I must say that it is extremely worrying that 100,000 people are on the waiting list for housing in New South Wales. But the \$196,000 allocation is welcome to complete those five units. However, I must ask the Minister: What has happened to the women's refuge? In the previous budget \$400,000 was allocated for a women's refuge. I understand that a commercial deal was done to purchase the building. But that proposal has dropped off the radar screen. I have written to the Minister, who happens to be one of the slowest of all Carr Government Ministers to respond, and I am still waiting! Well, I probably know more about the issue than the Minister, and I can tell the House what has happened. The deal has fallen through.

But what does the Minister propose to do to get this women's refuge and the purchase of a building back on track? Identify an appropriate building, purchase and renovate it, do whatever needs to be done, but we are in desperate need of a resolution of this problem. It has gone on for years. The \$400,000 has been allocated, and I want to see this problem resolved. Many domestic violence victims end up at refuges. It is important that we have in our communities facilities that suit needs and respond to requests. I am disappointed that this matter is taking so long. I urge the Minister to get on the telephone tomorrow, find out what is going on and try to solve this problem by getting this women's refuge back on the radar screen. Let us have this problem solved.

The Viticulture Centre at Charles Sturt University continues to be funded, building on the initiatives of the Charles Sturt University and the role that viticulture is playing within the agriculture industry and in our region. The Genetic Diseases Centre continues to receive its funding. That is very welcome. That allocation enables the centre to expand the role of the Department of Agriculture within Wagga Wagga. I encourage the Minister to keep building on the existing base, because we welcome any jobs and additional activity that can be attracted to the Viticulture Centre, which is a centre of excellence.

For the past 18 months the community and I have pressed the Government and the Roads and Traffic Authority to build a new bridge at Kapooka to replace the dangerous S-bend and to negate the need for motorists to use the hazardous road known as Dunn Road. The completion of the bridge will allow Dunn Road to return to its previous status of local road for residents. That \$100,000, which is allocated in addition to the \$300,000 for planning, brings this long-awaited bridge one step closer to completion. That is good news. But I want a commitment from the Government to build the bridge. Ultimately, that will help to push the road through the Glenfield Park estate, known as Redhill Road, and will encourage the council to spend money for that to happen, so that the roadway will link with the Kapooka Bridge, negating the need for those people to use the treacherous Dunn Road, which already has claimed a life. I do not want it to claim another. I have spoken in the House about it, and I urge the Minister to take up the issue to ensure that capital works funding is allocated to that most important project.

Our region will receive \$3.8 million for State forestry improvement. Honourable members may not be aware that the electorate of Wagga Wagga includes huge forestry holdings at Tumbarumba and Holbrook. I hope those funds include moneys for weed eradication, wild animal control, and firebreak maintenance, et cetera. I welcome the upper House inquiry into feral animal control and the damage that feral animals are causing within national parks and State forests. Those animals are causing enormous problems for land-holders within the Wagga Wagga electorate.

Statewide, the overall roads budget has had its funding cut in real terms by almost \$70 million. This follows last year's budget cut of \$111 million. Black spot road funding has been cut from \$19 million to \$13 million. However, the good news is that Wagga Wagga has gained \$1.8 million in Federal money for repairs to the Sturt Highway—a much needed boost. Add that to the normal roads budget and the Federal Government's roads-to-recovery, and there is an injection of millions of dollars into my electorate courtesy of the Federal Government. Out of this budget \$200,000 has been allocated to the Holbrook council for regional development in the form of loghaul of local roads and the Humula Road. This is vital. With the development of the Visy industry in the electorate of Burrinjuck, this becomes an important regional development.

Also, \$100,000 is allocated for the relocation of the intersection of Main Road 284 and the Humula Road at Carabost, and \$50,000 for the installation of a guard fence on various sections of the Jingellic to Holbrook Road, by far the worst piece of road in the Wagga Wagga electorate. So I welcome that funding, and I encourage the Government to respond to requests for funding, especially to do with forestry development, which is most important to the economy of the electorate of Wagga Wagga. The local councils are very pleased to receive the Federal funding. For the first time, they will not have to argue and fight amongst themselves about priorities because, thanks to the Federal Government, they have some real cash to spend on maintenance. Of course, the challenge to the New South Wales Government is to build on that funding. I am sure that any increase in funds in the future will be very warmly welcomed by councils throughout the Wagga Wagga electorate as well as throughout the State.

The school system received an extra \$400,000 for maintenance on top of a recent amount of \$226,000 for extra purchases of machinery, et cetera. I can tell you they needed it! Carpets were threadbare in some schools, and in some instances the floor coverings were of several colours due to patches, whilst buildings needed the very basic of maintenance material. There is a real problem with trying to fill vacancies within the Wagga Wagga area. And having casual teachers fill those places presents real problems. In relation to computer software, on my recent visit to the Mount Austin School I was astounded to find that a class of 30-odd children

had just two pieces of software for the teaching of Spanish classes. I said to the teacher, "What is the problem here?" Obviously, it comes down to funding. I am sure that all honourable members would regard education as one of the most important gifts that we can give a child.

Therefore I urge the Government to increase spending on education. When I say "increase spending on education" I am talking about educating the teachers as well in new technology. I see from the budget papers that only \$1.6 million extra is allocated for training teachers in new technology. That works out to be 50¢ in training per teacher per week. It is not enough. Information technology, as I am sure most honourable members are aware, is the future for our children, so we must make sure that our teachers are up to speed to enable them to deliver the very best through education.

In 1995-96 the Labor Government collected \$21,365 million in revenue. Next year Labor will collect \$28,487 million in revenue, an increase of 33 per cent, or an additional \$1,095 a year for every man, woman and child in New South Wales. Treasurer Michael Egan is taking an extra \$1,095 a year out of everyone's pocket. Revenue from poker machines has leaped from \$448 million to \$748 million, an increase of 67 per cent; land tax has increased from \$580 million to \$965 million, an increase of 66 per cent; payroll tax has increased from \$2,881 million to \$4,125 million, an increase of 43 per cent; and stamp duty has increased from \$2,661 million to \$3,514 million, an increase of 32 per cent. Taxation per capita in New South Wales jumped by 24.3 per cent. Mr Egan made a big deal about the Government's net tax cuts of \$168 million in the next financial year, but how much extra did the Government rake in from taxes? The revised budget estimates reveal that Michael Egan collected an extra \$577 million in taxes above the amount for which Labor was budgeting this financial year. The Government passed up an opportunity to stimulate the regions by targeting country payroll tax and stamp duty rates.

I turn now to health. In health, overall capital expenditure on major works totals \$249.85 million, of which \$91.93 million is designated for country New South Wales. That amounts to just 21 per cent. Today, more than 55,000 people are on elective surgery waiting lists in New South Wales—up from 11,000 when the Premier, Mr Carr, came to office. More than 8,500 people on those lists have waited more than 12 months for elective surgery. Since taking office, Labor has reduced the share of the health budget from 24.4 per cent in 1995-96 to just 22 per cent this coming year. The Government has provided only \$350 million in additional recurrent funds for next year's budget, which is \$129 million less than the increase of \$479 million it provided last year, and it is \$171 million short of the \$521 million needed just to maintain services at current levels.

I cannot mask my dissatisfaction with health and welfare initiatives. To try to solve these problems we are to have a new multipurpose centre in Holbrook, which I am told has just gone to tender. That multipurpose centre, which will be given a concentrated range of services, is in keeping with community expectations. People are experiencing problems in accessing health services. There is a lack of speech pathologists, dentists and occupational therapists. The list goes on. I have campaigned for an upgrade of Wagga Wagga Base Hospital as a priority for the community.

**Mr McManus:** I have been there.

**Mr MAGUIRE:** The Parliamentary Secretary, who is in the Chamber, just said that he has been there. I acknowledge that statement and I thank him for that. I thank him for any support that he can give with regard to upgrading health in my area. I have been advised by Ms Karyn McPeake—courtesy of the Parliamentary Secretary—who is the chief executive of the Greater Murray Area Health Service that that service is currently undertaking a clinical services plan as the first step in the planning process for the redevelopment of Wagga Wagga Base Hospital. That plan is due to be completed on 1 July. I welcome that initiative. I thank all those involved in that first step. However, we need to go to the next step.

The next step in the planning process will be to undertake a procurement feasibility study, which is good news. Ms McPeake has also advised me that the area health service is supportive of accommodation for general practitioners in Lockhart, which confirms that representatives from the service have held discussions with Lockhart shire about accommodation options. Once again I thank the Parliamentary Secretary for visiting Lockhart and for his support. Discussions were held in relation to providing those buildings in Lockhart. Planning for the redevelopment of Wagga Wagga Base Hospital is in its infancy because of the changing technology in medicine. I have to ask: What is the point of a shiny new hospital if we do not have the specialists and staff to work in it?

I know that health is not an easy portfolio, but I firmly believe that both problems must be progressed together with funding for redevelopment concepts, while continuing to solve the real issues that impact on

health providers and professionals. It is my aim to continue to progress the redevelopment issue, but my priority is to get those 55,000 people off that waiting list. They must receive treatment. Assaults have risen by 56.7 per cent. The rate of assaults in New South Wales is roughly three times the rate in Victoria. A newspaper article dated Monday 25 June, which has as its headline "Shame on our streets", refers to incidents that occurred in Wagga Wagga—nothing about which the Wagga Wagga community can be pleased. The article states:

A 21-year-old man needed eight stitches ...

A 14-year-old boy ... had his jaw broken ...

At the same party a 17-year-old was followed into the toilet by another person and set upon ...

A 19-year-old man was robbed of a baseball cap ... and was punched and kicked ...

Another 19-year-old was assaulted ...

A bashed and heavily intoxicated 20-year-old was found ...

**Mr DEPUTY-SPEAKER:** Order! For the record, the honourable member should name the paper and give the date.

**Mr MAGUIRE:** Certainly, Mr Deputy-Speaker. I have quoted from the *Daily Advertiser*. Those are not incidents about which any community should be proud, but assaults are on the increase. I want to send a strong message to members of my community and to the Police Service. This issue must be addressed. I urge the Minister and the Government to take up these issues and to allocate additional resources towards controlling incidents that are leading to a disintegration of communities. These incidents are not peculiar to our community; they are spread across New South Wales, as some of these statistics indicate. Sexual assaults are up 54 per cent and break and enters into dwellings are up 31 per cent.

What has been the Government's response? It has closed police stations. The Government has slashed by \$21 million the budget for specialist activities to target organised criminal activity and criminal groups. The Government has failed to come close to meeting its 1999 election promise to boost front-line police numbers by 2,100. The strength statement of 31 March 2001 showed that there were 13,509 sworn police in the Police Service—12 fewer police officers than at the time of the election. There are to be no new police stations in country New South Wales. It has been revealed that this year the Carr Government underspent the police capital works budget by 12 per cent, or almost \$8 million.

While the Minister and the Commissioner of Police have been dilly-dallying in relation to Wagga Wagga police station, they missed yet another opportunity to put police officers into Burwood Street accommodation, which was offered by Wagga Wagga City Council. The other building in which police officers could have been accommodated was located in Johnson Street. They missed out on that opportunity because of their incompetence. We require funding if the Carr Government is to deliver on its pre-election promise of an additional 2,100 front-line police. We also need money for capital works projects at other country police stations, some of which do not even meet occupational health and safety standards.

The Leader of the Opposition recently announced that a Coalition government would review State taxes and establish an independent gaming authority. I welcome that initiative, as do business people and residents in my electorate. Taxation is a most important issue. As I said at the outset, New South Wales continues to be the highest taxed State in Australia. That matter needs urgent attention. It was not addressed in this budget. I urge the Government to seriously consider those issues before it delivers its next budget. There is inadequate funding—an amount of only \$13 million—in this year's budget for the salinity strategy, which represents \$52 million over four years. In comparison, the Federal Government allocated \$700 million over seven years to address salinity problems. What a marked difference!

Much more must be done to address salinity problems in this State. Obviously, the problem has been identified. Councils have come to grips with the fact that there are salinity problems. The Government must rise to the challenge. Funding for the Town and Country Sewerage Supply program has been increased to \$67 million per annum. However, that is still well below the previous Coalition Government's funding level of \$85 million. Sewerage services must be provided for Woomargama, east Wagga Wagga, Collingullie and Yerong Creek. Those areas all require sewerage services and they all require funding. That funding is not available.

This Government must get serious about funding infrastructure projects within regional New South Wales. Country people pay record taxes, yet the budget is devoid of any real vision for rural and regional

development. While the Government's public relations machine crows that the budget provides 32 per cent of its capital expenditure to areas outside Sydney, Newcastle, Wollongong and the Central Coast, that figure is artificially inflated by roads expenditure. The budget papers reveal that, despite one-third of the population living outside metropolitan New South Wales, the amount of capital expenditure allocated in 2000-01 to key areas in country New South Wales fell well short of that one-third benchmark. It is time that the Premier and the Treasurer re-evaluated their attitude to country New South Wales.

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

**POLICE POWERS (DRUG PREMISES) BILL**

**Mr Deputy-Speaker** reported the receipt of the following message from the Legislative Council:

Mr SPEAKER

The Legislative Council has considered the Legislative Assembly's Message dated 26 June 2001, relating to amendments to the Police Powers (Drug Premises) Bill, and does not insist on its amendment No. 2 disagreed to by the Assembly in the Bill.

Legislative Council  
26 June 2001`

FRED NILE  
Deputy-President

**House adjourned at 10.22 p.m. until Wednesday 27 June 2001 at 10.00 a.m.**

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